FIRSTCARBONSOLUTIONS™

FINAL
Environmental Impact Report
Oak Park Properties Specific Plan
Pleasant Hill, California

State Clearinghouse Number: 2018112058

Prepared for:
City of Pleasant Hill
100 Gregory Lane
Pleasant Hill, CA 94523
925.671.5224

Contact: Troy Fujimoto, Acting City Planner

Prepared by:
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Date: January 6, 2020

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SECTION 1: INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15088, the City of Pleasant Hill has evaluated the comments received on the Oak Park Properties Specific Plan Draft Environmental Impact Report (EIR). The responses to the comments and errata, which are included in this document - together with the Draft EIR, the Draft EIR appendices, and the Mitigation Monitoring and Reporting Program - form the Final EIR for use by the City of Pleasant Hill in its review.

This document is organized into three sections:

- **Section 1—Introduction.**
- **Section 2—Responses to Written Comments.** Provides a list of the agencies, organizations, and individuals who commented on the Draft EIR. This section also includes master responses that are responses to similar comments made by multiple public agencies, organizations, or individuals. Copies of all of the letters received regarding the Draft EIR and responses thereto are included in this section.
- **Section 3—Errata.** Includes an addendum listing refinements and clarifications on the Draft EIR, which have been incorporated.

The Final EIR includes the following contents:

- Draft EIR (provided under separate cover)
- Draft EIR appendices (provided under separate cover)
- Responses to Written Comments on the Draft EIR and Errata (Sections 2 and 3 of this document)
- Mitigation Monitoring and Reporting Program (provided under separate cover)

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SECTION 2: RESPONSES TO WRITTEN COMMENTS

2.1 - List of Commenters

A list of public agencies, organizations, and individuals that provided written comments on the Draft EIR during the public review period is presented below. Each comment has been assigned a code. Individual comments within each communication have been numbered so comments can be cross-referenced with responses. Following this list, the text of the communication is reprinted and followed by the corresponding response.

Author **Author Code**

Local Agencies

East Bay Municipal Utility District.....EBMUD
Contra Costa County Flood Control & Water Conservation District.....FC DISTRICT
Contra Costa County Local Agency Formation Commission.....LAFCO

Organizations

California Urban Streams Partnership.....CUSP
Friends of Pleasant Hill Creeks.....FPHC
Friends of Pleasant Hill Creeks and Mount Diablo Audubon Society.....FPHC + MDAS
Pleasant Hill Instructional Garden.....PHIG

Individuals

Alan Bade, Letter 1.....BADE.1
Alan Bade, Letter 2.....BADE.2
Jim Bassett.....BASSETT
Nancy Evans.....EVANS
Nancy Garcia.....GARCIA
Wendy Gollop and Alan Bade.....GOLLOP_BADE
Denise Harris.....HARRIS
Leslie Kelley.....KELLEY
Giles G Miller, Letter 1.....MILLER.1
Giles G Miller, Letter 2.....MILLER.2
Dick Offerman.....OFFERMAN
Robert Pentacoff.....PENTACOFF
Jack Prosek, Letter 1.....PROSEK.1
Jack Prosek, Letter 2.....PROSEK.2
Jack Prosek, Letter 3.....PROSEK.3
Jack Prosek, Letter 4.....PROSEK.4
Jack Prosek, Letter 5.....PROSEK.5
Mary Jo Pugh.....PUGH
Bany Wilson.....WILSON

2.2 - Responses to Comments

2.2.1 - Introduction

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15088, the City of Pleasant Hill, as the lead agency, evaluated the comments received on the Draft EIR (State Clearinghouse No. 2018112058) for the Oak Park Properties Specific Plan, and has prepared the following responses to the written comments received during the Draft EIR public review period. This Response to Comments document becomes part of the Final EIR for the proposed plan in accordance with CEQA Guidelines Section 15132.

2.2.2 - Master Responses

Master responses address similar comments made by multiple public agencies, organizations, or individuals through written comments submitted to the City of Pleasant Hill.

List of Master Responses

- Master Response 1—Schedule for Construction and Use of Temporary Library
- Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements
- Master Response 3—Parking
- Master Response 4—Lighting
- Master Response 5—Lighting Impacts to Wildlife Movement

Master Response 1—Schedule for Construction and Use of Temporary Library

Summary of Relevant Comments

Several commenters expressed concern relating to the closure of the existing library before the new library is complete, and the use of a temporary library during construction. Several commenters also requested an evaluation of an alternative in which the existing library would remain open until the construction of the proposed library is complete.

Response

The purpose of an Environmental Impact Report (EIR) discussion of alternatives is to identify ways to reduce or avoid significant environmental effects. “An EIR need not consider every conceivable alternative to a project” (California Environmental Quality Act [CEQA] Guidelines § 15126.6 (a)). As such, the City, as lead agency, appropriately focused its environmental review on those alternatives that can avoid or substantially lessen the proposed plan’s significant environmental effects (Public Resources Code [PRC] § 21002; CEQA Guidelines § 15126.6(a)–(b)). Consistent with CEQA and guiding case law, the City analyzed three alternatives that offer environmental advantages over the proposed plan. (See, e.g., *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal. 3d 553, 566.) Although the lead agency may consider alternatives that are superior to the proposed plan only in some respects, the City is not required to analyze alternatives that are incapable of reducing any significant environmental impacts. (See, e.g. *Citizens for E. Shore Parks v. State Lands Comm’n*

(2011) 202 Cal. App. 4th 549, 564 [the Court found that the "EIR did not need to address the causeway removal and buried pipeline alternative urged by plaintiffs, since it was directed at an asserted impact not identified in the EIR."]). Keeping the Pleasant Hill Library open until the new library is constructed, as suggested by commenters, does not reduce or eliminate any identified significant environmental impacts. Accordingly, because the suggested alternative may result in increased impacts and does not reduce any identified significant environmental impacts, the City appropriately rejects this suggested alternative from further consideration.

During the construction period, Pleasant Hill residents would continue to have access to the remaining Contra Costa County Libraries, including the Walnut Creek Library located 2.3 miles to the south and the Ygnacio Valley Library, located 3.1 miles to the southeast. Residents also would have access to the Contra Costa Virtual Library, including access to digital books and reference materials. During the approximately 18-24 month construction period, the County would relocate some of the Pleasant Hill Library's collection to a temporary library space inside the Pleasant Hill Senior Center, located less than 2 miles from the project site.[1] The temporary library would be open Monday to Saturday. The availability of these libraries and digital resources would reduce the potential inconvenience related to the temporary closure of the Pleasant Hill Library during construction.

Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements

Summary of Relevant Comments

Several commenters expressed concern relating to flooding and provided comments about the design of the storm drainage improvements (including the use of riprap for bank stabilization).

Response

The Pleasant Hill 2003 General Plan establishes goals and implementing policies associated with hydrology, water quality, and flooding in the City, including:

- **Goal 1**: Minimize potential for serious flooding and drainage problems.
- **Policy 1A**: Maintain and upgrade the city drainage system.
- **Policy 1B**: Reduce flood damage potential in areas known to be prone to flooding.
- **Policy 1C**: Maintain and improve the ability of the Fire District and the Police, Maintenance and Engineering Departments to respond to flood emergencies.
- **Program 1.1**: Continue to clear drainage systems regularly (inlets, culverts, swales, creeks, and channels), both public and private, to remove debris buildup that can exacerbate flooding impacts.
- **Program 1.2**: Develop and adopt a City Master Drainage Plan.
- **Program 1.3**: Install and maintain drainage system improvements as scheduled in the CIP.
- **Program 1.4**: Use part of the former Oak Park Elementary School property or other sites south of Gregory Lane, where feasible, for flood detention, or allow uses that include flood detention features.
- **Program 1.5**: Enforce federal regulations that control placement of structures in floodplains, and maintain appropriate standards for development in flood-prone and poorly drained areas.

[1] Melinda Cervantes. County Librarian, Contra Costa County. Personal communication in person March 12, 2019.

- **Program 1.6**: Require mitigation for any development that could create or significantly worsen flood or drainage problems.
- **Program 1.7**: Adopt a no-net-fill policy or limit on impervious surface as a percentage of lot size and require new development to not have any increase in stormwater runoff.
- **Program 1.8**: Augment existing Geographic Information System and other data regarding low-lying areas with information obtained during storms.
- **Program 1.9**: Develop a prioritized list of proposed capital improvement projects for low-lying, flood-prone areas, and seek funding for those projects.
- **Program 1.10**: Adopt standards regulating expansion or new development in the 100-year floodplain.
- **Program 1.11**: Train Fire and Police personnel to a level appropriate to their positions and responsibilities to respond to flood emergencies.

The Pleasant Hill 2003 General Plan identifies policies and programs, such as Policy 1B and Programs 1.2, 1.3, and 1.9 for the funding and implementation of improvements to the City's storm drainage system as part of the City's Capital Improvement Program (CIP). In accordance with the City's General Plan policies, the City adopted Resolution 37-18, the Fiscal Year (FY) 2018-2023 Capital Improvement Plan (FY 2018-2023 CIP) after the voters approved Measure K. The FY 2018-2023 CIP provides for the installation of new storm drain facilities or the upgrade of existing storm drain facilities to address locations of poor drainage or areas in the City with localized flooding problems.[2] The Civic Project would also be required to implement a Storm Water Pollution Prevention Plan (SWPPP) as part of its Construction General Permit. The SWPPP is designed to ensure that erosion, siltation, and flooding are prevented or minimized to the maximum extent feasible during construction through the implementation of standard Best Management Practices (BMPs).

In addition to compliance with these existing policies and programs, the Draft EIR includes Mitigation Measure (MM) HYD-3, which requires the Civic Project and the Residential Project each prepare a Final Drainage Plan to address run off and the potential for flooding. The Final Drainage Plan would include a discussion of design information for bioretention basins included as part of the Civic Project that would include capacity, sizes of inlet and outlet structures, routing, and other pertinent information. The Hydrology and Hydraulics Report and the Stormwater Control Plan for both the proposed library and athletic fields are currently under review by the applicable regulatory agencies. The bioretention ponds and oversized storm drain pipes would treat and provide hydromodification to accommodate the increased runoff from the plan area. The design methodology will assure the post development peak flow runoff is less than or equal to the pre-project level.

Civic Project

The Civic Project includes the creation of expanded storm drain capacity along Oak Park Boulevard to convey stormwater that currently sheet flows across the Civic Project site, as well as the creation of appropriately sized bioretention basins capable of holding runoff during storm events to prevent any exacerbation of flooding on- or off-site in accordance with the City's CIP and General Plan.[3] In

[2] City of Pleasant Hill. 2018. FY 2018-2023 Capital Improvement Plan, page 35. June. Website: http://ca-pleasanthill3.civicplus.com/DocumentCenter/View/1092/CIP-2018-23?bidId=. Accessed October 18, 2019.

[3] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.18-26 to 3.18-32. August.

addition to improving existing drainage conditions on the Civic Project site, the Civic Project includes implementation of the stormwater system improvements goals/objectives in the CIP to address existing flooding conditions within the plan area and in the surrounding area.

If there were a storm event that produced stormwater overflow, the overflow would be stored within the new athletic fields. The Final Drainage Plan would incorporate design recommendations of the Floodplain Evaluation Report to ensure that sufficient stormwater retention capacity is provided.

With respect to the use of riprap as part of the Grayson Creek Outfall Project in accordance with MM BIO-2a, City Staff is preparing a flow analysis and bank stability analysis as suggested by the Regional Water Quality Control Board (RWQCB). Per MM BIO-2a, which requires the City to obtain a 401 Water Quality Certification from the RWQCB, City Staff will validate the flow velocities in the creek for all three outfalls based on the use of the United States Army Corps of Engineers (USACE) HEC-RAS models, in order to set the basis for design and the minimum impact area for slope protection measures. City Staff will incorporate the recommendations of the USACE Stability Thresholds for Stream Restoration Materials[4] as appropriate, including the use of less rock protection. Other protection methods, including bioengineered options to stabilize the creek banks and bed, and other reviewing criteria and recommendations identified in the USACE Report will be vetted with the USACE, California Department of Fish and Wildlife (CDFW), and RWQCB staff prior to final design and implementation.

Residential Project

The Residential Project would be constructed above the 100-year base flood elevation and its development would actually represent a net decrease in impervious surfaces, which would improve water absorption and reduce run-off. The Residential Project would also include bioretention basins that would be capable of holding runoff during storm events and prevent any exacerbation of flooding on- or off-site in accordance with the City's CIP and General Plan policies. Accordingly, the Residential Project is designed to ensure that an increase in runoff would not exceed the storm drainage capacity or redirect flood flows. As discussed in Chapter 3.8 of the Draft EIR, impacts from the Residential Project would be less than significant and no mitigation is required.

Master Response 3—Parking

Summary of Relevant Comments

Several commenters expressed concern relating to lack of parking during construction of the new library while the temporary library is open as well as adequacy of parking during operation of the Civic Project.

Response

Parking at Senior Center during Construction

As discussed in the Draft EIR, the Recreation and Park District will be responsible for monitoring parking demand during construction and will work with the City and County to modify activities and/or programming to accommodate demand in accordance with MM TRANS-1a. The use of the Senior Center as a temporary library space provides a convenient and close (less than 2 miles from

[4] United States Army Corps of Engineers (USACE). 2001. Stability Thresholds for Stream Restoration Materials. May.

the project site) alternative location during construction. The Senior Center currently contains buildings and rooms that are available during the hours of operation for use as a temporary library that would be able to accommodate temporary library uses in conjunction with existing Senior Center operations. Utilization of this space makes appropriate use of existing available resources and space. With implementation of MM TRANS-1a, the Recreation and Park District would be responsible for monitoring parking and modifying programs and hours to ensure parking is adequate at senior and teen centers when temporary library uses occupy both sites; thus, impacts are considered less than significant.

Evaluation of Parking during Operation

To analyze parking during operation of the Civic Project, parking occupancy counts were conducted on a Saturday at 10:00 a.m. and 12:00 p.m. on a day with tournaments at the sports park and on a typical weekday at 2:00 p.m. and 6:00 p.m. Results of the parking surveys indicated that while some parking areas sometimes operate at or near capacity, overall there is sufficient parking capacity within the park such that spillover to adjacent neighborhood streets would be minimal.

A total of 165 parking spaces are proposed to support the use of both the proposed library and athletic fields. Based on the results of the parking surveys conducted by Fehr and Peers as part of the Transportation Impact Assessment (TIA), there is some surplus parking available in existing parking lots serving the sports fields and on Monticello Avenue north of Santa Barbara Road, and parking demand spillover to nearby residential streets is not expected. The TIA acknowledges it could become more difficult for existing park users to find parking. As part of the TIA and as discussed under Impact TRANS-1 in the Draft EIR,[5] preparation of a shared parking agreement between the City and the Recreation and Park District was recommended such that parking could be shared between the uses to make efficient use of the parking resource. Should a potential parking shortage be identified at the shared parking lot, a parking management plan to better accommodate both uses may be developed by the City and Recreation and Park District.

Master Response 4—Lighting

Summary of Relevant Comments

Several commenters expressed concern about lighting and the impacts of the ball field lighting on the surrounding residents. Commenters requested copies of the photometric plans.

Response

The Municipal Code does not include any regulations related to ball field lighting.

Section 18.55.140.B.3[6] of the City's Municipal Code applies specifically to lighting emanating from outdoor parking lots. Specifically, Section 18.55.140.B.3 establishes standards for review of parking lot lighting via a photometric plan and provides, in relevant part, the following standard:

[5] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.14-61 to 3.14-63. August.

[6] City of Pleasant Hill. 2019. City of Pleasant Hill Ordinance Code, Title 18: Planning and Land Use. Website: https://www.codepublishing.com/CA/PleasantHill/. Accessed: October 25, 2019.

18.55.140 Parking area screening, lighting and landscaping.

B. Lighting. Outdoor parking lot lighting shall be designed, installed and maintained to prevent nighttime sky light pollution and use energy efficiently by lighting only those areas or objects necessary for safety and security. All outdoor parking lot lighting shall conform to the following:
   3. Maximum illumination adjacent to any residential property line or R district boundary line shall not exceed 0.2 foot-candles as measured in the vertical plane at the property line to a height equal to the height of the light source.
   4. The maximum light intensity on a nonresidential site, except automobile, vehicle/equipment sales lots and automobile service stations, shall not exceed 10 foot-candles, when measured at finished grade.

In preparing the Draft EIR, the City's independent environmental consultant, FirstCarbon Solutions (FCS) and its subconsultant, Lindsley Architectural Lighting, evaluated the lighting plans and photometric plans for the proposed parking lots.

Following review of the design plan and photometric plans, Lindsley Architectural Lighting worked directly with each design team to refine or substitute lighting, where needed, to achieve compliance with City requirements. As summarized in the Lighting Peer Review Memo (updated December 17, 2019), and as shown in the photometric plans (included as Appendix A), this coordination and subsequent adjustments on the part of each design team ensures that the proposed lighting would be in compliance with Municipal Code Section 18.55.140.B.3. Specifically, the adjustments made to the lighting plans ensure that the proposed parking lot lighting would not result in illumination of more than 0.2 foot-candles at the residential property boundary along the eastern bank of Grayson Creek; that the maximum illumination of parking lot lighting along the proposed residential district boundary line would be at or below 0.2 foot-candles, and that the maximum light intensity would not exceed 10 foot-candles, when measured at finished grade.

Although not technically required by the Municipal Code, Lindsley Architectural Lighting also reviewed lighting plans for the other components of the Specific Plan, including specifications and details for the lighting proposed at the library and the ball fields. As shown in the photometric plans included in Appendix A, the lighting would not result in illumination of more than 0.2 foot-candles at the residential property boundary along the eastern bank of Grayson Creek. Additionally, the ballfield lighting would be shut off at 10 p.m. which precludes intrusion during the more sensitive night-time hours.

Additionally, the proposed new LED street lighting along Oak Park Boulevard is designed to provide both vehicle safety lighting and pedestrian level lighting on a single pole. The City has used the same street light fixture, bulb intensity, and similar pole spacing on similar roadways over the past five years, and the lighting combination has provided adequate street light coverage to meet the needs of night time traffic and pedestrian safety. The light fixture also has a shielding and dimmer feature to prevent unintended stray lighting from reaching the nearby residential properties to the south of the plan area.

While the implementation of the Specific Plan would represent a change in the nightscape, it would not result in a significant adverse environmental impact pursuant to CEQA. If needed, adjustments will be made to the angle of the lighting for the ball fields after installation (prior to occupancy or 30 days after installation, whichever occurs first).

Several commenters also expressed concern with respect to the level of artificial light at night (ALAN) compared to the existing baseline. The City does not have a threshold for identifying potentially significant environmental impacts associated with ALAN, nor do the City's lighting standards include thresholds for lumens, candela, direction, color or wave length. As described above, the City evaluated the proposed parking lot lighting for compliance with Section 18.55.140.B.3 of the Municipal Code. As shown in the photometric plans included in Appendix A, the lighting for the Civic Project would not exceed the City's standards.

The Residential Project would develop uses with light impacts typical of single-family homes, such as exterior landscape lighting and light from windows. The Residential Project would be required to comply with Pleasant Hill Municipal Code Section 18.55.140, which provides standards for parking lot lighting, and Municipal Code Section 18.60.050, which provides standards for signs. Compliance with these requirements would reduce potential impacts and ensure the Residential Project is consistent with existing regulations. Therefore, impacts related to light associated with the Residential Project would be less than significant.[7]

Master Response 5—Lighting Impacts to Wildlife Movement

Response

Several commenters expressed concern about the potential impacts of lighting on Grayson Creek, especially with respect to wildlife movement within the creek.

Given that the wildlife in this urban environment has been exposed to light at night (e.g. light from residences, street lighting, and car lights), the wildlife is habituated to lighting at night, and as discussed below, neither the Civic Project nor the Residential Project would result in a significant increase in the amount of lighting at night. In addition, as noted in the Project Descriptions, the operation of exterior lighting for the ball fields and the library would observe a 10:00 p.m. cut-off; therefore, implementation of the Civic Project would not result in a significant impact to nocturnal wildlife movement.

As discussed in Master Response 4—Lighting, light trespass from the ball field lighting would not exceed 0.2 foot-candles at the residential property boundary along the eastern bank of Grayson Creek (see Lighting Peer Review Memo in Appendix A). Coupled with the Habitat Mitigation Monitoring and Reporting Plan, which includes planting of native species along the Grayson Creek Corridor as part of MM BIO-2 and would promote wildlife movement,[8] direct or indirect nighttime lighting impacts to wildlife movement within the Grayson Creek Corridor would be less than significant level. In addition, development associated with the Civic Project would be setback more

[7] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Page 3.1-37. August.
[8] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Page 3.3-3 and 3.3-34. August.

than 10 feet from the Creek and would exceed the City's setback requirements (Ordinance 18.50.150). Accordingly, the Draft EIR concluded that nighttime lighting impacts on wildlife would be less than significant.

The Residential Project would be located approximately 600 feet or more from Grayson Creek and the distance from the corridor and interviewing development would preclude the potential for disturbance related to wildlife movement.[9] Therefore, nighttime lighting associated with the proposed plan would not have a significant impact on wildlife within the Creek.

2.2.3 - Comment Letters and Responses

The comment letters reproduced in the following pages follow the same organization as used in the List of Authors.

[9] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Page 3.3-37. August.

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EAST BAY
MUNICIPAL UTILITY DISTRICT

October 7, 2019

Troy Fujimoto, Acting City Planner
City of Pleasant Hill
Public Works & Community Development Department
100 Gregory Lane
Pleasant Hill, CA 94523

Re: Notice of Intent to Adopt a Draft Environmental Impact Report – Oak Park Properties Specific Plan, Pleasant Hill

Dear Mr. Fujimoto:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Draft Environmental Impact Report (EIR) for the Oak Park Properties Specific Plan located in the City of Pleasant Hill. The Oak Park Properties Specific Plan is located outside of EBMUD's Ultimate Service Boundary, and EBMUD would not be the water provider for the project. 1

EBMUD commented on the Notice of Preparation of a Draft EIR for the project on December 11, 2018. EBMUD's original comments still apply; in addition, EBMUD has further comments on the Draft EIR. All EBMUD comments have been integrated into the comments below.

AQUEDUCT RIGHT-OF-WAY

The Oak Park Properties Specific Plan is located adjacent to EBMUD's Mokelumne Aqueducts (Aqueduct) right-of-way (owned in fee). Any projects being planned within or immediately adjacent to EBMUD property will need to follow EBMUD's Policy 7.01 – Aqueduct and Distribution Pipeline Rights-of-Way Maintenance; Procedure 718 – Raw Water Aqueduct Right-of-Way Non-Aqueduct Uses; and Procedure 718 Supplement – Requirements for Entry or Use of Mokelumne, Lafayette, and Moraga Aqueducts and Raw Water Pipeline Rights-of-Way. A copy of all three documents is enclosed for your reference. 2

Design drawings for any project encroachment (roadway, utility, facility, etc.) or restoration projects crossing or within the Aqueduct right-of-way will need to be submitted to EBMUD for review of possible drainage, site grading, fencing, construction access, and other conditions that may impact EBMUD property. EBMUD requires a full set of drawings (full size or 11" x 17") as well as an electronic copy in PDF format. All submittals shall be sent to the attention of Vincent H. Pon, P.E., Superintendent of Aqueduct Section, 1804 West Main Street, Stockton, CA 95203. Additional information

and an encroachment package are included in EBMUD's Procedure 718 and Procedure 718 Supplement. Applications for non-EBMUD uses will not be processed unless accompanied by the appropriate application fees outlined in the current applicable Water and Wastewater System Schedule of Rates and Charges and Fees. Contractors must secure an encroachment permit from the EBMUD Aqueduct Section prior to mobilizing and starting construction work. A pre-construction meeting with EBMUD is mandatory. 2 CONT

Specific items of interest to EBMUD noted in the Oak Park Properties Specific Plan include the design and location of the three replacement drainage outfalls to the creek; irrigation on the Aqueduct side of the creek; and any plantings on the Aqueduct side of the creek. The Oak Park Properties Specific Plan may involve the construction of a retaining wall and fence along the property line; these must be constructed completely outside of EBMUD property, including all footings. The project sponsor shall contact EBMUD's Survey Section to coordinate identifying, locating and marking correct property lines. 3

Lastly, any potential future pedestrian bridge and bridge foundation design would be subject to the same policies, procedures, requirements, and concerns as described above. 4

GENERAL

On page 3.8-1, under Hydrology and Water Quality, Introduction, please change the text to reflect ***(added text in bold italics)*** … "East Bay Municipal Utility District (EBMUD) requests that***: EBMUD Policy 7.01*** ~~***procedure 701***~~ is followed***: with respect to*** site assessment for drainage, grading, fencing, ***and*** construction access***; EBMUD Policy 7.01 and Procedure 718 (including EBMUD's Procedure 718 Supplement) are required to be followed for any and all construction activities related to the potential future pedestrian bridge.***" 5

If you have any questions concerning this response, please contact Timothy R. McGowan, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-1981.

Sincerely,

David J. Rehnstrom
Manager of Water Distribution Planning

DJR:DWG:sjp
sb19_189 City of Pleasant Hill Oak Park Properties Specific Plan

Enclosures: EBMUD's Policy 7.01 – Aqueduct and Distribution Pipeline Rights-of-Way Maintenance; EBMUD's Procedure 718 – Raw Water Aqueduct Right-of-Way Non-Aqueduct Uses; EBMUD's Procedure 718 Supplement – Requirements for Entry or Use of Mokelumne, Lafayette, and Moraga Aqueducts and Raw Water Pipeline Rights-of-Way

cc: Contra Costa County
Department of Conservation and Development
30 Muir Road
Martinez, CA 94553

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District Administration Office
147 Gregory Lane
Pleasant Hill, CA 94523

FirstCarbon Solutions
1350 Treat Boulevard, Suite 380
Walnut Creek, CA 94597

EBMUD

Policy 7.01

EFFECTIVE 24 SEP 19

SUPERSEDES 24 NOV 15

AQUEDUCT AND DISTRIBUTION PIPELINE RIGHTS-OF-WAY MAINTENANCE

IT IS THE POLICY OF EAST BAY MUNICIPAL UTILITY DISTRICT TO:

Maintain the integrity of the raw water aqueducts and the distribution pipeline rights-of-way (fee-owned and easement established) in order to ensure:

- Safety and reliability of water supply, and the rights and obligations of the District;
- Protection against fire;
- Protection against erosion;
- Protection against trespassing by individuals or unauthorized encroachment; and
- Fast recovery from emergencies.

Rights-of-Way Use Restrictions

Protect against trespassing by use of control measures such as gates across rights-of-way to ensure both operational requirements and the rights of other property owners are met.

With prior District approval, allow use of the rights-of-way for public trail purposes by public agencies provided such use will lessen maintenance work performed by the District with due regard for District liability, safety of pipelines, and maintenance of access roads.

Where possible, secure relinquishment of surface rights from their present owners in exchange for other rights requested by those owners where such exchanges are in the best interests of the District.

Allow the use of District aqueduct rights-of-way by others only under the terms of a written agreement.

Prohibit uses incompatible with the District's property rights, operation and maintenance of the aqueducts and distribution pipelines, or that potentially impact the District's assets. These prohibitions generally include but are not limited to:

- Use of District aqueduct or distribution pipeline properties by others as a condition to meet city/county zoning requirements or to obtain any land use permit, approval, or entitlement affecting properties not owned by the District.
- Third party building or portions of buildings constructed on aqueduct or distribution pipeline property.
- Unauthorized non-District vehicular parking by others over aqueducts or distribution pipelines.
- Interference with gravity drainage of District aqueduct or distribution pipeline property. Drainage facilities shall be provided outside District property to assure adequate drainage is maintained.

Raw Water Aqueduct Integrity

Plan for and implement the repair, refurbishment, and replacement of the aqueducts including a secure Delta tunnel.

6

Ensure that all uses of aqueduct rights-of-way accommodate future construction of replacement aqueducts, additional aqueducts, and potential improvements to the aqueducts.

Ensure construction from any proposed third party project that passes under, over, or through a fee-owned or easement established aqueduct right-of-way is evaluated in detail for potential impacts, and mitigations are identified and implemented to the level of no significant impact.

6
CONT

Authority

Resolution No. 14,620, January 26, 1951
As amended by Resolution No. 33027-02, September 24, 2002
As amended by Resolution No. 33443-04, September 28, 2004
As amended by Resolution No. 33564-06, November 14, 2006
As amended by Resolution No. 33780-10, September 14, 2010
As amended by Resolution No. 33871-12, April 24, 2012
As amended by Resolution No. 34059-15, November 24, 2015
As amended by Resolution No. 35156-19, September 24, 2019

References

Policy 9.06 – Bay-Delta Protection
Procedure 718 – Raw Water Aqueduct Right-of-Way Non-Aqueduct Uses

EBMUD

Procedure 718

EFFECTIVE 25 MAY 17
SUPERSEDES 21 AUG 15
LEAD DEPARTMENT O&M

RAW WATER AQUEDUCT RIGHT-OF-WAY NON-AQUEDUCT USES

PURPOSE – To establish procedures and criteria for review and authorization of overhead, surface and sub-surface use of District-owned property containing raw water aqueducts and raw water pipelines for purposes other than installation, maintenance, and operation of District raw water aqueducts.

Forms Used

L-14 Limited Land Use Permit
K-47 Work Request Agreement
N-15 Certificate of Public Liability Insurance
N-17 Certificate of Workers' Compensation Insurance
Application for Use of EBMUD Property or Request for Information
General Fund Receipts for Miscellaneous Payments

Authority and Responsibility

Use, development, and control of fee-owned rights-of-way for District and non-District uses must be consistent with water supply operation and security and the rights and obligations of the District. District and non-District uses of District-owned aqueduct rights-of-way may be permitted when they conform to Policy 7.01, Aqueduct Integrity and Rights-of-Way Maintenance.

- No use of District aqueduct properties by others will be permitted as a condition to meet city/county zoning requirements or to obtain any land use permit, approval, or entitlement affecting properties not owned by the District.
- No use of District properties by others will be permitted except under terms of a written agreement.
- Use of raw water aqueduct rights-of-way for District purposes shall have the concurrence of the Aqueduct Section Superintendent.
- Use of aqueduct rights-of-way for District treated water lines shall include all applicable aqueduct protections required for similar third-party utility water line crossings.
- The decision whether to authorize any party other than the District to use District-owned property containing raw water aqueducts and raw water pipelines for any non-District purpose is a legislative act undertaken in the sole discretion of District staff. No notice or hearing is required to consider an application for use of such property, and staff's decision is not subject to appeal.

For all raw water aqueducts and pipelines, acceptable long-term uses of the rights-of-way include but are not limited to: utility crossings, road crossings, limited agriculture, equestrian and pedestrian trails, parks, oil and gas leases, and District-owned ground water wells. Acceptable, long-term uses of rights-of-way and easements for future raw water aqueducts will be evaluated upon facility completion. Such uses will be authorized by letter, limited land use permits, revocable licenses, leases or easements, as appropriate. All approved uses will conform to the requirements and limitations described in Requirements for Entry or Use of Mokelumne, Lafayette, and Moraga Aqueducts and Raw Water Pipeline Rights-of-Way (Requirements for Entry or Use) (Supplement No.1 to Procedure 718) and all other conditions as specified in the written approval, permit or easement for each individual use.

The Water Supply Division is responsible for monitoring permitted uses and detecting and preventing unauthorized uses of raw water aqueduct rights-of-way. The Office of General Counsel and the Manager of Real Estate Services will be consulted when an unauthorized user will not voluntarily desist.

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The Water Supply Division is responsible for coordinating the development of recommendations with respect to the terms and conditions to be stipulated when a District or non-District use of a raw water aqueduct right-of-way is to be permitted.

The Director of Engineering and Construction shall be consulted when needed to supply location analysis or to determine what structural, grading, drainage, corrosion protection or other engineering measures are required and to obtain estimates of engineering, design and inspection costs.

Inquiries and Applications for Use

For all raw water aqueducts and pipelines, applications and inquiries for use of raw water aqueduct rights-of-way shall be processed by the Water Supply Division. Applications for non-District uses will not be processed unless accompanied by the appropriate application fees outlined in the current applicable Water and Wastewater System Schedule of Rates and Charges and Fees.

The Water Supply Division is responsible for:

- Providing requirements for use of the District's raw water aqueduct rights-of-way to applicants and to other District departments requesting use of the right-of-way. See Supplement No. 1, Requirements for Entry or Use.
- Checking for completeness to ensure compliance with the requirements for entry or use of raw water aqueduct rights-of-way contained in Requirements for Entry or Use plus any other conditions applicable to the proposed use.
- Collecting engineering, plan review and construction inspection costs and documentation of insurance coverage, if necessary.
- Monitoring existing encroachments and inspection of the construction of new approved encroachments.
- Providing information to the Engineering and Construction Department for technical input regarding additional permit requirements or special restrictions that may be applicable (in addition to those outlined in Supplement No. 1, attached) and for update of District raw water aqueduct right-of-way drawings.
- Collecting application fees and charges associated with the preparation and execution of revocable licenses.
- Assuring proper environmental documentation.

Real Estate Services is responsible for:

- Advising the Manager of Water Supply Division, or designee, of any real estate matters which relate to a specific proposed use.
- Collecting application fees and charges, preparing and executing limited land use permits, leases, easements, and all other property-related agreements (except for revocable licenses and temporary entry permits) and recommending fees and charges appropriate to the property use allowed, and for securing payment. See the current applicable Water and Wastewater System Schedule of Rates and Charges and Fees.
- Maintaining records relating to rights-of-way crossings and use, and providing information to the Survey Section and Engineering Services Division for the update of District raw water aqueduct right-of-way drawings.

Types of Permit License or Easement

The Manager of Water Supply Division shall keep available the forms listing the general requirements set forth in Requirements for Entry or Use for each of the following:

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Temporary Entry/Temporary Construction Permit

For temporary access to raw water aqueduct right-of-way such as for surveying, potholing, construction, for temporary access via the District's right-of-way to property adjacent to the right-of-way, and other similar short-term situations.

Revocable License and Revocable Landscape License

For pipelines, sewers, storm drains, overhead and underground cables, public trails, landscaping and other crossings or lateral encroachments.

Limited Land Use Permit

Provides for agricultural or other surface use of the right-of-way for a period not to exceed one year (vehicular parking is prohibited). These permits are renewable annually if inspection reveals satisfactory conformance to conditions of permit.

Easement

For streets, highways, large pipelines, canals and railroads, and other permanent publicly owned encroachments. Easements are officially recorded with the county having jurisdiction. The fee or consideration will be significant and based on the value of the property being encumbered.

The Manager of Water Supply Division shall request review of any proposed revisions to application forms and lists of requirements from the Engineering and Construction Department, Real Estate Services Division, Office of General Counsel, and the District's Pipe Committee.

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Processing Applications

Temporary Entry Permits

The Manager of Water Supply Division, or designee, may issue temporary entry permits including standard and temporary conditions relating to the use. The Manager of Real Estate Services and the Office of General Counsel will be consulted regarding unusual circumstances.

Revocable Licenses

The Water Supply Division, if warranted, shall conduct a field investigation to determine requirements for aqueduct protection and, in consultation with the Design Division or the Pipeline Infrastructure Division, will set forth the engineering and operating requirements.

The Manager of Water Supply Division shall then specify any and all requirements, including special conditions to the applicant, discuss the terms and conditions of the license agreement as well as any processing, design and inspection costs and license fee. The Manager of Water Supply Division may then enter into a standard license agreement with relevant special conditions on behalf of the District. The Manager of Real Estate Services and the Office of General Counsel shall be consulted regarding any unusual circumstances.

Copies of all revocable licenses issued by the Water Supply Division shall be provided to the Manager of Real Estate Services.

Limited Land Use Permits

The Manager of Water Supply Division, or designee, shall convey the District's requirements to the applicant and investigate to determine any special conditions.

Real Estate Services shall prepare the Limited Land Use Permit (Form L-14) in duplicate, including special conditions or stipulations, accompanied by a District-prepared location sketch that will refer to aqueduct stationing and other appropriate location identifiers, including adjacent aqueduct structures.

Engineering and Construction shall prepare the District-prepared location sketch.

After payment of the stipulated consideration determined by Real Estate Services, the Manager of Water Supply Division shall review and execute the permit. These copies are then returned to the Manager of Real Estate Services, together with any stipulated consideration.

Forty-five days before expiration of a Limited Land Use Permit, the Manager of Real Estate Services shall notify the Manager of Water Supply Division, who shall investigate the permittee's operations. If renewal of the permit is recommended, the permit will be renewed by letter from the Manager of Real Estate Services.

Leases and Easements

The Manager of Water Supply Division shall conduct a field investigation to determine requirements for aqueduct protection and, in consultation with the Design Division or Pipeline Infrastructure Division, if necessary, will set forth the engineering and operating requirements. 6 CONT

If structural or corrosion protective facilities are required, the Manager of Water Supply Division, or designee, shall request the Manager of Design Division or Pipeline Infrastructure Division to proceed with the required design or plan reviews. (During design, the designer will communicate with the applicant's engineer.) Upon completion of design, the plans will be delivered to the applicant via the Manager of Water Supply Division, who will arrange for inspection as required.

The Manager of Real Estate Services shall discuss with the applicant the terms of the agreement and the amount of the consideration, including any processing, design, and inspection costs. Real Estate Services shall obtain an appraisal and engineering estimates, if necessary.

Upon agreement with the applicant, the Manager of Real Estate Services, shall draft, for review and approval by the Water Supply Division and Office of General Counsel, an agreement granting the applicant the property interest under the terms and for the consideration as approved. Real Estate Services shall assure that evidence of insurance is provided, if required. The lease or easement shall be submitted to the District's Board of Directors for approval, if required by Procedure 108. Two copies of the lease or easement shall be sent to the applicant with instructions to sign and return the copies, together with the consideration, to the Manager of Real Estate Services. Easements shall be recorded and the applicant shall provide the Manager of Real Estate Services with the recording data.

Approvals

District uses of the raw water aqueduct right-of-way shall be confirmed in writing listing any special conditions which may apply to the proposed use to the requesting District departments by the Manager of Water Supply Division.

Terminations

Any third-party use of the District's aqueduct property may be terminated in the District's sole discretion, so long as the termination is authorized by and done in a manner compliant with the terms and conditions of the permit, license, or lease that governs the use. If the Water Supply Division terminates any permit or license, the Manager of Real Estate Services and the Design Division shall be so notified by memo.

Terms and Conditions

The final determination of generally applicable terms and conditions appropriate for District uses of aqueduct properties rests with the Director of Operations and Maintenance.

A specific third party applicant for use of aqueduct property may be required, as a condition of approval of the application, to comply with the generally applicable terms and conditions, or with different or additional terms and conditions that are determined to be in the District's best interest. The decision to approve or deny an application, and the selection of terms and conditions of any approval, shall rest with the Director of Operations and Maintenance or his or her designee. There is no right to an administrative appeal or hearing, and the decision of the Director or designee is final.

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Records

The Manager of Real Estate Services shall maintain a file containing copies of all documents relating to right-of-way crossings or uses and is responsible for the assignment of right-of-way crossing numbers to approved documents.

The Engineering Services Division of the Engineering and Construction Department shall maintain working sets of right-of-way prints for each District raw water aqueduct right-of-way. These prints shall be updated following:

1. Grant of Revocable License or Easement. Notice to be supplied by the Manager of Real Estate Services.

2. Completion of crossing construction covered by license or easement. Notice, including "as built" location data, to be supplied by the applicant to the Water Supply Division for transmittal to the Engineering and Construction Department. This notice will be routed through the Engineering and Construction Department, as necessary, then to the Manager of Real Estate Services. After right-of-way tracings are revised, new prints will be released to those having sets.

3. Termination of any raw water aqueduct right-of-way use. Notice to be supplied by the Manager of Real Estate Services.

Revised prints shall be released following all right-of-way drawing revisions.

Raw Water Aqueduct Right-of-Way Non-Aqueduct Uses

NUMBER: 718
PAGE NO.: 6
EFFECTIVE DATE: 25 MAY 17

Requirements and Fees	Requirements for use of raw water aqueduct right-of-way and fees for the processing of applications and documents related to such uses are included in the documents Requirements for Entry or Use and Fees and Documentation Charges, Use of Aqueduct Rights-of-Way by Others, respectively (see the current applicable Water and Wastewater System Schedule of Rates and Charges and Fees). The Manager of Water Supply Division is responsible for periodic review and updating of Requirements for Entry or Use. The Manager of Real Estate Services is responsible for review and updating of Fees and Documentation Charges, Use of Aqueduct Rights-of-Way by Others.
References	Policy 7.01 – Aqueduct Integrity and Rights-of-Way Maintenance Procedure 108 – Real Estate Transactions Procedure 436 – Miscellaneous Accounts Receivable and Cash Receipts Requirements for Entry or Use of Mokelumne, Lafayette, and Moraga Aqueduct and Raw Water Pipeline Rights-of-Way (attached) Water and Wastewater System Schedule of Rates and Charges and Fees Schedule of Rates and Charges to Customers of the East Bay Municipal Utility District – Real Property Use Application Fees – Resolution 33046-97

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EBMUD

REQUIREMENTS FOR ENTRY OR USE OF MOKELUMNE, LAFAYETTE, AND MORAGA AQUEDUCTS and RAW WATER PIPELINE RIGHTS-OF-WAY

SUPPLEMENT NO. 1 TO PROCEDURE 718

East Bay Municipal Utility District

Supplement No. 1 to Procedure 718 Page 1

1. Requests for encroachment rights or for other uses of the District's raw water aqueduct and pipeline properties shall be directed to the Manager of Water Supply Division, 1804 West Main Street, Stockton, California 95203. Property uses shall only be permitted subject to appropriate written permit, license, easement, or lease agreement.

2. Requests for property uses shall be in writing and accompanied by a completed application, application fees, plan and profile drawings of the area and work involved. District aqueduct stationing and adjacent above-ground structures must be shown. Applicant's horizontal and vertical control must be correlated to the District's. Drawings and maps shall be ANSI D size (22x34 inch) or ANSI B size (11x17 inch) and must also be provided in electronic .pdf format. Application must include complete insurance documentation.

3. The applicant must agree to indemnify and hold harmless the District from any loss, claim, or liability which may arise by reason of applicant's use of District property and may be required to provide insurance coverage.

4. All requests for uses of District property must be consistent with requirements and limitations set forth by Procedure 718 and will be reviewed and approved on a case-by-case basis.

5. District land and facilities shall be restored to a condition as good as that which existed before applicant's entry on the right-of-way.

6. Applicant's use of property shall not increase District costs or interfere with District access, operations, maintenance, or repair of its facilities.

7. The applicant must pay the District the appraised value of the easement or lease, if appropriate, for the rights granted to the applicant. Appropriate environmental documentation must be completed in accordance with the California Environmental Quality Act before the rights can be granted. The District may require the applicant to prepare the documentation at its expense before the application will be considered for approval. The District may rely on any existing environmental documentation for the applicant's project if the District determines that the existing documentation is legally compliant and adequately describes and analyzes the impacts of the applicant's proposed use of District property.

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8. For any District-approved encroachment, the applicant must pay the District for any of the following measures, as needed:

   a. Design of structural protective measures
   b. Design of fences or other structures
   c. Corrosion control protective measures
   d. District engineering, plan review, and inspection of activities
   e. Environmental documentation
   f. Application, permit or license fees.

9. The plan for the execution of the work must be approved by the District.

10. The type and weight of equipment working over the aqueduct must be approved by the District.

11. The use of vibratory compaction equipment is prohibited on the aqueduct right-of-way unless otherwise approved by EBMUD. Allowable compaction effort, allowable equipment, and maximum depth of each lift of fill shall be subject to District review and approval before start of construction.

12. A minimum of 48 hours notice must be given to the District before work commences. To contact the District by telephone, call the Aqueduct Section's Stockton Office at (209) 946-8000.

13. A preconstruction meeting is required prior to start of work.

14. No building or portions of buildings shall be constructed on the property. No other types of structures shall be constructed unless specific approval is given by the District.

15. No longitudinal encroachments such as drainage ditches; gas, phone, or electrical lines; pipelines, or roads will be permitted. All property line fences (including footings) must be located completely outside the aqueduct property lines.

16. No pile driving will be allowed within 100 feet of the aqueducts.

17. Railroad, freeway and highway crossings of the aqueduct right-of-way shall be on permanent bridges with a minimum vertical clearance of 14 feet 6 inches between the finished ground surface and the underside of the bridge. Crossings on grade will be over structurally-encased aqueducts with a sleeve for a fourth aqueduct.

18. Street and road crossings constructed on grade shall incorporate protection of the aqueducts. Protective measures will be designed by the District or by applicant's licensed engineer to District standards with specific District approval of each design.

19. Existing aqueduct protective measures such as concrete slabs shall not be cut, penetrated, or otherwise disturbed. If a protective measure is cut, penetrated, or disturbed, it shall be replaced with a new protective measure, designed by a District engineer or applicant's licensed engineer to District standards with specific District approval of design.

20. Traffic control fences or approved barriers shall be installed along each side of the street, road or trail before opening to the public.

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21. Temporary construction fences and barricades shall be installed by contractor as directed by the District.

22. No geotechnical exploration such as drilling or boring shall be allowed on an Aqueduct right-of-way.

23. Any changes in finished grade must be approved by the Aqueduct Section. Earthfills or cuts on adjacent property shall not encroach onto District property except where authorized for vehicular crossings on grade and where the District determines that there will be no detrimental effect on the aqueducts or their maintenance.

24. Crossings shall be perpendicular to the aqueducts and on a constant grade across District property.

25. Sanitary sewers, water lines, petroleum product lines, or other lines crossing above the aqueducts must be encased in a steel, polyvinyl chloride (PVC), or reinforced concrete pipe conduit or be imbedded in reinforced concrete with a minimum vertical clearance of two (2) feet between the casing/embedment and the top of District aqueducts. The casing shall extend the entire width of the aqueduct right-of-way.

26. All pipelines crossing below the aqueducts must be encased in a steel or reinforced concrete conduit and provide a minimum of three (3) feet of clearance between the casing and the bottom of the District aqueducts.

27. Trenchless construction methods such as horizontal directional drilling or jack-and-bore between the top of the aqueducts and the bottom of the protective structure (slab) are prohibited.

28. On pressurized pipe crossings, shutoff valves shall be provided outside and adjacent to both sides of District property.

29. At the point of crossing, steel pipeline crossings and steel casings shall incorporate electrolysis test leads, bond leads, and leads necessary for interference testing. Corrosion control devices, when required, must be approved by the District.

30. Cathodic protection for steel encasements must be installed as follows:

    - Provide a dielectric coating to the exterior surface of the steel casing within the District's right-of-way, 16 mil epoxy or equivalent.
    - Provide galvanic protection to the portion of the steel casing within the District's right-of-way in accordance with the National Association of Corrosion Engineers RP-01-69.
    - If the carrier pipe is constructed of ductile iron or steel, provide electrical isolation between the carrier and casing using casing insulators; redwood skids are not permitted.
    - Provide test results to the District demonstrating the adequacy of the cathodic protection system, and the adequacy of the electrical isolation of the carrier (if metallic) from the casing. The District reserves the right to witness any such tests.

31. Gravity drainage of District property shall be maintained. Open channels constructed across the right-of-way shall be paved with reinforced concrete. Headwalls, inlets, and other appurtenances shall be located outside District property. Drainage facilities shall be provided outside the District's property at the top and/or toe of fill slopes or cuts constructed adjacent to District property to assure adequate drainage.

32. Overhead electrical power conductors across the property shall be a minimum of 30 feet above ground. Communication and cable TV crossings shall be a minimum of 20 feet above the ground. Supporting poles or towers shall be located outside the aqueduct right-of-way.

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33. Buried electrical cables passing over the aqueducts shall be installed in PVC conduit and encased in red concrete across the entire width of the right-of-way. In some cases, PVC-coated steel conduit with a red concrete cap may be substituted. All other buried cables shall be installed in conduits and marked in the appropriate Underground Service Alert (USA) colored marking materials and with surface signs installed at 4-foot intervals that include the utility name, type, and emergency contact information across the entire width of the aqueduct right-of-way. The minimum vertical clearance between the conduit and the top of the District's aqueducts is two (2) feet.

34. Electrical or telecommunications cables passing under the aqueducts shall be encased in conduit and marked at both edges of the aqueduct right-of-way with the appropriate USA color coded markers. The minimum vertical clearance between the conduit and the bottom of the District's aqueducts is three (3) feet. For directional bored conduits the minimum vertical clearance is five (5) feet.

35. Vehicular parking and storage of equipment or material on aqueduct property are specifically prohibited.

36. Extraction of oil and gas from aqueduct properties may be permitted under appropriate lease agreements.

37. All District survey monuments and markers shall be undisturbed. If any District survey markers or monuments must be disturbed, they will be replaced or relocated by the District at applicant's expense prior to the start of any ground disturbing work.

38. All aqueduct crossings involving mechanical excavation on the right-of-way require potholing of all aqueducts at the site of the proposed crossing. Visible reference markings showing the aqueduct alignments and depths to top of pipe shall be maintained for the duration of any

mechanical excavation on District property. Excavations within two (2) feet of aqueducts shall be made by hand. Entry permits are required for pothole work.

39. All grading or excavating of the right-of-way requires USA notification and the maintenance of a current inquiry identification number.

40. Certified six-sack mix is the minimum acceptable concrete batch to be used on the aqueduct right-of-way. Concrete compression strength shall be 3,000 per square inch (PSI) or better at 28 days. If samples do not reach 3,000 PSI at 28 days, the entire section of slab or encasement related to that sample must be removed and replaced at applicant's expense.

41. Each truckload of concrete to be placed on the aqueduct right-of-way may be sampled by the District. No water may be added to the mix after sampling.

42. Maximum allowable slump is three inches. All concrete exceeding three inches will be rejected and cannot be used on the aqueduct right-of-way.

43. No traffic will be allowed over protective slabs until 3,000 PSI is reached.

44. All work areas shall be inspected by the District for final approval. As-built drawing submittals are required for District approval.

45. No work is allowed on weekends or District-recognized holidays unless otherwise authorized in the required permit.

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Local Agencies

East Bay Municipal Utility District (EBMUD)

Response to EBMUD-1
The EBMUD provides introductory statements. The comments are noted and no further response is required.

Response to EBMUD-2
The comment identifies the required EBMUD policies that would be applicable to the Civic Project if any work would be done within or adjacent to EBMUD property in the aqueduct right-of-way. The comment is noted and no further response is required.

Response to EBMUD-3
The EBMUD expressed interest regarding the design and location of three replacement drainage outfalls to Grayson Creek and irrigation and landscaping on the EBMUD aqueduct side of Grayson Creek. The EBMUD requested that the construction of retaining walls and fencing along the Civic Project property line be located outside of EBMUD property. In addition, the comment requests that the Civic Project sponsor contact EBMUD Survey Section in order to identify correct property lines.

The City will coordinate with EBMUD to identify and mark property lines prior to initiation of construction activities.

Response to EBMUD-4
The EBMUD requests that any future pedestrian bridge or bridge foundation design crossing Grayson Creek be subject to the same policies and requirements as described in the comment letter. The comment is noted; the City will coordinate with the EBMUD when and if construction of the potential pedestrian bridge is funded.

Response to EBMUD-5
This comment requests that the EIR include added text. This comment has been noted and the changes are included in Section 3: Errata. No further response is required.

Response to EBMUD-6
This comment includes the attachments referenced in comment EBMUD-2, including Policy 7.01, Procedure 718, and Supplement 1 to Procedure 718. The comment is noted and no further response is required.

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Contra Costa County
Flood Control
& Water Conservation District

Brian M. Balbas,
ex officio Chief Engineer
Allison Knapp,
Deputy Chief Engineer

October 15, 2019

Troy Fujimoto
Planning Division
City of Pleasant Hill
100 Gregory Lane
Pleasant Hill, CA 94523

RE: DEIR for the Oak Park Properties Specific Plan
Our File: 3046-06 149-230-005, -008, 149-271-014

Dear Mr. Fujimoto:

We have reviewed the Draft Environmental Impact Report (DEIR) for the Oak Park Specific Plan (APN 149-230-005, 149-230-008, and 149-271-014) for the City of Pleasant Hill (City). We received the request on September 3, 2019, and have the following comments:

1. The CEQA document should discuss the adverse impacts of the runoff from the project site to the existing drainage facilities and drainage problems in the adjacent and downstream areas of the project area that are within a Special Flood Hazard Area. The adjacent area east and the area immediately downstream of the project as far north as Gregory Lane are identified as Zone AE hazard areas. 1

2. Appendix H of the DEIR, Floodplain Evaluation, discusses using the recreational fields in addition to bioretention basins as storage for stormwater runoff from significant storm events. The applicant's Final Drainage Plan, as required by Mitigation Measure HYD-3, should include a discussion of the basin design information (i.e., capacity, sizes of inlet and outlet structures, routing, etc.) and the City should require the applicant to mitigate peak flows to pre-project levels. 2

3. Section 3.15 of the DEIR, Utilities and Service Systems, states on page 3.15-19:

   "Stormwater production was calculated and compared with City of Pleasant Hill stormwater facility treatment capacity to determine whether stormwater collection requirements would be exceeded."

   As a mitigation measure, we recommend that the developer submit hydrology and hydraulic calculations to the City that prove the adequacy of the in-tract drainage system and the downstream drainage system. We defer review of the local drainage to the City, but recommend that the applicant's hydrology and hydraulic calculations compare the project's stormwater production to the capacities used in the design of Drainage Area 46 (DA 46) facilities. The FC District is available to provide technical review under our Fee-for-Service program. 3

4. The CEQA document should address the impacts of this project's runoff due to the increase in duration (length of time) of flows and the effect on creeks and channels downstream of the project. Whereas detention basins are capable of mitigating peak flows to pre-project levels, they increase the duration (length of time) of flows in the downstream watercourses, which saturate the channel banks and increase the potential for stream and channel erosion. 4

5. Section 3.3 of the DEIR, Biological Resources, states that vegetated riprap, locally harvested willows, and native seed mixes will be used to prevent channel erosion within Grayson Creek. We recommend that any added vegetation be modeled for hydrological impacts within Grayson Creek, and we recommend the use of orthotropic vegetation to avoid the obstruction of stormwater flow within the creek. 5

6. We recommend the CEQA document discuss a perpetual funding source for maintenance of the new drainage facilities, including the bioretention basins and recreational fields on Contra Costa County (County) property, required to serve the project area. 6

7. The CEQA document should note that future developments in this area will be subject to a drainage fee in accordance with Flood Control Ordinance Number 2002-43 for DA 46. By ordinance, all building permits or subdivision maps filed in this area are subject to the provisions of the drainage fee ordinance. Effective January 1, 2019, the current fee in these two drainage areas is $0.82 per square foot of newly created impervious surface. The City should collect the fees during the development process prior to the issuance of building permits or the recordation of the final maps. 7

8. The FC District should be included in the review of all drainage facilities that have a region-wide benefit, that impact region-wide facilities, or that impact FC District-owned facilities. The FC District is available to provide technical assistance during the development of the DEIR, including hydrology and hydraulic information and our HYDRO6 method, under our Fee-for-Service program. 8

We appreciate the opportunity to comment on the DEIR and welcome continued coordination. If you should have any questions, please contact me by phone at (925) 313-2348 or by e-mail at Joe.Smithonic@pw.cccounty.us.

Sincerely,

Joe Smithonic
Engineering Staff
Contra Costa County Flood Control
& Water Conservation District

JS:cw
G:\fldctl\CurDev\CITIES\Pleasant Hill\3046-06\149-271-014, 142-230-005 Oak Park-Monticello Project\2019-1015 - Comment Letter, DEIR - Oak Park Properties Specific Plan.docx

c: Michelle Cordis, Flood Control
Teri E. Rie, Flood Control

Contra Costa County Flood Control & Water Conservation District (FC DISTRICT)

Response to FC DISTRICT-1

The Flood Control District requests that the Draft EIR discuss the adverse impacts of the runoff from the plan area to the existing drainage facilities and drainage problems in the adjacent downstream areas that are within a Special Flood Hazard Area. Exhibit 3.8-1 in the Draft EIR depicts the areas surrounding the plan area that are within Federal Emergency Management Agency (FEMA) Special Flood Hazard Areas. The substantial modifications included as part of the Civic Project would improve the conveyance capacity for stormwater, thereby addressing flooding that is currently experienced across the Civic Project site and in the plan area during storm events. The improvements would retain the existing drainage pattern while creating appropriate area to store stormwater overflow, such as the athletic fields and bioretention areas adjacent to Grayson Creek. Furthermore, water depths at the proposed athletic fields would be designed to accommodate the floodplain stormwater storage volume that would be displaced by the proposed library development, in accordance with the recommendations of the Floodplain Evaluation Report.[10] Therefore, the areas surrounding the project site that are currently within a Special Flood Hazard Area would not experience additional flooding as a result of the implementation of the proposed plan.

Response to FC DISTRICT-2

The Flood Control District notes that the Final Drainage Plan, as required by MM HYD-3, should include a discussion of the basin design information (capacity, sizes of inlet and outlet structures, routing, and other pertinent information) and notes that the City should require the applicant to mitigate peak flows to pre-project levels.

The comment is noted. The Final Drainage Plan would include a discussion of design information for bioretention basins included as part of the Civic Project that would include capacity, sizes of inlet and outlet structures, routing, and other pertinent information. As already noted in the Floodplain Evaluation Report (Appendix H of the Draft EIR), the implementation of the proposed plan would result in a reduction in off-site flow during storm events, as a result of planned improvements to the underground drainage system as well as proposed overflow areas. Please refer to Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements for additional information.

Response to FC DISTRICT-3

The Flood Control District requests that the project sponsors submit hydrology and hydraulic calculations to the City as mitigation and recommends the project sponsors' hydrology and hydraulic calculations compare the proposed plan's stormwater production to the capacities used in the design of Drainage Area (DA) 46 facilities.

An analysis of the proposed plan's potential impact on hydrology and water quality is provided in the Draft EIR in Section 3.8, Hydrology and Water Quality. Furthermore, the project sponsor for the Civic Project will prepare a Hydrology and Hydraulics Analysis for both the athletic fields and the library. As a condition of approval, City engineering staff will review and approve the Hydrology and Hydraulics Analysis. The Flood Control District's request does not address any potentially significant

[10] WRECO. 2019. Floodplain Evaluation Report. August.

impacts and is not necessary to bring impacts to below a level of significance; therefore, the City rejects the suggested mitigation measure.

Response to FC DISTRICT-4
The Flood Control District requests that the Draft EIR address the impacts of the proposed plan's runoff due to the increase in length of time of the flows and the effect on downstream creeks and channels. The overall design approach is to convey runoff and overflow to the proposed athletic fields. The drainage design was based on studies, including modeling for the 100-year storm event, which determined the storage volume necessary to ensure that post-construction downstream conditions would be similar to the pre-construction downstream conditions and therefore minimize impacts to the surrounding community. Based on outputs from hydraulic analyses performed for the Civic Project, the duration of the 100-year flow exceeding the base flow will not change as a result of this proposed plan. A Revised Floodplain Evaluation Report will be submitted as the design work nears completion and will provide comparison of the hydrographs downstream of the plan area, which would show potential changes to the duration of the high flow and changes to the peak flows at the key downstream locations such as street crossings.

Response to FC DISTRICT-5
The Flood Control District recommends any vegetation added to prevent channel erosion within Grayson Creek be modeled for hydrological impacts within Grayson Creek and also recommends the use of orthotropic vegetation to avoid the obstruction of stormwater flow within the creek. Please refer to Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements, which confirms that the City is studying alternate methods of slope protection at the outfalls in accordance with recommendations of the USACE Stability Thresholds for Stream Restoration Materials, including the use of less rock protection.

Response to FC DISTRICT-6
The Flood Control District recommends that the Draft EIR include a discussion of the perpetual funding source for maintenance of the new drainage facilities required to serve the plan area.

The drainage facilities located within the Oak Park Specific Plan area will be subject to applicable City standards and requirements. The Recreation and Park District is responsible for the maintenance of the proposed parks and recreational fields on the Recreation and Park District portion of the Civic Project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

Response to FC DISTRICT-7
The Flood Control District recommends that the Draft EIR note that future developments in Drainage Area (DA) 46 will be subject to a drainage fee in accordance with Flood Control Ordinance Number 2002-43 for DA 46.

The following description of the fees required for DA 46 will be included in the Final EIR as part of the errata:

Page 3.8-34

Hydrology

Cumulative impacts related to hydrology and water quality typically occur within a defined watershed. All properties on the cumulative projects listed in Chapter 3, Environmental Impact Analysis, Table 3-1, Cumulative Projects, are located within the Walnut Creek Watershed which eventually drains into Suisun Bay and ultimately into the Pacific Ocean. All cumulative projects, including the Residential Project and Civic Project, would be required to comply with the CCCWP and Pleasant Hill 2003 General Plan policies, which prevent a project from increasing off-site surface water flow from existing conditions and ensure that projects adhere to BMPs during construction to prevent pollutants from being carried off-site. In addition, future developments within Drainage Area 46 (including the cumulative projects) would be subject to a drainage fee in accordance with Flood Control Ordinance Number 2002-43 for DA 46. All building permits or subdivision maps filed in this area are subject to Flood Control Ordinance Number 2002-43. Effective January 1, 2019, the current fee in this drainage area is $0.82 per square foot of newly created impervious surface. The City should collect the fees during the development process prior to the issuance of building permits or the recordation of the final maps. These fees would contribute to funding the maintenance of drainage facilities within Drainage Area 46. The combination of these policies and BMPs would prevent significant cumulative impacts to hydrology. ~~Thus, there would be a less than significant cumulative impact related to hydrology.~~

Response to FC DISTRICT-8

The Flood Control District notes that it should be included in the review of all drainage facilities that have region-wide benefit, that impact region-wide facilities, or that impact Flood Control District-owned facilities. The new drainage facilities are not region-wide facilities and would not require review by the Flood Control District.

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From: Lou Ann Texeira [mailto:LouAnn.Texeira@lafco.cccounty.us]
Sent: Tuesday, September 24, 2019 11:43 AM
To: Troy Fujimoto <Tfujimoto@pleasanthillca.org>
Cc: Lauren Talbott <Lauren.Talbott@lafco.cccounty.us>
Subject: Notice of Availability - Draft EIR - Oak Park Properties Specific Plan

Hi Troy,

Hope you are doing well.

Thank you for sending Contra Costa LAFCO the "Notice of Availability of the Draft EIR - Oak Park Properties Specific Plan." The Specific Plan includes two projects – the *Civic Project* (library, park, parking, improvements to Grayson Creek Corridor) and the *Residential Project* (34 single-family dwelling units, seven accessory dwelling units, pocket park, parking lot, trees and landscaping).

The EIR references the 2010 Contra Costa LAFCO *Parks & Recreation and Cemetery Services Municipal Services Review* and notes that the project will help meet the City's parks and recreation service demands. As well, the project will add to the City's housing stock and help address the housing shortage in the Bay Area.

1

In reviewing the project it appears that all subject parcels are within the City of Pleasant Hill's sphere of influence and service boundary, and also within the Central Contra Costa Sanitary District, Contra Costa County Fire Protection District, and Contra Costa Water District service boundaries. Thus, it appears that no LAFCO action is needed.

Thanks again for notifying Contra Costa LAFCO of this project.

Lou Ann Texeira, Executive Officer

Contra Costa LAFCO

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Contra Costa Local Agency Formation Commission (LAFCO)

Response to LAFCO-1

The Contra Costa LAFCo describes the proposed plan, determines the proposed plan would improve housing availability, and states that the plan area is located within the Sphere of Influence of the City of Pleasant Hill. The Contra Costa LAFCo concludes that no LAFCo action is needed. The comment is noted and no further response is required.

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Attention:Troy Fujimoto

tfujimoto@pleasanthillca.org

Draft Environmental Impact Report

Oak Park Properties Specific Plan

Pleasant Hill, Ca. Clearing House # 20181120

October 14, 2019

City of Pleasant Hill:

The California Urban streams Partnership is an organization which has been concerned with the creeks in Contra Costa County since 1982. We are writing to comment on the Draft Environmental Impact Report for the Pleasant Hill Civic Project contained in the Oak Park Specific Plan . The project is described in the DEIR as impacting Grayson Creek.

Stormwater regulatory requirements typically require a zero increase in stormwater water contributions from large urban developments such as this. Therefore the addition of larger outfalls conflicts with this requirement and needs justification. The project calls for placing larger outfalls to the creek and anticipates erosive flows requiring vegetated riprap along over 200 feet of channel . No quantitative analysis is provided to evaluate as to whether the larger outfalls and channel riprap are needed A reference is made to bio retention but the expected stormwater discharges and capacities of bio-retention needed are left undescribed. Are larger outfalls required after bio-retention is installed? 1

Combined riprap- soil bioengineering systems are typically not required and soil bioengineering alone should be used to stabilize the channel. CUSP urges the City to consider a self-mitigating project alternative which leaves the creek in an environmentally enhanced state. State regulatory agencies frequently do not approve of, nor provide mitigation credit for the unsupported use of riprap even if some vegetation is used. 2

We urge the City to use the shear stress table provided in the attached U.S. Army Corps of Engineers stream channel stability report to select the use of erosion control fabric combined with vegetated systems . Strong erosion control fabric such as the COIR products can be used in combination with soil bioengineering plant systems such as brush matting and willow posts. This should provide the streambank stability the city needs for the probable shear stresses

acting on the stream channel.

We suggest that covering the 200 feet with coir fabric first and then adding the brush matting and posts through the fabric is a more rigorous stabilization approach. 2 CONT

Ann Riley PhD.

Scientist for California Urban Streams Partnership

Stability Thresholds for Stream Restoration Materials

by Craig Fischenich[1]

May 2001

Complexity	Value as a Planning Tool	Cost
Low – Moderate – High	Low – Moderate – High	Low – Moderate – High

OVERVIEW

Stream restoration projects usually involve some modification to the channel or the banks. Designers of stabilization or restoration projects must ensure that the materials placed within the channel or on the banks will be stable for the full range of conditions expected during the design life of the project. Unfortunately, techniques to characterize stability thresholds are limited. Theoretical approaches do not exist and empirical data mainly consist of velocity limits, which are of limited value.

Empirical data for shear stress or stream power are generally lacking, but the existing body of information is summarized in this technical note. Whereas shear thresholds for soils found in channel beds and banks are quite low (generally < 0.25 lb/sf), those for vegetated soils (0.5 – 4 lb/sf), erosion control materials and bioengineering techniques (0.5 – 8 lb/sf), and hard armoring (< 13 lb/sf) offer options to provide stability.

STABILITY CRITERIA

The stability of a stream refers to how it accommodates itself to the inflowing water and sediment load. In general, stable streams may adjust their boundaries but do not exhibit trends in changes to their geometric character. One form of instability occurs when a stream is unable to transport its sediment load (i.e., sediments deposited within the channel), leading to the condition referred to as aggradation.

When the ability of the stream to transport sediment exceeds the availability of sediments within the incoming flow, and stability thresholds for the material forming the boundary of the channel are exceeded, erosion occurs. This technical note deals with the latter case of instability and distinguishes the presence or absence of erosion (threshold condition) from the magnitude of erosion (volume).

Erosion occurs when the hydraulic forces in the flow exceed the resisting forces of the channel boundary. The amount of erosion is a function of the relative magnitude of these forces and the time over which they are applied. The interaction of flow with the boundary of open channels is only imperfectly understood. Adequate analytical expressions describing this interaction have not yet been developed for conditions associated with natural channels. Thus, means of characterizing erosion potential must rely heavily upon empiricism.

Traditional approaches for characterizing erosion potential can be placed in one of two categories: maximum permissible velocity, and tractive force (or critical shear stress). The former approach is advantageous in that velocity is a parameter that can be measured within the flow. Shear stress cannot be directly measured – it must be computed from other flow parameters. Shear stress is a better measure of the fluid force on the channel boundary than is velocity. Moreover, conventional guidelines, including ASTM standards, rely upon the shear stress as a

[1] USAE Research and Development Center, Environmental Laboratory, 3909 Halls Ferry Rd., Vicksburg MS 39180

means of assessing the stability of erosion control materials. Both approaches are presented in this paper.

Incipient Motion (Threshold Condition)

As flow over the bed and banks of a stream increases, a condition referred to as the threshold state is reached when the forces tending to move materials on the channel boundary are in balance with those resisting motion. The forces acting on a noncohesive soil particle lying on the bed of a flowing stream include hydrodynamic lift, hydrodynamic drag, submerged weight ($F_w - F_b$), and a resisting force F_r. as seen in Figure 1. The drag is in the direction of the flow and the lift and weight are normal to the flow. The resisting force depends on the geometry of the particles. At the threshold of movement, the resultant of the forces in each direction is zero. Two approaches for defining the threshold state are discussed herein, initial movement being specified in terms of either a critical velocity (v_{cr}) or a critical shear stress (τ_{cr}).

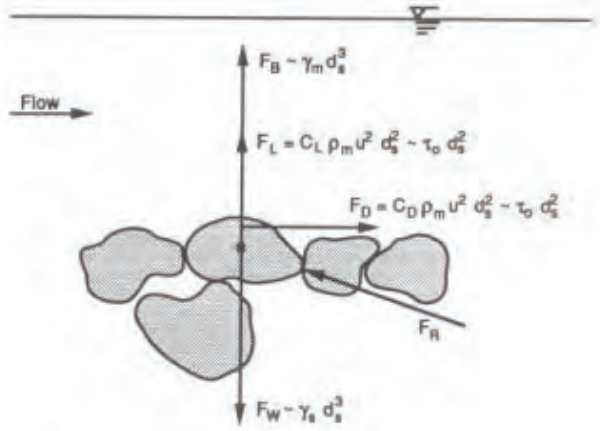

Figure 1. Forces acting on the boundary of a channel (adapted from Julien (1995)).

Critical Velocity

Figure 1 shows that both the lift and the drag force are directly related to the velocity squared. Thus, small changes in the velocity could result in large changes in these forces. The permissible velocity is defined as the maximum velocity of the channel that will not cause erosion of the channel boundary. It is often called the critical velocity because it refers to the condition for the initiation of motion. Early works in canal design and in evaluating the stability of waterways relied upon this method. Considerable empirical data exist relating maximum velocities to various soil and vegetation conditions.

However, this simple method for design does not consider the channel shape or flow depth. At the same mean velocity, channels of different shapes or depths may have quite different forces acting on the boundaries. Critical velocity is depth-dependent, and a correction factor for depth must be applied in this application. Despite these limitations, maximum permissible velocity can be a useful tool in evaluating the stability of various waterways. It is most frequently applied as a cursory analysis when screening alternatives.

Critical Shear Stress

The forces shown in Figure 1 can also be expressed in terms of the shear stress. Shear stress is the force per unit area in the flow direction. Its distribution in steady, uniform, two-dimensional flow in the channel can be reasonably described. An estimate of the average boundary shear stress (τ_o) exerted by the fluid on the bed is:

$$\tau_o = \gamma D S_f \quad (1)$$

where γ is the specific weight of water, D is the flow depth (~ hydraulic radius), and S_f is the friction slope. Derived from consideration of the conservation of linear momentum, this quantity is a spatial average and may not provide a good estimate of bed shear at a point.

Critical shear stress (τ_{cr}) can be defined by equating the applied forces to the resisting forces. Shields (1936) determined the threshold condition by measuring sediment transport for values of shear at least twice the critical value and then extrapolating to the point vanishing sediment transport. His laboratory experiments have since served as a basis for defining critical shear stress. For soil grains of diameter d and angle of repose ϕ on a flat bed, the following relations can approximate the critical shear for various sizes of sediment:

$$\tau_{cr} = 0.5(\lambda_s - \lambda_w) d \, Tan\phi \quad \text{For clays} \quad (2)$$

$$\tau_{cr} = 0.25 d_*^{-0.6} (\lambda_s - \lambda_w) d \, Tan\phi \quad \text{For silts and sands} \quad (3)$$

3 CONT

$\tau_{cr} = 0.06(\lambda_s - \lambda_w)d\ Tan\phi$ For gravels and cobbles (4)

Where

$$d_* = d\left[\frac{(G-1)g}{\nu^2}\right]^{1/3} \quad (5)$$

γ_s = the unit weight of the sediment
γ_w = the unit weight of the water/sediment mixture
G = the specific gravity of the sediment
G = gravitational acceleration
ν = the kinematic viscosity of the water/sediment mixture

The angle of repose ϕ for noncohesive sediments is presented in Table 1 (Julien 1995), as are values for critical shear stress. The critical condition can be defined in terms of shear velocity rather than shear stress (note that shear velocity and channel velocity are different). Table 1 also provides limiting shear velocity as a function of sediment size. The V_{*c} term is the critical shear velocity and is equal to

$$V_{*c} = \sqrt{gR_hS_f} \quad (6)$$

Table 1. Limiting Shear Stress and Ve locity for Uniform Noncohesive Sediments

Class name	d_s (in)	ϕ (deg)	τ_c	τ_{cr} (lb/sf)	V_{*c} (ft/s)
Boulder					
Very large	>80	42	0.054	37.4	4.36
Large	>40	42	0.054	18.7	3.08
Medium	>20	42	0.054	9.3	2.20
Small	>10	42	0.054	4.7	1.54
Cobble					
Large	>5	42	0.054	2.3	1.08
Small	>2.5	41	0.052	1.1	0.75
Gravel					
Very coarse	>1.3	40	0.050	0.54	0.52
Coarse	>0.6	38	0.047	0.25	0.36
Medium	>0.3	36	0.044	0.12	0.24
Fine	>0.16	35	0.042	0.06	0.17
Very fine	>0.08	33	0.039	0.03	0.12
Sands					
Very coarse	>0.04	32	0.029	0.01	0.070
Coarse	>0.02	31	0.033	0.006	0.055
Medium	>0.01	30	0.048	0.004	0.045
Fine	>0.005	30	0.072	0.003	0.040
Very fine	>0.003	30	0.109	0.002	0.035
Silts					
Coarse	>0.002	30	0.165	0.001	0.030
Medium	>0.001	30	0.25	0.001	0.025

Table 1 provides limits best applied when evaluating idealized conditions, or the stability of sediments in the bed. Mixtures of sediments tend to behave differently from uniform sediments. Within a mixture, coarse sediments are generally entrained at lower shear stress values than presented in Table 1. Conversely, larger shear stresses than those presented in the table are required to entrain finer sediments within a mixture.

Cohesive soils, vegetation, and other armor materials can be similarly evaluated to determine empirical shear stress thresholds. Cohesive soils are usually eroded by the detachment and entrainment of soil aggregates. Motivating forces are the same as those for noncohesive banks; however, the resisting forces are primarily the result of cohesive bonds between particles. The bonding strength, and hence the soil erosion resistance, depends on the physio-chemical properties of the soil and the chemistry of the

3 CONT

fluids. Field and laboratory experiments show that intact, undisturbed cohesive soils are much less susceptible to flow erosion than are non-cohesive soils.

Vegetation, which has a profound effect on the stability of both cohesive and noncohesive soils, serves as an effective buffer between the water and the underlying soil. It increases the effective roughness height of the boundary, increasing flow resistance and displacing the velocity upwards away from the soil, which has the effect of reducing the forces of drag and lift acting on the soil surface. As the boundary shear stress is proportional to the square of the near-bank velocity, a reduction in this velocity produces a much greater reduction in the forces responsible for erosion.

Vegetation armors the soil surface, but the roots and rhizomes of plants also bind the soil and introduce extra cohesion over and above any intrinsic cohesion that the bank material may have. The presence of vegetation does not render underlying soils immune from erosion, but the critical condition for erosion of a vegetated bank is usually the threshold of failure of the plant stands by snapping, stem scour, or uprooting, rather than for detachment and entrainment of the soils themselves. Vegetation failure usually occurs at much higher levels of flow intensity than for soil erosion.

Both rigid and flexible armor systems can be used in waterways to protect the channel bed from erosion and to stabilize side slopes. A wide array of differing armor materials are available to accomplish this. Many manufactured products have been evaluated to determine their failure threshold. Products are frequently selected using design graphs that present the flow depth on one axis and the slope of the channel on the other axis. Thus, the design is based on the depth/slope product (i.e., the shear stress). In other cases, the thresholds are expressed explicitly in terms of shear stress. Notable among the latter group are the field performance testing results of erosion control products conducted by the TXDOT/TTI Hydraulics and Erosion Control Laboratory (TXDOT 1999).

Table 2 presents limiting values for shear stress and velocity for a number of different channel lining materials. Included are soils, various types of vegetation, and number of different commonly applied stabilization techniques. Information presented in the table was derived from a number of different sources. Ranges of values presented in the table reflect various measures presented within the literature. In the case of manufactured products, the designer should consult the manufacturer's guidelines to determine thresholds for a specific product.

Uncertainty and Variability

The values presented in Table 2 generally relate to average values of shear stress or velocity. Velocity and shear stress are neither uniform nor steady in natural channels. Short-term pulses in the flow can give rise to instantaneous velocities or stresses of two to three times the average; thus, erosion may occur at stresses much lower than predicted. Because limits presented in Table 2 were developed empirically, they implicitly include some off this variability. However, natural channels typically exhibit much more variability than the flumes from which these data were developed.

3 CONT

Sediment load can also profoundly influence the ability of flow to erode underlying soils. Sediments in suspension have the effect of damping turbulence within the flow. Turbulence is an important factor in entraining materials from the channel boundaries. Thus, velocity and shear stress thresholds are 1.5 to 3 times that presented in the table for flows carrying high sediment loads.

In addition to variability of flow conditions, variation in the channel lining characteristics can influence erosion predictions. Natural bed material is neither spherical nor of uniform size. Larger particles may shield smaller ones from direct impact so that the latter fail to move until higher stresses are attained. For a given grain size, the true threshold criterion may vary by nearly an order of magnitude depending on the bed gradation. Variation in the installation of erosion control measures can reduce the threshold necessary to cause erosion.

Table 2. Permissible Shear and Velocity for Selected Lining Materials[1]

Boundary Category	Boundary Type	Permissible Shear Stress (lb/sq ft)	Permissible Velocity (ft/sec)	Citation(s)
Soils	Fine colloidal sand	0.02 - 0.03	1.5	A
	Sandy loam (noncolloidal)	0.03 - 0.04	1.75	A
	Alluvial silt (noncolloidal)	0.045 - 0.05	2	A
	Silty loam (noncolloidal)	0.045 - 0.05	1.75 – 2.25	A
	Firm loam	0.075	2.5	A
	Fine gravels	0.075	2.5	A
	Stiff clay	0.26	3 – 4.5	A, F
	Alluvial silt (colloidal)	0.26	3.75	A
	Graded loam to cobbles	0.38	3.75	A
	Graded silts to cobbles	0.43	4	A
	Shales and hardpan	0.67	6	A
Gravel/Cobble	1-in.	0.33	2.5 – 5	A
	2-in.	0.67	3 – 6	A
	6-in.	2.0	4 – 7.5	A
	12-in.	4.0	5.5 – 12	A
Vegetation	Class A turf	3.7	6 – 8	E, N
	Class B turf	2.1	4 - 7	E, N
	Class C turf	1.0	3.5	E, N
	Long native grasses	1.2 – 1.7	4 – 6	G, H, L, N
	Short native and bunch grass	0.7 - 0.95	3 – 4	G, H, L, N
	Reed plantings	0.1-0.6	N/A	E, N
	Hardwood tree plantings	0.41-2.5	N/A	E, N
Temporary Degradable RECPs	Jute net	0.45	1 – 2.5	E, H, M
	Straw with net	1.5 – 1.65	1 – 3	E, H, M
	Coconut fiber with net	2.25	3 – 4	E, M
	Fiberglass roving	2.00	2.5 – 7	E, H, M
Non-Degradable RECPs	Unvegetated	3.00	5 – 7	E, G, M
	Partially established	4.0-6.0	7.5 – 15	E, G, M
	Fully vegetated	8.00	8 – 21	F, L, M
Riprap	6 – in. d_{50}	2.5	5 – 10	H
	9 – in. d_{50}	3.8	7 – 11	H
	12 – in. d_{50}	5.1	10 – 13	H
	18 – in. d_{50}	7.6	12 – 16	H
	24 – in. d_{50}	10.1	14 – 18	E
Soil Bioengineering	Wattles	0.2 – 1.0	3	C, I, J, N
	Reed fascine	0.6-1.25	5	E
	Coir roll	3 - 5	8	E, M, N
	Vegetated coir mat	4 - 8	9.5	E, M, N
	Live brush mattress (initial)	0.4 – 4.1	4	B, E, I
	Live brush mattress (grown)	3.90-8.2	12	B, C, E, I, N
	Brush layering (initial/grown)	0.4 – 6.25	12	E, I, N
	Live fascine	1.25-3.10	6 – 8	C, E, I, J
	Live willow stakes	2.10-3.10	3 – 10	E, N, O
Hard Surfacing	Gabions	10	14 – 19	D
	Concrete	12.5	>18	H

[1] Ranges of values generally reflect multiple sources of data or different testing conditions.

A. Chang, H.H. (1988).
B. Florineth. (1982)
C. Gerstgraser, C. (1998).
D. Goff, K. (1999).
E. Gray, D.H., and Sotir, R.B. (1996).
F. Julien, P.Y. (1995).
G. Kouwen, N.; Li, R. M.; and Simons, D.B., (1980).
H. Norman, J. N. (1975).
I. Schiechtl, H. M. and R. Stern. (1996).
J. Schoklitsch, A. (1937).
K. Sprague, C.J. (1999).
L. Temple, D.M. (1980).
M. TXDOT (1999)
N. Data from Author (2001)
O. USACE (1997).

3 CONT

Changes in the density or vigor of vegetation can either increase or decrease erosion threshold. Even differences between the growing and dormant seasons can lead to one- to twofold changes in erosion thresholds.

To address uncertainty and variability, the designer should adjust the predicted velocity or shear stress by applying a factor of safety or by computing local and instantaneous values for these parameters. Guidance for making these adjustments is presented in the section titled "Application" below.

EROSION MAGNITUDE

The preceding discussion dealt with the presence or absence of erosion, but did not address the extent to which erosion might occur for a given flow. If the thresholds presented in Table 2 are exceeded, erosion should be expected to occur. In reality, even when those thresholds are not exceeded, some erosion in a few select locations may occur. The extent to which this minor erosion could become a significant concern depends in large measure on the duration of the flow, and upon the ability of the stream to transport those eroded sediments.

Flow Duration

Although not stated, limits regarding erosion potential published by manufacturers for various products are typically developed from studies using short flow durations. They do not reflect the potential for severe erosion damage that can result from moderate flow events over several hours. Studies have shown that duration of flow reduces erosion resistance of many types of erosion control products, as shown in Figures 2 - 4. A factor of safety should be applied when flow duration exceeds a couple of hours.

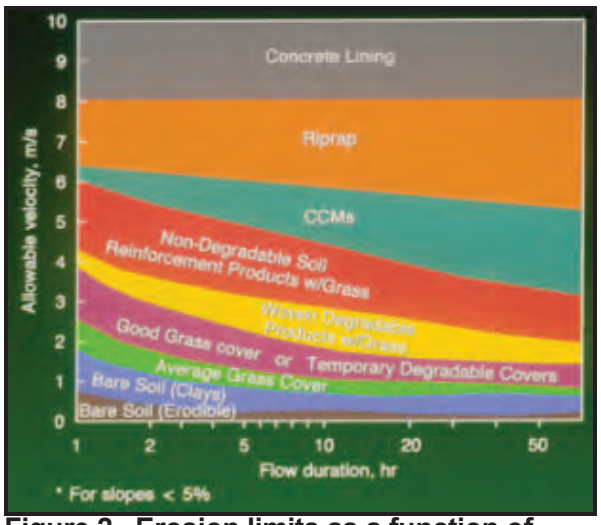

Figure 2. Erosion limits as a function of flow duration (from Fischenich and Allen (2000)).

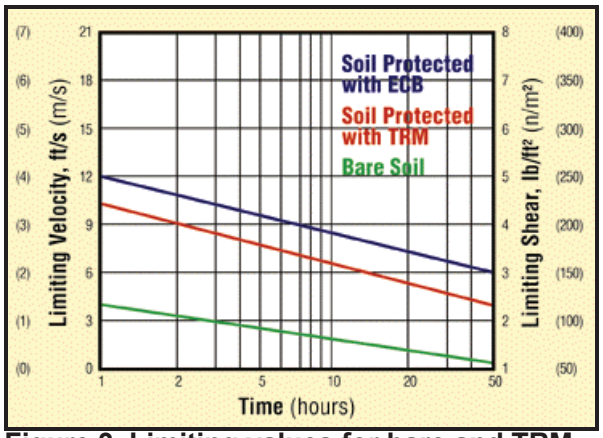

Figure 3. Limiting values for bare and TRM protected soils (from Sprague (1999))

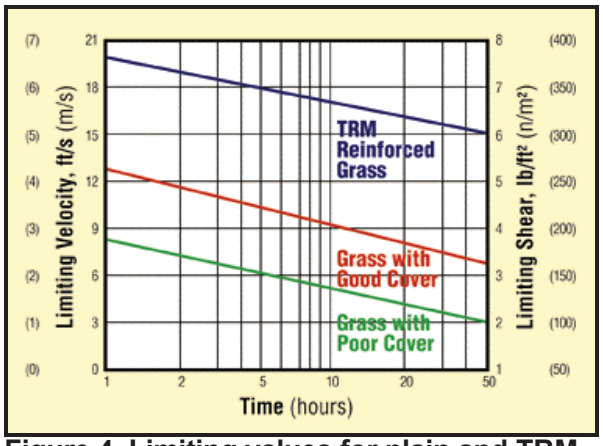

Figure 4. Limiting values for plain and TRM reinforced grass (from Sprague (1999))

3
CONT

Correlations between flow volume and amount of erosion tend to be poor. Multi-peaked flows may be more effective than single flows of comparable or greater magnitude because of the increased incidence of wetting. Flows with long durations often have a more significant effect on erosion than short-lived flows of higher magnitude. Sediment transport analysis can be used to gauge the magnitude of erosion potential in the channel design, but predictive capability is limited.

Sediment Transport

A number of flow measures can be used to assess the ability of a stream to transport sediment. The unit stream power (P_m) is one common approach, and is related to the earlier discussion in that stream power includes both velocity and shear stress as components. Sediment transport (Q_s) increases when the unit stream power (P_m) increases. Unit stream power in turn is controlled by both tractive stress and flow velocity:

$$P_m = v \cdot \tau = v \cdot \gamma_w \cdot D \cdot S_f \quad (7)$$

The total power (P_t) is the product of the unit power times the channel width (W):

$$P_t = P_m \cdot W = v \cdot W \cdot D \cdot \gamma_w \cdot S_f = v \cdot A \cdot \gamma_w \cdot S_f = Q_w \cdot \gamma_w \cdot S_f \quad (8)$$

Stream power assessments can be useful in evaluating sediment discharge within a stream channel and the deposition or erosion of sediments from the streambed. However, their utility for evaluating the stability of measures applied to prevent erosion is limited because of the lack of empirical data relating stream power to stability. The analysis of general streambank erosion is not a simple extension of the noncohesive bed case with an added downslope gravity component. Complication is added by other influencing variables, such as vegetation, whose root system can reinforce bank material and increase erosion resistance. Factors influencing bank erosion are summarized in Table 3.

Table 3. Factors Influencing Erosion

Factor	*Relevant characteristics*
Flow properties	Magnitude, frequency and variability of stream discharge; Magnitude and distribution of velocity and shear stress; Degree of turbulence
Sediment composition	Sediment size, gradation, cohesion and stratification
Climate	Rainfall amount, intensity and duration; Frequency and duration of freezing
Subsurface conditions	Seepage forces; Piping; Soil moisture levels
Channel geometry	Width and depth of channel; Height and angle of bank; Bend curvature
Biology	Vegetation type, density and root character; Burrows
Anthropogenic factors	Urbanization, flood control, boating, irrigation

3 CONT

APPLICATION

The stability of a waterway or the suitability of various channel linings can be determined by first calculating both the mean velocity and tractive stress (by the previous equations). These values can then be compared with allowable velocity and tractive stress for a particular ground cover or lining system under consideration (e.g., existing vegetation cover, an erosion control blanket, or bioengineering treatment). Allowable tractive stresses for various types of soil, linings, ground covers, and stabilization measures including soil bioengineering treatments, are listed in Table 2. Additionally, manufacturers' product literature can provide allowable tractive stresses or velocities for various types of erosion control products.

An iterative procedure may be required when evaluating channel stability because various linings will affect the resistance coefficient,

which in turn may change the estimated flow conditions. A general procedure for the application of information presented in this paper is outlined in the following paragraphs.

Step 1-Estimate Mean Hydraulic Conditions.
Flow of water in a channel is governed by the discharge, hydraulic gradient, channel geometry, and roughness coefficient. This functional relationship is most frequently evaluated using normal depth or backwater computations that take into account principles of conservation of linear momentum. The latter is preferable because it accounts for variations in momentum slope, which is directly related to shear stress. Several models are available to aid the hydraulic engineer in assessing hydraulic conditions. Notable examples include HEC-2, HEC-RAS, and WSP2. Channel cross sections, slopes, and Manning's coefficients should be determined based upon surveyed data and observed or predicted channel boundary conditions. Output from the model should be used to compute main channel velocity and shear stress at each cross section.

Step 2- Estimate Local/Instantaneous Flow Conditions.
The computed values for velocity and shear stress may be adjusted to account for local variability and instantaneous values higher than mean. A number of procedures exist for this purpose. Most commonly applied are empirical methods based upon channel form and irregularity. Several references at the end of this paper present procedures to make these adjustments. Chang (1988) is a good example. For straight channels, the local maximum shear stress can be assumed from the following simple equation:

$$\tau_{max} = 1.5\tau \quad (9)$$

for sinuous channels, the maximum shear stress should be determined as a function of the planform characteristics using Equation 10:

$$\tau_{max} = 2.65\,\tau\left(\frac{R_c}{W}\right)^{-0.5} \quad (10)$$

where R_c is the radius of curvature and W is the top width of the channel. Equations 9 and 10 adjust for the spatial distribution of shear stress; however, temporal maximums in turbulent flows can be 10 – 20 percent higher, so an adjustment to account for instantaneous maximums should be added as well. A factor of 1.15 is usually applied.

Step 3- Determine Existing Stability.
Existing stability should be assessed by comparing estimates of local and instantaneous shear and velocity to values presented in Table 2. Both the underlying soil and the soil/vegetation condition should be assessed. If the existing conditions are deemed stable and are in consonance with other project objectives, then no further action is required. Otherwise, proceed to step 4.

Step 4- Select Channel Lining Material.
If existing conditions are unstable, or if a different material is needed along the channel perimeter to meet project objectives, a lining material or stabilization measure should be selected from Table 2, using the threshold values as a guideline in the selection. Only material with a threshold exceeding the predicted value should be selected. The other project objectives can also be used at this point to help select from among the available alternatives. Fischenich and Allen (2000) characterize attributes of various protection measures to help in the selection.

Step 5- Recompute Flow Values.
Resistance values in the hydraulic computations should be adjusted to reflect the selected channel lining, and hydraulic condition should be recalculated for the channel. At this point, reach- or section-averaged hydraulic conditions should be adjusted to account for local and instantaneous extremes.
Table 4 presents velocity limits for various channel boundaries conditions. This table is useful in screening alternatives, or as an alternative to the shear stress analysis presented in the preceding sections.

3 CONT

Table 4. Stability of Channel Linings for Given Velocity Ranges

Lining	0 – 2 fps	2 – 4 fps	4 – 6 fps	6 – 8 fps	> 8 fps
Sandy Soils					
Firm Loam					
Mixed Gravel and Cobbles					
Average Turf					
Degradable RECPs					
Stabilizing Bioengineering					
Good Turf					
Permanent RECPs					
Armoring Bioengineering					
CCMs & Gabions					
Riprap					
Concrete					

Key:

	Appropriate
	Use Caution
	Not Appropriate

Step 6– Confirm Lining Stability.
The stability of the proposed lining should be assessed by comparing the threshold values in Table 2 to the newly computed hydraulic conditions. These values can be adjusted to account for flow duration using Figures 2-4 as a guide. If computed values exceed thresholds, step 4 should be repeated. If the threshold is not exceeded, a factor of safety for the project should be determined from the following equations:

$$FS = \frac{\tau_{max}}{\tau_{est}} \quad or \quad FS = \frac{V_{max}}{V_{est}} \qquad (11)$$

In general, factors of safety in excess of 1.2 or 1.3 should be acceptable. The preceding five steps should be conducted for every cross section used in the analysis for the project. In the event that computed hydraulic values exceed thresholds for any desirable lining or stabilization technique, measures must be undertaken to reduce the energy within the flow. Such measures might include the installation of low-head drop structures or other energy-dissipating devices along the channel. Alternatively, measures implemented within the watershed to reduce total discharge could be employed.

APPLICABILITY AND LIMITATIONS

Techniques described in this technical note are generally applicable to stream restoration projects that include revegetation of the riparian zone or bioengineering treatments.

3 CONT

ACKNOWLEDGEMENTS

Research presented in this technical note was developed under the U.S. Army Corps of Engineers Ecosystem Management and Restoration Research Program. Technical reviews were provided by Messrs. E.A. (Tony) Dardeau, Jr., (Ret.), and Jerry L. Miller, both of the Environmental Laboratory.

POINTS OF CONTACT

For additional information, contact the author, Dr. Craig Fischenich, (601-634-3449, fischec@wes.army.mil), or the manager of the Ecosystem Management and Restoration Research Program, Dr. Russell F. Theriot (601-634-2733, therior@wes.army.mil). This technical note should be cited as follows:

Fischenich, C. (2001). "Stability Thresholds for Stream Restoration Materials," EMRRP Technical Notes Collection (ERDC TN-EMRRP-SR-29), U.S. Army Engineer Research and Development Center, Vicksburg, MS. www.wes.army.mil/el/emrrp

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USACE TR EL 97-8

3
CONT

Organizations

California Urban Streams Partnership (CUSP)

Response to CUSP-1
The organization asks if larger outfalls are required after bioretention is installed and if so to provide justification for their use of channel riprap.

The upgrades proposed as part of the Civic Project include ***replacement*** of the existing failing outfalls; there is no plan to increase the diameter of any of the outfalls.

Furthermore, field observations by staff have determined that scour is prevalent at all three existing outfall locations, especially along the western bank and the immediate vicinity of the creek bed. Existing corrugated metal pipes (36-inch and 15-inch corrugated metal pipes) have degraded and exceeded their useful life at two of the three locations, with the third location (the 8-inch clay pipe) showing signs of stress and longitudinal fractures.

Regarding the use of riprap, please see the Response to CUSP-2 below.

Response to CUSP-2
The organization recommends the City use bioengineering alone and does not recommend the use of riprap to provide streambank stability. The organization requests that the City consult the sheer stress table provided in the USACE Stability Thresholds for Stream Restoration Material to select the use of erosion control fabric combined with vegetated systems. They also suggest that covering the creek channel with coir fabric and then add brush matting and posts though the fabric because that is a more rigorous stabilization approach.

Please refer to Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements, which confirms that the City is refining the drainage system to incorporate recommendations of the USACE Stability Thresholds for Stream Restoration Materials, as appropriate, including the use of less rock protection. The planned refinements to the drainage system would not alter any conclusions of the Draft EIR regarding storm drainage or the function and values within Grayson Creek. The proposed Civic Project and Residential Project are self-mitigating and offset the projects' impacts to a less than significant level.

Response to CUSP-3
This comment includes the attachments referenced in comment CUSP-2 and does not require a response.

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Friends of Pleasant Hill Creeks

October 15, 2019

Troy Fujimoto, Acting City Planner
City of Pleasant Hill
100 Gregory Lane
Pleasant Hill, CA 94523

Via Email: tfujimoto@pleasanthillca.org

RE: Oak Park Properties Specific Plan (Project)—Draft Environmental Impact Report (DEIR)

Dear Mr. Fujimoto:

Friends of Pleasant Hill Creeks (FPHC) respectfully submits the following comments on the DEIR for the above referenced Project. FPHC is a nonprofit organization of Pleasant Hill residents who care about our creeks. Since 2017, more than 100 community volunteers have participated in creek cleanups, wildlife surveys, water quality monitoring, and educational outreach focused on Grayson Creek. 1

Focus of Our Review

- *Grayson Creek Riparian and Wildlife Corridor:* The primary focus of our review is the impacts of the proposed Project on the Grayson Creek riparian and wildlife corridor. Grayson Creek, which flows across the Project site, is a sensitive habitat that our members have been working to protect and restore in partnership with other local community organizations. Notably, Grayson Creek at Oak Park Blvd. has been recognized as an eBird public hotspot[1] with 70 species of birds documented over 24 months by a field survey conducted by FPHC and Mt. Diablo Audubon Society.[2] Species documented on or near the site include 66 species of native and migratory birds and 5 species of raptors, all of which are "special-status" species protected by the Migratory Bird Treaty Act and California law. The raptor species observed are: Northern Harrier; Sharp-shinned Hawk; Cooper's Hawk; Red Shouldered Hawk; and American Kestrel. River otters have also been reported at the site. The presence of these species confirms the significance of Grayson Creek as a corridor for native and migratory wildlife. 2

- *New Library and Residences:* As residents of Pleasant Hill and supporters of the new Pleasant Hill Library, our members are also concerned about the potential impacts of certain Project components on the operation of the new library, on existing residences surrounding the Project, and on planned residences on Monticello. 3

Project Components of Significant Concern: While we welcome and support many Project components—such as the new library and park, expansion of the riparian buffer, and installation of a creekside trail—we have significant concerns about the following Project components. 4

1. Installation of 40-70 foot floodlights for adult ball games operating until 10 pm next to light- and noise-sensitive receptors including Grayson Creek, the new library, and residences.
2. Unspecified increase in volume and rate of stormwater runoff (including polluted runoff) into Grayson Creek. 5
3. Alterations to Grayson Creek's stream bed, banks, and channel, including installation of riprap. 6

[1] Cornell Lab of Ornithology, eBird, "Grayson Creek (Oak Park Blvd)," https://ebird.org/hotspot/L9110333.
[2] Letter, dated October 15, 2019, from FPHC and Mt. Diablo Audubon Society submitting avian species data ("FPHC/MDAS Letter").

Summary of DEIR Review

Based on our review, the DEIR is incomplete, inaccurate, and inadequate in its description of several major Project components, in its description of the Project's environmental setting, and in its analysis of the Project's potential adverse environmental impacts.

As described in detail on Attachment A:

- The description of the Project is incomplete, inaccurate, and inadequate;
- The description of the existing environmental setting is incomplete, inaccurate, and inadequate;
- The analyses of potential environmental impacts on aesthetics, biological resources, hydrology and water quality, and noise are incomplete, inaccurate, and inadequate; and
- The DEIR fails to analyze multiple significant environmental issues and concerns raised in the scoping process.

7

For these reasons, the conclusion of no significant environmental impacts from the Project is unsubstantiated due to the lack of a *complete, accurate, and adequate* Project description, existing environmental setting description, and environmental impact analysis. Unless the DEIR is revised and recirculated for further review or the Project is redesigned to remove/modify/mitigate the Project components that would cause significant adverse environmental impacts, certification of the EIR and/or approval of the Project would violate the requirements of the California Environmental Quality Act.

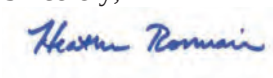
8

Our comments are offered in the spirit of ensuring the circulation of all relevant information for the public and decision-makers to review, strengthening the environmental analysis necessary to improve project design or identify necessary mitigation measures, and maximizing the benefits of this Project for people and wildlife in our community. We look forward to working with the community to support nature-oriented educational and recreational opportunities centered on the new Library and Park, such as creek walks, naturalist programs, and interpretative signage.

9

All attachments and information provided or cited in footnotes to this letter are incorporated herein by reference. Thank you for your consideration of our comments.

Sincerely,



Heather Rosmarin
Co-Founder, Friends of Pleasant Hill Creeks
pleasanthillcreeks@gmail.com

Enc.

cc: Pleasant Hill City Council
Pleasant Hill Recreation and Parks District
Contra Costa County Department of Conservation and Development
Contra Costa County Flood Control District
California Department of Fish and Wildlife

Attachment A

SPECIFIC COMMENTS AND OBJECTIONS TO DEIR

PROJECT DESCRIPTION

1. As detailed in comments below, this DEIR fails to accurately describe several major Project components in sufficient detail for their impacts to be effectively reviewed and analyzed by the public and decision-makers. Under California law, "[a]n accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR."[3] Therefore, the failure of the Project description makes the rest of the DEIR inadequate as well. Because the concrete details of the construction and operation of the Project are not known or disclosed, its environmental impacts cannot be accurately analyzed, nor can effective mitigation be identified. 10

2. The DEIR states that the proposed new athletic fields would include floodlights 40-70 feet high next to light-sensitive receptors (including Grayson Creek), and would operate until 10 pm for adult ball games, but the DEIR does not provide a site plan showing the locations, heights, and specifications of the proposed new floodlights on the currently unlit site. The DEIR should include photometric plans for the Civic Project, including diagrams and/or charts with photometric data for all external light fixtures, such as lumens, candela, direction, color/wave length, spillover/trespass, and purpose (e.g., for security or for night time ball games). We are concerned that the partial view of the Park from the east (3.1-6 Photograph A) shows several proposed floodlights immediately adjacent to the creek, towering over the trees, and visible from the EBMUD trail. The DEIR plans should clearly show distances between the proposed fixtures and Grayson Creek to enable the public to review and analyze the light intrusion into the creek and its potential impacts on wildlife. 11

3. The DEIR fails to provide calculations of the projected increase in artificial light at night (ALAN) on the Civic Project site, compared to existing baseline (there is currently no artificial light on the site). Based on the partial and incomplete information provided, we are concerned that the impacts of increased ALAN would be significant. We note that in one section, the DEIR states that in the Park "[a]pproximately 72 fixtures across the [Park] system would provide between 16,599 and 121,000 lumens..." (2-33) In another section, the DEIR states "The proposed athletic fields would be lighted by poles approximately 40 to 70 feet tall with a light level less than 50,000 candela…" (3.1-30] We assume these figures describe *some* of the planned individual fixtures. However, the DEIR nowhere provides a detailed photometric plan or calculations of the *total* increase in ALAN and its spillover into the creek and surrounding areas. This information is necessary in order to review and analyze atmospheric and ecological light pollution impacts.

4. The Lighting Peer Review Memo in DEIR Appendix B (LPR Memo) does not include the underlying data on which it bases its conclusions and does not analyze the impacts of lighting on residences south of the Project. The LPR Memo also conflicts with the DEIR on several factual points. 12

    a) The LPR Memo states: "The presence of a new multi-use residential, library and ball field suburban area, as proposed by the Oak Park Properties Specific Plan, and the associated Civic Project and Residential Project, in Pleasant Hill, CA *does make a significant difference in the residential nightscape from the current usage*." (emphasis added). The DEIR claims that there is no significant impact. This contradiction needs to be resolved. 13

    b) The LPR Memo states: "The Ball Field development will provide a full array of *sports floodlighting as well as fly ball up lighting which does not comply with the City requirements*." (emphasis added) By contrast, the DEIR states that the lighting is downward facing. This contradiction needs to be resolved. 14

[3] *County of Inyo v. City of Los Angeles* (1977) 71 Cal. App. 3d 185, 193.

c) The LPR Memo states: "Grayson Creek will have both Ball Field lighting and Library Facility lighting added to its west side for the first time" but neither the LPR Memo nor the DEIR provides any photometric data to enable review of light intrusion into Grayson Creek. The memo also states that *even after adjustment there will be light trespass into Grayson Creek until the proposed 10pm shutoff*. Yet, the DEIR claims that there will be no significant impact without providing any data or analysis of the amount or type of night light intrusion/trespass. 15

Because of these contradictions and the lack of detailed specifications, it is impossible for the public or decision makers to review and analyze the impacts of light and glare on sensitive receptors.

5. The DEIR does not provide elevations showing the height of the proposed new light poles (up to 70 feet) compared to the height of the new library (30 feet) and the height of the new residences (up to 35 feet). 16

6. The DEIR does not provide illustrations showing daytime and nighttime views of the proposed new light poles from the following viewpoints:

   - From the west (current library/new residences) across the project site towards Grayson Creek and Mt. Diablo. (See Figure A-1) 17
   - From the entrance of new library looking north.
   - From the pedestrian trail planned for the west side of Grayson Creek.

7. DEIR baseline noise measurements were gathered only between 1:52 pm to 3:01 pm. No baseline noise measurements were gathered between 7 pm to 10 pm, despite the fact that adult ball games are proposed to operate until 10 pm. 18

8. The DEIR does not indicate whether or not there will be amplified loudspeakers at the ball games. If there are plans to use amplified loudspeakers at the ball games, then there must be additional analysis. 19

9. The DEIR does not quantify and disclose the projected increase in the volume and rate of stormwater runoff into Grayson Creek from construction and operation of the Project. Since the plans call for upsizing pipes and drains to convey runoff eastward to a "new outfall" at Grayson Creek (3.8-32), installing upgraded outfalls into Grayson Creek (3.15-22), and installing riprap in Grayson Creek for erosion control and energy dissipation (3.3-31ff, 3.8-11, 3.8-26), we infer that planners expect there to be an increase in the volume and rate of runoff into Grayson Creek. This is a point of major concern because an increase in the volume and rate of runoff into the creek is not permitted under applicable regulation and could impact the creek's hydrology, ecology, and downstream flood risk. 20

10. The DEIR does not quantify and disclose how *much* expected stormwater runoff would be contained on site and how *much* would be directed into Grayson Creek, especially during major storm events. 21

11. The DEIR does not quantify and disclose the projected increase in *polluted* runoff into Grayson Creek. The DEIR also does not state whether the Project is installing permeable materials for parking lots and pathways. 22 23

12. The DEIR does not describe how pollutants such as such as pesticides, fertilizers, and deposits of fluids and metals from motor vehicles will be avoided, filtered, or otherwise removed before they reach Grayson Creek or groundwater resources. There is no discussion of measures to minimize fertilizer, pesticide, and herbicide use. Two bio-retention basins are proposed, but are not described in detail. (Appendix H states that detailed plans will not be provided until the design stage (p. 31).) 24 25

13. The DEIR does not discuss the projected increase in human activity (i.e., projected usage statistics for the Library and Park) on the currently vacant Civic Project site and the resulting increase in trash and litter, which are major sources of creek pollution. Other than a reference to two trash enclosures, the DEIR provides no specifics regarding how many trash receptacles will be placed around the site, 26

including on the new creekside trail, at the new fields, and at the picnic area. It also does not provide information regarding trash capture measures for stormwater drains and outfalls. Due to proximity to Grayson Creek, all trash receptacles and enclosures should be covered, and best practices technology should be required to capture and remove trash from stormwater drains and outfalls. 26 CONT

14. The DEIR does not provide a "complete description" of certain Project features as specifically requested by the California Department of Fish and Wildlife (CDFW), including: "Operational features of the Project, including level of anticipated human presence (describe seasonal or daily peaks in activity, if relevant), artificial lighting/light reflection, noise…and other features, both during construction and after completion of the Project."[4] Based on our review, the DEIR does not provide seasonal/ daily peaks in activity for the creek-side recreational facilities, and the lighting and noise analyses are incomplete and inadequate. 27

ENVIRONMENTAL ANALYSIS

15. As detailed in our comments to specific sections below, the DEIR fails to accurately describe the existing environmental setting. For example, there are incorrect or inconsistent statements regarding existing light and noise conditions, character of the surrounding neighborhoods, and the occurrence of Special-Status species on and near the Civic Project site. Any environmental impact analysis that relies on an incorrect baseline is inherently flawed. 28

3.1 AESTHETICS

16. The Civic Project site consists of unlit open space crossed by the Grayson Creek corridor. There are scenic views of Mt. Diablo to the east. The DEIR's photographs and descriptions of existing views are incomplete in that they do not show the views towards the Grayson Creek corridor and Mt. Diablo. We herewith provide photographs of those views at Figure A-1. Further, the DIER incorrectly states that "[s]cattered trees are located along Oak Park Boulevard, Monticello Avenue, and within the Grayson Creek Corridor." (3.1-2) In fact, as shown on Figure A-1, there is an unbroken tree line along the Grayson Creek riparian corridor. Failure to accurately describe the existing environmental setting renders the DEIR analysis inadequate. 29

17. As noted above, detailed photometric information is necessary to enable the public (including independent experts) and decision-makers to review and analyze the potential impacts of the Project's lighting component. Absent detailed lighting information, the public and decision-makers are unable to review and analyze the light and glare impacts on aesthetic resources and sensitive receptors (Grayson Creek, library, and residences). 30

18. As detailed in comments below, the DEIR fails to adequately analyze the environmental impacts of the Project on Aesthetics, including the following issues/concerns raised during the scoping period (a) Lighting and light spillover impacts on wildlife; (b) Lighting and light spillover impacts on existing residences south of the project and planned residences west of the project; (c) Lighting and light spillover impacts on dark sky resources. Therefore, the analysis is incomplete and inadequate. 31 32 33

19. We are particularly concerned about the mention of new floodlights ranging from 40-70 feet high to light adult ball games until 10 pm and two new poles 24 feet high to light bocce courts until 10 pm (2-33) because of their sensitive location next to Grayson Creek, the library, and residences. There is no justification provided for the lighted ball fields, which will generate light intrusion in the creek, are redundant with existing facilities, and are inconsistent with facility/amenity priorities as documented in the Recreation and Park District's *Parks, Facilities, and Recreation Master Plan* ("Master Plan").[5] 34

[4] Letter, dated December 19, 2018, from California Department of Fish and Wildlife ("CDFW Letter").
[5] See below, note 6.

AES-1 (Substantial adverse effect on a scenic vista)

20. The DEIR's analysis of the Park's impact on scenic vistas (AES-1) is incomplete and inadequate because it fails to consider the impact of the planned floodlights 40 to 70 feet in height. We are concerned about the impact of these light towers on (i) daytime scenic views of the Grayson Creek Corridor, tree line and Mt. Diablo and (ii) nighttime scenic views of stars and other astronomical features. (Figure 1) The Civic Project site is currently NZ1 (low ambient lighting).

21. We note that the proposed light towers for the new athletic fields (up to 70 feet high) would be more than twice as tall as the new library (30 feet) and would extend significantly above the Grayson Creek tree line. Yet the DEIR does not provide any illustrations or elevations showing the locations of all the proposed light poles relative to the creek and new Library. Based on the information in the text, we believe that the 70 foot light poles would be clearly visible from all directions during the day and would substantially alter and degrade scenic views of the Grayson Creek tree line from both the east and the west. They would also substantially alter and degrade views of Mt. Diablo from the west. (Mt. Diablo is clearly visible from the site of the proposed Park, as shown at Figure 1. 35

22. During the nighttime, the planned operation of lights until 10 PM would significantly degrade nighttime views of scenic resources such as stars and other astronomical features. We note that stargazing and astronomy are popular recreational activities hosted by the Pleasant Hill Library. The installation of 70 foot high light poles operating until 10PM will significantly and adversely impact these recreational opportunities by increasing atmospheric light pollution.

23. For the above reasons, we believe that the planned 40-70 foot high floodlights will have significant adverse impacts on scenic vistas, and we object to the DEIR's conclusion of less than significant impact for AES-1 as unsubstantiated.

AES-3 (Substantial adverse effect on existing visual character or quality of public views of the site)

24. The DEIR's analysis of the Park's impact on visual character and quality of public views (AES-3) is also incomplete and inadequate because it fails to adequately analyze the impact of the planned new 40-70 foot high floodlights on both daytime and nighttime views of the site.

25. Daytime and nighttime views of the existing site from Monticello Ave. are provided on Figure A-1. Installation of 70 foot light towers would be completely out of character with the site and would have an adverse impact on existing public views of the site, which currently consists of open space, the riparian corridor, and Mt. Diablo. They would also be out of character with the site as planned after development. As noted above, the tallest structure planned for the Civic Project site is the new library (30 feet tall). The proposed light poles for the new athletic fields would therefore be more than twice as tall as the library and also twice as tall as the new residences across Monticello Ave. The floodlights will tower above all the structures on the Project site as well as existing and new trees. 36

26. The DEIR states that the style of poles and fixtures in the Park would match the fixtures currently located at Pleasant Oaks Park (2-33), which is off-site. We believe that the style of poles and fixtures should be *no taller than* and stylistically consistent with poles and fixtures at the new Library, which is on-site.

27. For the above reasons, we are concerned that the planned 40-70 foot high light poles would have significant adverse impacts on visual character and public views and we object to the DEIR's conclusion of less than significant impact for AES-3 as unsubstantiated.

AES-4 (New source of substantial light or glare which would adversely affect day or nighttime views)

28. The DEIR's analysis of light and glare is incomplete and inadequate since the DEIR fails to provide a site plan, diagrams, elevations, or photometric information that shows the specific locations, height, lumens, candela, direction, color/wave length, and spillover of the proposed new light poles. 37

Therefore, the public and decision-makers do not have enough information to analyze the light and glare impacts of the proposed new lighting plan.

29. The absence of photometric detail in the DEIR makes it impossible for the public to review and analyze the impact of new artificial lights on light-sensitive receptors. Since there are currently no artificial lights on the Civic Project site or in the Grayson Creek riparian corridor, "the plan area is similar to a LZ1 (Low Ambient Lighting) nighttime environment" (LPR Memo), and the increase in artificial light at night (ALAN) represents a significant change. ALAN could cause significant adverse impact on light-sensitive receptors such as wildlife and residences. Without specific data, the public and agencies cannot evaluate the potential lighting impacts. 37 CONT

30. The DEIR states that "[l]ight from these lighting poles could extend across Grayson Creek Corridor and onto the off-site EBMUD Trail and single- family homes to the east. However, Exhibit 3.1-6, photograph A, shows that these lights would be directed downward and toward the west, away from the EBMUD trail and adjacent single-family homes." (3.1-30) This description conflicts with the LPR Memo, which states: "The Ball Field development will provide a full array of sports floodlighting as well as fly ball up lighting which does not comply with the City requirements," and "Grayson Creek will have both Ball Field lighting and Library Facility lighting added to its west side for the first time." These conflicting statements need to be resolved and a *final lighting plan* provided with specific information including a site plan, illustrations, elevations, and photometric plan that shows the specific locations, height, lumens, candela, direction, color/wave length, and spillover of the proposed new light poles for the Civic Project site. 38

31. The DEIR does not analyze the lighting impacts on existing residences south of the Project site and planned residences west of the Project site on Monticello. 39

32. The photographs provided in DEIR Exhibit 3.1-6 do not show views from the west (the site of the new residences) directly towards the new Park, nor do they show views from the new library north towards the new Park. Therefore, the public and decision-makers don't have enough information to analyze the views from those locations. 40

33. The DEIR states that a primary Plan objective for the Park is to provide opportunity for *youth* sports. Youth ball games would end at 8 PM and for most of the year would not require any lighting. Extending the time to 10 PM for adult ball games would result in significantly increased year-round night light and noise and is inappropriate given the sensitive location of the Park near the Grayson Creek corridor, library, and residences. *We note that there are already three lighted ball fields available for evening games in Pleasant Hill:* Pleasant Hill Park, College Park High School, and Valley View Middle School. According to the Recreation and Park District's Master Plan, there is no need for additional lighted ball fields as the existing lighted ball fields "meet standard." In fact, the Master Plan identified multiuse paved trails, walking and biking trails, and open space conservation areas as the *top priorities for investment for recreational facilities.*[6] 41

34. The LPR Memo refers to the need for "adjustments" … "to minimize the obtrusive light entering the Grayson Creek area." However, the DEIR does not specify how much light will be entering the Grayson Creek riparian corridor or analyze the impacts on wildlife. 42

35. The LPR Memo only considers the impact of the Project's lighting on residences east of the Project site. There is no analysis of the impact of lighting on existing residences south of the Project site or on new residences planned for west of the Project site. 43

36. The DEIR states that there will be new lighting added to the creek trail, which will remain on until 10 PM. There is no justification provided in the DEIR for adding artificial nightlight to this sensitive habitat area. We note that nearby trails do not have lighting. For example, the Iron Horse Trail and the 44

[6] Recreation and Park District, *Parks, Facilities and Recreation Master Plan* (September 2019), pp. 124, 135.

Creek Walk trail in Walnut Creek do not have lighting. The DEIR should provide justification and specifications for any new proposed lighting on the trail. If security lighting on walkways on the Civic Project site is deemed necessary, it should consist of low, downward facing, fully shielded bollards activated by motion detection. 44 CONT

37. For the above reasons, we object to the conclusion that Civic Project's lighting impacts would be less than significant for AES-4 as unsubstantiated. 45

3.3 BIOLOGICAL RESOURCES

38. As detailed in comments below, the DEIR fails to adequately analyze the environmental impacts of the Project on Biological Resources.

39. The DEIR does not reference or consider data and comments we submitted during the scoping period related to biological resources, including specific concerns regarding wildlife known to be present at the site.[7]

    a. *Native and Migratory Birds:* the DEIR does not reference or consider the avian species data from the Grayson Creek Bird Survey that we provided during the scoping period.[8] The Grayson Creek Bird Survey is a monthly field survey conducted jointly by FPHC and the Mt. Diablo Audubon Society (MDAS).[9] Attached is an species list through October 2019. During the 24-month survey period (November 2017 – October 2019), the survey documented 70 species of birds on or near the Project site, including 66 species of native and migratory birds and 5 species of raptors. The survey study area includes the section of the Grayson Creek corridor that flows across the 10-acre Civic Project site. MDAS members with significant expertise in habitat assessment and bird identification worked with FPHC to design the monthly survey, which is modeled on the Audubon Society's Christmas Bird Count, one of the oldest and largest citizen science programs in the country. Based on these data, the Grayson Creek corridor at Oak Park Blvd. has been designated an eBird public "Hotspot."[10] These data demonstrate that the Grayson Creek riparian corridor is a sensitive habitat for native and migratory birds, including raptors. Accordingly, the EIR should specifically evaluate impacts on avian wildlife of tree removal, increases in night light pollution from operation of the Project, increases in noise from construction and operation of the Project, the risk of collisions between birds and windows, and the hydro-modification related disruption of the natural ecology of the creek, which may affect the food chain. 46

    b. *Raptors:* The Grayson Creek Bird Survey has documented the following raptor species in the Grayson Creek corridor at or near the Civic Project site: Northern Harrier; Sharp-shinned Hawk; Cooper's Hawk; Red Shouldered Hawk; and American Kestrel. We observed Red Shouldered Hawks mating in the Grayson Creek corridor, and we have also observed raptors foraging on the Civic Project site and in the corridor. Raptors help control rodent populations, are a valuable resource to the community and the State of California, and are protected under federal and state law.[11] 47

[7] Letter, dated December 17, 2018, from Friends of Pleasant Hill Creeks regarding Notice of Preparation of Environmental Impact Report ("FPHC Scoping Letter").
[8] FPHC Scoping Letter.
[9] FPHC/MDAS Letter.
[10] Cornell Lab of Ornithology, eBird, "Grayson Creek (Oak Park Blvd)," https://ebird.org/hotspot/L9110333.
[11] CA Dept. of Fish and Wildlife, Raptors of California, https://www.wildlife.ca.gov/Conservation/Birds/Raptors.

c. *River Otters:* River otters are documented in the Grayson Creek corridor at the Civic Project site.[12] Sightings include pups. 48

40. Grayson Creek is a major tributary to Walnut Creek, and connects to Walnut Creek well below the Contra Costa Flood Control District's first drop structure.[13] Salmonids are often observed in Walnut Creek, and we have also received reports of salmonids in Grayson Creek. The DEIR should evaluate the Project for potential impacts, including downstream impacts, on anadromous fish such as steelhead and Chinook salmon. 49

41. The DEIR incorrectly states: "The Civic Project site is located in a highly urbanized environment surrounded by single-family housing, multiple existing recreation facilities, and highly trafficked roadways." (3.3-27) In fact, the project is not in an urbanized environment. It is in a suburban area and currently consists of an unlit 10-acre open field with seasonal ponds and a creek next to a school, library, EBMUD trail, and single-family residential neighborhoods. This is confirmed elsewhere in the DEIR where it states: "The physical environment of the City is suburban in character." (3.1-1) And "the plan area is surrounded by suburban and recreational development." (3.1-27) 50

42. The DEIR incorrectly assumes that there is currently human activity on the ten-acre undeveloped Civic Project site due to a few tire tracks near Monticello. We have observed no regular human activity on the Civic Project site during our two years of monthly bird surveys, other than an occasional dog walker. 51

43. The DEIR does not mention the seasonal ponds we describe in our scoping letter. Specifically, we have observed the following Special-Status species utilizing the Civic Project site open space and its seasonal ponds for foraging and resting: Killdeer, Say's Phoebe, Black Phoebe, Red-shouldered Hawk, White- crowned Sparrow, Goldfinch, Mallard, and Red-winged Blackbird. The DEIR should include specific mitigation measures to address loss of open space and seasonal pond habitat. 52

44. The DEIR incorrectly states that the "plan area allow[s] for a limited number of wildlife species to occur." (3.3.7) As noted above, based on the 24-month Grayson Creek Bird Survey, the Grayson Creek corridor on and near the Civic Project site is providing habitat for 66 species of special-status (i.e., MBTA protected) birds, as well as other species such as river otters. The two years of monthly field data demonstrates the importance of the Plan area for wildlife species and should be considered in the DEIR analysis, which currently relies on a few brief site visits and limited literature review by the DEIR consultant. As another section of the DEIR notes: "Grayson Creek, located along the eastern perimeter of the plan area, and within the Civic Project site, is considered a sensitive biological community displaying vegetation commonly found in riparian areas. In these areas, riparian vegetation along stream banks provides unique habitat to fish and other aquatic wildlife." (3.3-7) 53

45. The DEIR analysis focuses only on species listed on the Special-Status Wildlife Species Table (Appendix D). However, the definition of "Special-Status" wildlife species also includes species protected under the Migratory Bird Treaty Act (MBTA). (3.3-8) Sixty-six species of MBTA protected birds have been documented in the Plan area, including five species of raptors, which have heightened protection under federal and California law. 54

46. We agree that proposed construction within the Civic Project site has the potential to adversely impact special-status wildlife species. "Most notably, the Civic Project would remove potential nesting habitat throughout the Civic Project site." (3.3-25) Construction would also impact the 55

[12] River Otter Ecology Project, River Otter Sightings Map, https://www.arcgis.com/home/webmap/viewer.html?webmap=f77e440efbd241afb1a108c6f5815568&extent=-124.2259,37.1138,-120.6938,38.8327.
[13] Contra Costa County Watershed Atlas, http://cocowaterweb.org/wp-content/uploads/Watershed-Atlas.pdf, p. 79.

Grayson Creek area through the proposed installation of new infrastructure in the creek. We request that a CDFW biologist be present during all pre-construction surveys. 55 CONT

47. The DEIR's conclusion that the operational impacts of the Civic Project on special-status species, riparian habitat, sensitive natural communities, and wildlife corridors, would be considered less than significant is unsubstantiated for the following reasons.

48. With respect to noise from new recreational activities (proposed ball games from 8am to 10 pm), the DEIR fails entirely to analyze the impact on wildlife. Section 3.10, Noise, analyzes impacts of daytime noise on *humans* only, and does not analyze the increase of nighttime noise at all. Section 3.3, Biological Resources, avoids all noise analysis, simply referencing the incomplete and inapposite analysis in Section 3.10. Further Section 3.3, incorrectly describes the Civic Project site as "located in a highly urbanized environment." The environment is low-density suburban and the creek corridor is currently surrounded by open space. 56

49. With respect to the proposed alternations to the riparian corridor, there is insufficient analysis of the potential impacts of increased volume, flow rate, and polluted runoff on the riparian habitat. While we support removal of invasive plants and planting of native species, we are concerned about permanent changes to the stream banks, bed, and channel through installation of riprap. We also request clarification on whether native cattails growing in the creek channel will be protected as they provide habitat value and erosion control. 57

50. With respect to creek setbacks, there is no analysis of the adequacy of the City's creek setback requirement (10 feet) in the context of this specific Project. The City creek setback is a *minimum* requirement, and compliance with a minimum city requirement is not necessarily sufficient for avoidance of significant environmental impact. We note that the new Library's creek setback is 40 feet, which strikes us as sufficient when combined with the new native and riparian plantings. However the creek setback for the Park is only 10 feet, which is wholly inadequate given the plans for a lighted baseball diamond and lighted bocce ball courts next to the creek. DEIR 3.1-6 Photograph A shows several proposed light towers *immediately adjacent* to Grayson Creek, and both the DEIR and LPR Memo acknowledge that there will be spillover into the riparian corridor but do not quantify or adequately describe the extent of the light trespass. 58

51. The DEIR fails to analyze the impacts of the significant increase of artificial light on wildlife. We note that the CDFW Letter specifically requests a "complete description" of "artificial lighting/light reflection." The planned athletic fields involve the installation of floodlights up to 70 feet high operating until 10 PM year round. Due to the factual contradictions between the LPR Memo and the DEIR, it is unclear whether these fixtures face up or down. Further, as noted above, no photometric plans were provided in the DEIR and we therefore have no information about spillover or other critical data. We are particularly concerned about the impacts of artificial light at night (ALAN) on wildlife attempting to migrate, mate, forage, and rest. There is a significant body of scientific literature on the adverse impacts of ecological light pollution such as ALAN on birds and other wildlife.[14] Due to ecological light pollution, wildlife can experience increased orientation or disorientation from additional illumination and are attracted to or repulsed by glare, which affects foraging, reproduction, communication, and other critical behaviors. ALAN also disrupts interactions evolved in natural patterns of light and dark, with serious implications for community ecology. The hazards posed by lighted structures and windows to migrating birds is another significant threat to wildlife.[15] In our scoping letter, we advised that all lighting should be downward facing and have *no spillover* into the Grayson Creek riparian corridor. 59

[14] Longore T. and Rich C. 2004. Ecological light pollution. Front Ecol Environ 2004; 2(4): 191–198.
[15] Portland Audubon, "Bird safe buildings," https://audubonportland.org/our-work/protect/habitat-and-wildlife/urban/reducing-wildlife-hazards/bird-safe-building/.

52. We understand that the new Library design includes windows facing the creek, a beneficial design feature that connects the building to its environment and integrates the creek into the Plan area. However, the presence of large glass windows generates a risk of fatal bird collisions unless precautions are taken. The DEIR does not analyze this issue. We recommend that the design team specify bird-friendly glass, which can be cost-efficient to install at the time of initial construction compared to more expensive mitigation measures that may be required after construction. A Bird-Safe Building Tool Kit, including relevant LEED standards, is available at the following website: https://audubonportland.org/our-work/protect/habitat-and-wildlife/urban/reducing-wildlife-hazards/bird-safe-building/bird-safe-building-design-toolkit/. 60

53. For the above reasons, we are concerned that the operation of the planned Project (specifically the artificial lights and noise from night games and loss of open space/seasonal ponds) would have a significant adverse impact on biological resources, and we object to the DEIR's conclusion of less than significant impact on biological resources as unsubstantiated. 61

3.8 HYDROLOGY AND WATER QUALITY

54. As detailed in comments below, the DEIR fails to adequately analyze the environmental impacts of the Project on Hydrology and Water Quality.

55. The DEIR fails to quantify the projected increase in volume and rate of stormwater runoff, including polluted runoff, into Grayson Creek (see comments 9-12 above) and also fails to analyze the potential impacts to Grayson Creek's water quality,[16] flow rate, bank stability, riparian habitat, and downstream flood risk. As noted in the CUSP Letter,[17] stormwater regulatory requirements typically require *zero increase* in stormwater contributions from new developments. 62

56. There is currently no riprap in the riparian corridor on the Civic Project site. The DEIR mentions that the Project would include installation of more than 240 feet of riprap and modification of the riparian habitat. (3.3-31 ff) However, the DEIR (i) does not provide any justification for the installation of more than 240 linear feet of riprap other than a general reference to "erosion control" and "energy dissipation" that is not backed up with data on the projected volume and rate of outflows; (ii) does not include specific plans, diagrams, or cross sections for the proposed riprap reinforced outfall structures; (iii) does not evaluate the impact on the ecological food chain (e.g., fish and crawdads that are providing food for birds and river otters); and (iv) does not consider alternatives. Accordingly, the DEIR does not provide the public and decision-makers with sufficient information to review and comment on the specifics of this Project component. 63

57. Based on our knowledge of the site and other bank-stabilization alternatives, riprap would not be an effective or appropriate solution for this site: It is impermeable, expensive, inhibits natural vegetation growth, displaces habitat, is subject to failure as water undermines the soil beneath the rocks, and contributes to downstream erosion. Alternative self-mitigating bio-engineering techniques would provide superior bank stabilization, if necessary, and should be evaluated. (See CUSP Letter).

58. For the above reasons, we are concerned that the construction and operation of the planned new drainage system, outfalls, and riprap would have a significant adverse impacts on hydrology, water quality, and downstream flood risk that have not been adequately analyzed or mitigated. Therefore, we object to the DEIR's conclusion of less than significant impact on hydrology and water quality as unsubstantiated.

[16] The DEIR does not provide baseline water quality data. We note that the Watershed Project has been collecting and analyzing water samples from Grayson Creek behind the Pleasant Hill Middle School, a nearby downstream location. http://thewatershedproject.org/our-programs/healthy-watersheds/.
[17] Letter, dated October 14, 2019, from California Urban Streams Partnership regarding DEIR ("CUSP Letter"),

3.10 NOISE

59. As detailed in comments below, the DEIR fails to adequately analyze the environmental impacts of increased noise levels produced by certain recreational activities (ball games) on the Project site on noise-sensitive receptors, particularly during the 7pm – 10pm timeframe. Noise-sensitive receptors at and near the Project site include residences, libraries (existing and planned), Grayson Creek wildlife, and existing quiet recreational activities that depend on low noise levels.[18] 64

60. The Park plan includes two proposed lighted baseball fields and one lighted soccer field. Youth ball games are proposed to operate from 8 am to 8 pm, and adult ball games are proposed to operate until 10 pm. DEIR baseline noise measurements were gathered only between 1:52 pm to 3:01 pm. No baseline measurements were gathered between 7 pm to 10 pm, despite the fact that adult ball games are proposed to operate until 10 pm, a time when the decrease in ambient noise levels creates an increased sensitivity to sound compared to daytime levels. This is a serious flaw in the DEIR. 65

61. The assertion that noise on the existing recreational facilities to the north of the site reduces the impact of new noise on the planned ball fields to less than significant is unsubstantiated because the DEIR does not provide data on noise levels or usage statistics for the existing facilities or for the proposed facilities. 66

62. Noise from nighttime ball games—including loudspeakers (if installed) and stomping on bleachers—could severely impact surrounding residential suburban neighborhoods. Yet the DEIR provides no data on how much noise is projected to be generated by these activities. The DEIR merely states: "Implementation of the Civic Project would not result in a doubling of users of recreational activities already occurring in the vicinity of the plan area." This statement is unsubstantiated and incorrect. We note that the existing baseball fields in the vicinity (Pleasant Hill Middle School and Pleasant Oak Park) are unlit and do not operate past dark. Therefore, any night games would generate additional noise that needs to be estimated and compared to baseline. Secondly, there is no evidence presented that simultaneous daytime games would not result in a doubling of users. The DEIR does not provide any usage statistics for the current recreational facilities north and west of the site or projected usage statistics for the proposed recreational facilities. Therefore, the increase in recreational noise on noise-sensitive receptors – in daytime or nighttime – cannot be adequately reviewed. 67

63. For the above reasons, we are concerned that the operation of the planned Project (specifically the increased noise from recreational activities) would have a significant adverse impact on noise-sensitive receptors, and we object to the DEIR's conclusion of less than significant impact from noise as unsubstantiated.

64. We strongly recommend the redesign of the Park to include one unlit ball field (on the Monticello side), one unlit soccer field, unlit bocce courts, and open space near the creek for passive recreational activities. This design would be more appropriate for this sensitive location, would support Plan objectives to provide additional fields for youth sports, and would be consistent with the community's top recreational needs and priorities (trails and open space), as expressed in the Master Plan. 68

[18] Examples of such activities include birdwatching and nature contemplation on the EBMUD trail adjacent to the site.

Figure A-1

a. View of Park Site from West to East (Daytime) Toward Grayson Creek Corridor and Mt. Diablo

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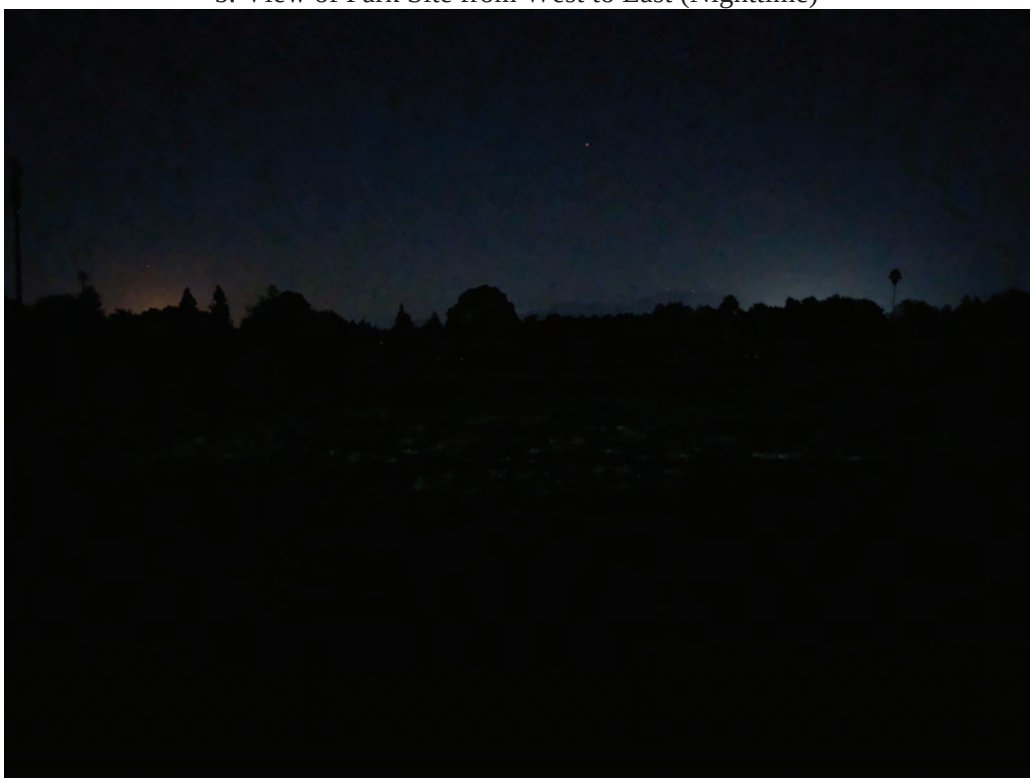
b. View of Park Site from West to East (Nighttime)



Friends of Pleasant Hill Creeks

Mount Diablo Audubon Society

Grayson Creek Bird Survey Species List

Grayson Creek Riparian Corridor from Oak Park Blvd. to Beatrice Rd., Pleasant Hill, CA
November 2017—October 2019

1. Canada Goose (Branta canadensis)
2. Mallard (Anas platyrhynchos)
3. Hooded Merganser (Lophodytes cucullatus)
4. Wild Turkey (Meleagris gallopavo)
5. Rock Pigeon (Columba livia)
6. Mourning Dove (Zenaida macroura)
7. Black-chinned Hummingbird (Archilochus alexandri)
8. Anna's Hummingbird (Calypte anna)
9. Killdeer (Charadrius vociferous)
10. Ring-billed Gull (Larus delawarensis)
11. California Gull (Larus californicus)
12. Great Blue Heron (Ardea Herodias)
13. Great Egret (Ardea alba)
14. Green Heron (Butorides virescens)
15. Black-crowned Night-Heron (Nycticorax nycticorax)
16. Northern Harrier (Circus hudsonius)
17. Sharp-shinned Hawk (Accipiter striatus)
18. Cooper's Hawk (Accipiter cooperii)
19. Red Shouldered Hawk (Buteo lineatus)
20. Belted Kingfisher (Megaceryle alcyon)
21. Red-breasted Sapsucker (Sphyrapicus ruber)
22. Acorn Woodpecker (Melanerpes formicivorus)
23. Downy Woodpecker (Dryobates pubescens)
24. Nuttall's Woodpecker (Dryobates nuttallii)
25. Northern Flicker (Colaptes auratus)
26. American Kestrel (Falco sparverius)
27. Willow Flycatcher (Empidonax traillii)
28. Pacific-slope Flycatcher (Empidonax difficilis)
29. Black Phoebe (Sayornis nigricans)
30. Say's Phoebe (Sayornis saya)
31. Hutton's Vireo (Vireo huttoni)
32. California Scrub-Jay (Aphelocoma californica)
33. American Crow (Corvus brachyrhynchos)
34. Common Raven (Corvus corax)
35. Chestnut-backed Chicadee (Poecile rufescens)
36. Oak Titmouse (Baeolophus inornatus)
37. Northern Rough-winged Swallow (Stelgidopteryx serripennis)
38. Violet-green Swallow (Tachycineta thalassina)
39. Oak Titmouse (Psaltriparus minimus)
40. Wrentit (Chamaea fasciata)
41. Ruby-crowned Kinglet (Regulus calendula)
42. White-breasted Nuthatch (Sitta carolinensis)
43. Marsh Wren (Cistothorus palustris)
44. Bewick's Wren (Thryomanes bewickii)
45. European Starling (Sturnus vulgaris)
46. Northern Mockingbird (Mimus polyglottos)
47. Western Bluebird (Sialia Mexicana)
48. Hermit Thrush (Catharus guttatus)
49. American Robin (Turdus migratorius)
50. Cedar Waxwing (Bombycilla cedrorum)
51. House Sparrow (Passer domesticus)
52. House Finch (Haemorhous mexicanus)
53. Purple Finch (Haemorhous purpureus)
54. Lesser Goldfinch (Spinus psaltria)
55. American Goldfinch (Spinus tristis)
56. Fox Sparrow (Passerella iliaca)
57. Dark-eyed Junco (Junco hyemalis)
58. White-crowned Sparrow (Zonotrichia leucophrys)
59. Golden-crowned Sparrow (Zonotrichia atricapilla)
60. Song Sparrow (Melospiza melodia)
61. Lincoln's Sparrow (Melospiza lincolnii)
62. California Towhee (Melozone crissalis)
63. Spotted Towhee (Pipilo maculatus)
64. Hooded Oriole (Icterus cucullatus)
65. Bullock's Oriole (Icterus bullockii)
66. Red-winged Blackbird (Agelaius phoeniceus)
67. Brown-headed Cowbird (Molothrus ater)
68. Brewer's Blackbird (Euphagus cyanocephalus)
69. Yellow-rumped Warbler (Setophaga coronate)
70. Western Tanager (Piranga ludoviciana)

Total Species: 70
Total Native and Migratory Species: 66
Total Raptor Species: 5

Data Source: Grayson Creek Bird Survey, a joint community science project of Friends of Pleasant Hill Creeks (a project of SEE) and Mt. Diablo Audubon Society. Updated: 10/14/19.

Study Area: Grayson Creek Riparian Corridor and associated open space from Oak Park Blvd. to Beatrice Rd., Pleasant Hill, CA

Contact: pleasanthillcreeks@gmail.com

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CONT

Friends of Pleasant Hill Creeks (FPHC)

Response to FPHC-1
This comment provides introductory remarks. No response is required.

Response to FPHC-2
The organization asserts that Grayson Creek is a sensitive habitat and has been recognized as an eBird public "HotSpot" with 70 species of birds documented over 24 months by a field survey conducted by FPHC and Mount Diablo Audubon Society (MDAS), and the commenter lists some of the species documented on or near the site.

CEQA requires analysis of potential impacts to nesting and migratory birds protected under the Migratory Bird Treaty Act (MBTA). MM BIO-1a and MM BIO-1b included in Section 3.3, Biological Resources, of the Draft EIR, would help reduce any potential impacts on nesting and migratory birds that may result from construction. These mitigation measures include a requirement for pre-construction surveys, as well as implementation of protective measures, where needed, to ensure any active nests of protected species are protected pursuant to the MBTA, from potential impacts related to tree removal, noise, and other disturbances during construction.

Response to FPHC-3
This comment notes general concern about the Civic Project and Residential Project. This comment does not relate to a specific environmental issue or topical area that is addressed within the Draft EIR.

Response to FPHC-4
The organization expresses concern with respect to potential lighting impacts on sensitive receptors associated with the ball fields. The commenter also expresses concern about the potential noise impacts on sensitive receptors associated with the ball fields.

For a discussion of potential lighting impacts, please Refer to Master Response 4—Lighting.

For a discussion of potential noise impacts, please refer to Response to FPHC-18 and Response to BADE.2-2.

Response to FPHC-5
The organization expresses concern with respect to an unspecified increase in volume and rate of stormwater runoff (including polluted runoff) into Grayson Creek.

Please refer to Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements, for a discussion of volume and rate of stormwater runoff into Grayson Creek. With respect to polluted runoff, as part of the permitting process, SWPPPs were prepared for the Civic Project and the Residential Project. The SWPPPs include BMPs that ensure a reduction of pollutants from construction activities that could potentially enter surface waters or from entering the Ygnacio Valley Groundwater Basin by preventing pollutants from moving off-site.[11] During operation of the Civic Project and Residential Project, the projects would be required to comply with the City of Pleasant

[11] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.8-20 and 3.8-21. August.

Hill National Pollutant Discharge Elimination System (NPDES). The Residential Project would be required to comply with the City of Pleasant Hill NPDES program and the Clean Water Program, and all City Municipal Code ordinances related to stormwater pollution. Pleasant Hill Municipal Code, Chapter 15.05.050, would require a stormwater control plan that meets the most recent version of the Contra Costa Clean Water Program Stormwater C.3 Guidebook.

Furthermore, Pleasant Hill Municipal Code, Chapter 15.05.080, requires post-construction maintenance of stormwater management facilities. Chapter 17.35.020 requires stormwater drainage systems to protect off-site properties from increased runoff created by development. Therefore, operation-related project impacts related to surface and groundwater and respective water quality would be less than significant.[12]

Response to FPHC-6
The organization expresses concern about alterations to Grayson Creek's stream bed, banks, and channel, including installation of riprap.

Please refer to Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements, for a discussion of alterations to Grayson Creek's stream bed, banks, and channel, including installation of riprap.

Response to FPHC-7
The organization asserts that the Draft EIR is incomplete, inaccurate, and inadequate in its description of several major components; in its description of the environmental setting and in its analysis of the potential adverse impacts and then notes that more detail is provided in Attachment A (of the comment letter). Refer to Response to FPHC-8 and FPHC-11 through FPHC-70 for more detailed information regarding the adequacy of the environmental analysis.

Response to FPHC-8
This comment summarizes the assertions provided in comments FPHC-2 through FPHC-7. Please see Response to FPHC-2 through FPHC-7 regarding the adequacy of the Draft EIR's environmental impact analysis with respect to each of the specific issues raised (also refer to Response to FPHC-11 through FPHC-70 for more detailed information regarding the adequacy of the environmental analysis).

The comment also generally concludes that the description of the proposed plan in the Draft EIR is legally inadequate based on the issues raised in comments FPHC-2 through FPHC-7. As explained in detail in Response to FPHC-2 through FPHC-7, none of these comments provides an example of what causes the analysis in the Draft EIR to be incomplete, inaccurate, or inadequate for purposes of CEQA. The Draft EIR contains sufficient information and has an accurate and detailed description sufficient to inform decision-makers of the Specific Plan's potential environmental effects.

Generally, a project description must contain "a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences."[13] However, CEQA Guidelines specifically state that the project

[12] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.8-21 and 3.8-22. August.
[13] Dry Creek Citizens Coalition v. County of Tulare (1999) 70 CA 4th 20, 26.

description "should not supply extensive detail beyond that needed for evaluation and review of the environmental impact." Specifically, CEQA requires a "**general description** of the project's technical, economic, and environmental characteristics, considering the principal engineering proposals if any and supporting public service facilities."[14] The evaluation of impacts within this Draft EIR included a level of detail commensurate with the Specific Plan described in the Chapter 2, Project Descriptions.

Accordingly, EIRs are not required to include an extensive recitation of every detail. Instead, the project description should describe the main features of a project. EIR project descriptions are inadequate when the EIR limits the scope of environmental review by artificially narrowing the project description, thus minimizing the project's impacts and limiting review.

The description of the Specific Plan complies with applicable legal requirements for a project description articulated in CEQA Guidelines Section 15124. The location and boundaries of the proposed plan, including maps, land use designations, zoning designations, surrounding land use and conceptual site plans are included in Chapter 2 of the Draft EIR.[15]

As required by CEQA Guidelines Section 15124 (b), the Executive Summary includes a clearly written statement of objectives.[16] The underlying purposes of the Specific Plan is identified as follows, "[a]dopt a comprehensive planning document to establish specific guiding principles for redevelopment of 16.60 acres of land across various properties within the plan area that includes a Civic Project (Library, Roadway, Trail, Stormwater Infrastructure and Park Improvements) and a Residential (infill development) Project."[17]

Chapter 3 of the EIR analyzes the environmental impacts of the proposed plan. Impacts are organized into major topic areas. Each topic area is presented in a separate section that includes a description of the environmental setting, regulatory framework, significance criteria, approach to analysis, specific thresholds of significance, impacts, and mitigation measures. This fully complies with the requirements articulated in Section 15124(c) of the CEQA Guidelines.

Finally, as required by CEQA Guidelines 15124(d), a statement briefly describing the intended uses of the EIR, a list of the agencies that are expected to use the EIR in their decision-making, and a list of permits and other approvals required to implement the Civic and Residential Project components of the Specific Plan are identified in Sections 2.4 and 2.5.[18]

Accordingly, the description of the proposed plan satisfies the requirements for an adequate project description under CEQA Guidelines. The comment does not identify any areas where the description fails to meet the legal requirements nor does it identify any significant project impacts that are not adequately discussed in the Draft EIR and that would require additional review. Therefore, the

[14] CEQA Guidelines Section 15124(c); emphasis added.
[15] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 2-1 through 2-11. August.
[16] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages ES-2 and ES-3; 2-12 and 2-13. August.
[17] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages ES-2 and 2-12. August.
[18] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 2-54-2-56. August.

comments do not provide any evidence indicating that the public was deprived of a meaningful opportunity to review and comment on the proposed plan's potential environmental impacts. The comment letter does not provide any evidence that supports revising and recirculating the Draft EIR.

Response to FPHC-9
The organization concludes the comment letter. No response is necessary.

Response to FPHC-10
This is an introductory comment that summarizes the assertions in comments FPHC-11 through FPHC-27.

Please refer to Responses to FPHC-11 through FPHC-27 for detailed responses. Please see Response to FPHC-8 regarding the adequacy of the description of the proposed plan.

The comment does not identify any areas where the description of the proposed plan fails to meet the legal requirements nor does it identify any significant project impacts that are not adequately discussed in the EIR or that would require additional review. Therefore, nothing raised in the comment supports revising and recirculating the EIR.

Response to FPHC-11
The organization requests that a photometric plan for the Civic Project be provided including diagrams and/or charts with photometric data for all external light fixtures, such as lumens, candela, direction, color/wave length, and spillover/trespass. The organization also requests that the photometric plan show distances between the proposed light fixtures and Grayson Creek.

The City's lighting standards do not include thresholds for lumens, candela, direction, or color/wave length. The photometric plans for the athletics fields and the library are provided in Appendix A and the photometric plans provide confirmation that the implementation of the proposed plan would not exceed the City's threshold at the residential district boundary line. The photometric plans for all components of the Civic Project are being finalized and will be evaluated and refined if needed once finalized details for lighting have been developed. The City's standard practice includes review and approval of a photometric plan prior to issuance of a building permit.

Please refer to Master Response 4—Lighting, for a discussion of ALAN.

Response to FPHC-12
The organization asserts that the Lighting Peer Review Memo provided as Appendix B of the Draft EIR does not include the underlying data on which it bases its conclusions and does not analyze the impacts of lighting on residences south of the plan area.

The photometric plans for the athletic fields and library are provided in Appendix A, and provide the underlying data on which the Lighting Peer Review Memo is based. For a discussion of street lighting and potential impacts to residences to the south of the plan area, please refer to Master Response 4—Lighting. With respect to alleged conflicts between the Draft EIR and Lighting Peer Review Memo memos, see Response to FPHC-13, FPHC-14, and FPHC-15.

Response to FPHC-13
The organization asserts that the Lighting Peer Review Memo and the Draft EIR contradict each other.

While the Lighting Peer Review Memo notes that the Civic Project and Residential Project would change the residential nightscape from the current usage, the Lighting Peer Review Memo does not assert that this would be a significant impact. Therefore, the Draft EIR's less than significant light impact (Impact AES-4)[19] is consistent with the conclusion of the Lighting Peer Review Memo. Please refer to Master Response 4—Lighting, and the photometric plans in Appendix A.

Response to FPHC-14
The organization requests that a clarification be provided with respect to the orientation of the lighting for the ball fields (specifically in relation to fly ball up lighting) and asserts that the Peer Review Lighting Memo contradicts the Draft EIR.

For aerial sports such as baseball, there is tendency to lose balls when they are in the air. The fly ball up lighting is a low wattage fixture that is inverted so it points towards the horizon. These fixtures have low illumination, which helps players see the bottom of the ball while it is up in the air. The up lighting is contained within the field of play and is directed towards the ball fields. The International Dark-Sky Association (IDA) acknowledges that up lighting is an integral part of lighting for athletic fields and recommends that up lighting make less than 8 percent of total lumen output for the ball field lighting.[20] The up lighting for the proposed ball fields would make up less than 8 percent (7.6 percent) of the total lumen output, and would comply with the IDA's recommendation.

Response to FPHC-15
The organization notes that neither the Lighting Peer Review Memo nor the Draft EIR provides photometric data with respect to potential light intrusion into Grayson Creek.

The photometric plans for the athletic fields and the proposed library are provided in Appendix A. For a discussion of potential impacts to Grayson Creek, please refer to Master Response 5—Lighting Impacts to Wildlife Movement.

Response to FPHC-16
The organization notes that the Draft EIR does not provide illustration showing the height of the proposed new light poles compared to the height of the new library and the height of the new residences.

The Draft EIR evaluated lighting and glare impacts in accordance with standard methodology as described in Section 3.1, Aesthetics.

Response to FPHC-17
The organization notes that the Draft EIR does not provide illustrations showing daytime and nighttime views of the proposed light poles from certain viewpoints.

[19] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.1-30 to 3.1-32. August.

[20] International Dark-Sky Association (IDA). 2018. Ida-Criteria for Community-Friendly Outdoor Sports Lighting v1.0. March. Website: https://www.darksky.org/ida-announces-criteria-for-community-friendly-outdoor-sports-lighting/. Accessed October 29, 2019.

There is no threshold of significance that would require daytime visual simulations. The Draft EIR evaluates the proposed plan (including the light poles) in accordance with the qualitative thresholds of significance set forth by the City. In accordance with MM AES-4, the light poles would use minimally reflective glass that would minimize reflective glare.[21] In addition, there are light poles of similar height to the north of the plan area used to light the Pleasant Hill Middle School track. Furthermore, views from the plan area towards surrounding hillsides or mountains, including Mount Diablo, are currently partially or completely obstructed due to intervening trees and development. Therefore, the light poles would not obstruct views of scenic vistas.

A Draft EIR is not required to evaluate a project from every possible viewpoint. The four viewpoints selected for the Draft EIR visual impact analysis provide a representative cross-section of visual images and information about the existing aesthetic conditions of the immediate surrounding area. These locations represent publicly accessible views for a variety of observers in the area, ranging from motorists traveling along Oak Park Boulevard, located south of the plan area, to pedestrians and bicyclists traveling along the EBMUD trail or urban sidewalks. Various publicly accessible locations in the Pleasant Hill area offer views toward and/or through the plan area.[22]

Response to FPHC-18
The organization asserts that no baseline noise measurements were gathered between 7:00 p.m. and 10:00 p.m. despite potential games lasting until 10:00 p.m.

In regards to noise impacts from ball field activity during evening hours, see Response to BADE.2-2. Furthermore, the noise impact analysis was performed in response to the CEQA checklist question,

> Would the project generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the plan area in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

The analysis identified that the applicable noise performance standard established by the City for stationary noise sources is 50 A-weighted decibel (dBA) community noise equivalent level (CNEL) for receiving residential land uses. The noise analysis provided in the Draft EIR shows that stationary noise sources associated with implementation of the proposed plan would not result in an exceedance of this standard as measured at any receiving residential land use in the plan area. Furthermore, the analysis showed that existing traffic noise levels along roadway segments in the plan area range from 53.0 dBA to 63.7 dBA CNEL as measured at 50 feet from the center of the nearest travel lane.[23] Therefore, noise from the proposed ball field activities would not exceed existing background noise levels in the plan area (since ball field activities would not exceed the noise performance standard of 50 dBA CNEL as measured at receiving residential land uses). Therefore, the analysis shows that the activities associated with the proposed ball fields would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the

[21] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.1-37. August.
[22] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.1-3 and 3.1-4. August.
[23] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.10-25 through 3.10-28. August.

plan area in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, and the impact would be less than significant.

Response to FPHC-19
The organization states that the Draft EIR does not indicate whether or not there will be amplified loudspeakers at the ball games.

There will be no amplified loudspeakers at the ball games, and no additional analysis is required.

Response to FPHC-20
The organization asserts that the Draft EIR does not quantify and disclose the projected increase in the volume and rate of stormwater runoff into Grayson Creek.

Please refer to Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements.

Response to FPHC-21
The organization asserts that the Draft EIR does not quantify and disclose how much expected stormwater runoff would be contained on-site and how much would be directed into Grayson Creek, especially during major storm events.

Grayson Creek currently has the capacity to contain a 5-year storm event. With the proposed drainage improvements, Grayson Creek will continue to have sufficient capacity to contain a 5-year storm event as discussed on page 3.8-26 of the Draft EIR in Section 3.8, Hydrology and Water Quality.[24] The stormwater runoff from the proposed plan area would be contained on-site in the bioretention basin during low intensity storm events. In larger storm events, the on-site runoff will be directed northward to the proposed ball field and then discharge from the proposed 15-inch outfall at Grayson Creek after tailwater conditions in the Creek have receded. Studies, including modeling, were performed for the 100-year storm event to determine the volume to be stored on-site so that post-construction downstream conditions would be similar to the pre-construction downstream conditions. This served as guidance for the proposed grading of the athletic fields. Models for the final proposed grading will be updated in the Revised Floodplain Evaluation Report as design work nears completion.

Response to FPHC-22
The organization asserts that the Draft EIR does not quantify and disclose the protected increase in polluted runoff unto Grayson Creek.

As part of the permitting process, SWPPPs were prepared for the Civic Project and the Residential Project. The SWPPPs include BMPs that ensure a reduction of pollutants from construction activities that could potentially enter surface waters or from entering the Ygnacio Valley Groundwater Basin by preventing pollutants from moving off-site.[25]

[24] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.10-25 through 3.10-26. August.
[25] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.8-20 and 3.8-21. August.

During operation of the Civic Project and Residential Project, the projects would be required to comply with the City of Pleasant Hill NPDES. The Residential Project would be required to comply with the City of Pleasant Hill NPDES program and the Clean Water Program, and all City Municipal Code ordinances related to stormwater pollution. Pleasant Hill Municipal Code, Chapter 15.05.050, would require a stormwater control plan that meets the most recent version of the Contra Costa Clean Water Program Stormwater C.3 Guidebook. Furthermore, Pleasant Hill Municipal Code, Chapter 15.05.080, requires post-construction maintenance of stormwater management facilities. Chapter 17.35.020 requires stormwater drainage systems to protect off-site properties from increased runoff created by development. Therefore, operation-related project impacts related to surface and groundwater and respective water quality would be less than significant.[26]

Response to FPHC-23
The organization asserts that the Draft EIR does not state whether the Civic Project and Residential Project are installing permeable materials for parking lots and pathways.

Draft EIR Exhibit 3.8-4 depicts the proposed previous and impervious surfaces. As shown on that exhibit, the parking lots would be composed of impervious surfaces and the pathways would be composed of pervious surfaces.

Response to FPHC-24
The organization asserts that the Draft EIR does not describe how pollutants such as pesticides, fertilizers, and deposits of fluids and metals from motor vehicles will be avoided, filtered, or otherwise removed before they reach Grayson Creek or groundwater resources.

Please refer to Response to FPHC-24, which provides more detail with respect to pollution during construction and operation of the proposed plan and explains how water pollution impacts will be mitigated.

Response to FPHC-25
The organization states that two bioretention basins are proposed, but are not described in detail.

This comment does not address the adequacy of the Draft EIR. The Draft EIR includes bioretention as mitigation. Details will be reflected as part of the final design and construction drawings and will need to comply with C-3 standards.

Response to FPHC-26
The organization asserts that the Draft EIR does not discuss the increase in trash and litter, which are major sources of creek pollution and does not specify how many trash receptacles will be placed throughout the Civic Project.

As shown in Table 3.15-3 of the Draft EIR, the library and park are anticipated to produce 153.69 tons of waste per year, which would represent less than one percent of the total capacity of the ACME and Keller Canyon Landfills (the landfills that would serve the Civic Project). Trash receptacles would

[26] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.8-21 and 3.8-22. August.

be emptied on a daily basis. In addition, the bioretention basins would capture trash before it discharges into the Creek.

In addition, during operation of the Civic Project and Residential Project, the projects would be required to comply with the City of Pleasant Hill NPDES. The Residential Project would be required to comply with the City of Pleasant Hill NPDES program, Clean Water Program, and all City Municipal Code ordinances related to stormwater pollution. Pleasant Hill Municipal Code, Chapter 15.05.050, would require a stormwater control plan that meets the most recent version of the Contra Costa Clean Water Program Stormwater C.3 Guidebook. Furthermore, Pleasant Hill Municipal Code Chapter 15.05.080 requires post-construction maintenance of stormwater management facilities. Chapter 17.35.020 requires stormwater drainage systems to protect off-site properties from increased runoff created by development. Therefore, operation-related project impacts related to surface and groundwater and respective water quality would be less than significant.[27]

Response to FPHC-27
The organization asserts the Draft EIR does not provide a complete description of certain Specific Plan features as requested by the CDFW.

In compliance with Section 1600 of the California Fish and Game Code, the project sponsors for the Civic Project will submit a notification of Lake and Streambed Alteration Agreement prior to conducting any construction activities within the Grayson Creek Corridor, defined by the CDFW as the top of bank plus the outer edge of the dripline of riparian vegetation. Measures shall include but not be limited to the implementation of erosion and bank stabilization measures, riparian habitat enhancement, and/or restoration and revegetation of the stream corridor habitat at no less than a 1:1 ratio. The details of this mitigation effort shall be outlined in a Habitat Mitigation Monitoring and Reporting Plan that shall provide the required information to the CDFW and be implemented as part of the construction of the outfalls.[28] The project will adhere to any and all CDFW requirements as they relate to potential impacts to species and/or the riparian corridor. The City submitted a notification of Lake and Streambed Alteration Agreement pursuant to Section 1602 of the California Fish and Game Code. As of November 12, 2019, the CDFW has deemed the application complete.

Response to FPHC-28
This is an introductory comment that summarizes the assertions in comments FPHC-29 through FPHC-69. Please refer to Responses to FPHC-29 through FPHC-69 for detailed responses.

The comment does not identify any areas where the description of the existing environmental setting fails to meet the legal requirements nor does it identify any significant impacts that are not adequately discussed in the EIR or that would require additional review based on an incorrect baseline. Therefore, nothing raised in the comment supports a flawed analysis of environmental impacts.

[27] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.8-21 and 3.8-22. August.

[28] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Page 3.3-34. August.

Response to FPHC-29
The organization asserts that the Draft EIR should include a view towards the Grayson Creek Corridor and Mount Diablo, which is provided as comment FPHC-69.

A Draft EIR is not required to evaluate a project from every possible viewpoint. The four viewpoints chosen provide a representative cross-section of visual images and information about the existing aesthetic conditions of the immediate surrounding area. These locations represent publicly accessible views for a variety of observers in the area, ranging from motorists traveling along Oak Park Boulevard, located south of the plan area, to pedestrians and bicyclists traveling along the EBMUD trail or urban sidewalks. Various publicly accessible locations in the Pleasant Hill area offer views toward and/or through the plan area.[29]

In addition, the comment notes that there is an unbroken tree line along the Grayson Creek riparian corridor. This revision is included in Section 3: Errata. This revision does not materially impact the analysis provided in the Draft EIR.

Response to FPHC-30
This comment requests detailed lighting information.

Please refer to Master Response 4—Lighting.

Response to FPHC-31
This comment addresses concerns about lighting and light spillover impacts on wildlife.

Please refer to Master Response 5—Lighting Impacts to Wildlife Movement.

Response to FPHC-32
This comment addresses concerns about lighting impacts on residences south of the project and planned residences west of the project.

Please refer to Master Response 4—Lighting.

Response to FPHC-33
The organization asserts that the Draft EIR does not address lighting and light spillover impacts on dark sky resources.

The Pleasant Hill 2003 General Plan does not include a definition of or protection for dark sky resources. CEQA requires an analysis of whether a project would "create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?". The Draft EIR properly identified the relevant thresholds and adequately evaluates lighting impacts associated with the proposed plan and contains substantial evidence that neither the Civic Project nor the Residential Project would result in any impact with respect to light and glare.[30] Please refer to Master Response 4—Lighting, as well as the photometric plans included in Appendix A of this Final EIR.

[29] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.1-3 and 3.1-4. August.
[30] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.1-30 through 3.1-37. August.

Response to FPHC-34
The organization expresses concern about the proposed ball field lighting and asserts that the proposed lighting is inconsistent with the facility/amenity priorities document in the Recreation and Park District's Parks, Facilities, and Recreation Master Plan.

The Recreation and Parks District has been closely involved in the design and planning of the Civic Project, including identifying the Recreation and Parks objectives, drafting a description of the proposed Recreation and Parks Department improvements associated with the Civic Project, and carefully reviewing and commenting on the internal Draft EIR to ensure its accuracy in evaluating potential impacts associated with the Recreation and Parks components of the Civic Project.

Please refer to Master Response 4—Lighting, as well as the photometric plans included in Appendix A.

Response to FPHC-35
The organization asserts that the Draft EIR's analysis of the proposed plan's impacts on scenic vistas is incomplete.

As described in Impact AES-1, "[a] significant impact would occur in the implementation of the proposed plan results in a substantial adverse effect on a scenic vista as identified in the Pleasant Hill 2003 General Plan."[31] Implementation of the proposed plan would result in the construction of new buildings and associated lighting in the plan area. However, views from Oak Park Boulevard, a City-designated scenic corridor, would remain unchanged. Views from the plan area towards surrounding hillsides or mountains, including Mount Diablo, are currently partially or completely obstructed due to trees and development. The proposed building heights and setbacks for all residential and nonresidential uses covered by the Specific Plan would be consistent with the Specific Plan Development Standards. As such, scenic vistas from gateways, key streets, scenic corridors, and scenic routes would not be obstructed or degraded as a result of the implementation of the proposed plan.

The Pleasant Hill 2003 General Plan provides for the day-to-day physical development decisions that shape the social, economic, and environmental character of the City. As demonstrated in Table 3.9-8 in the Draft EIR, the proposed plan is consistent with the Pleasant Hill 2003 General Plan.[32] The Draft EIR appropriately discusses that the Civic Project and Residential Project would result in the development of the plan area in a manner that maintains the surrounding neighborhood character and would enhance existing civic and recreational uses. The proposed plan includes light poles ranging in heights of 40 to 70 feet. These poles will not significantly impact the existing environment based on the City's thresholds of significance.

The City may exercise its own judgment in determining an appropriate standard of significance for evaluating aesthetic impacts. (See, e.g., Clover Valley Foundation v. City of Rocklin (2011) 197 CA 4th 200 [upholding agency's determination that aesthetic impacts were insignificant within context of existing residential development in area even though the project resulted in "high level" of change]).

[31] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.1-25 and 3.1-26. August.
[32] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.9-19 through 3.9-30. August.

As encouraged under CEQA, the City applied the following qualitative thresholds based on adopted policies and guidelines, to determine if the proposed plan would have a significant effect:

- Block existing views from a City-designated scenic routes and corridors toward a City designated visual/scenic resource (e.g., ridgeline)
- Be inconsistent with the character of the plan area or existing development in the surrounding area or would substantially alter existing natural topography
- Increase existing nighttime light or daytime glare sources in the plan area or vicinity in a manner that would substantially affect nighttime or daytime views.

Based on these thresholds, the Draft EIR did not identify any significant and unavoidable impacts.

With respect to the light poles, the light features are spaced intermittently. There is no evidence that they will block any views or be inconsistent with the character of the area. Nor will they result in a substantial change in topography. In addition, the light poles are of a similar height as the existing light poles to the north of the plan area used to light the Pleasant Hill Middle School track. The light poles will not have significant and adverse impacts on nighttime views.

Further, the Draft EIR determined that the proposed plan would improve the overall appearance of the area and that new trees would complement the existing riparian vegetation. Native or climate appropriate buffer planting would also be planted along all street fronts and throughout the area abutting the Grayson Creek Corridor to enhance the view of the Grayson Creek Corridor.[33] The tree line would also be enhanced by the preservation of existing mature trees and replacement landscaping.[34] Vehicles, bicyclists, and pedestrians traveling eastbound along Oak Park Boulevard through the plan area have intermittent views of Mount Diablo. The existing views of Mount Diablo from Monticello Avenue are obstructed by intervening trees and only the top portion of the mountain is visible.[35] As demonstrated in the EIR, with implementation of the proposed plan, views toward Mount Diablo from Oak Park Boulevard would remain, and the implementation of the proposed plan would not affect the existing views.[36]

Nighttime views were also thoroughly addressed in the Draft EIR. Draft EIR Exhibits 3.1-2 through 3.1-7 demonstrate both the existing and the proposed daytime and nighttime views from the identified viewpoints. The Draft EIR determined that the proposed nighttime lighting would not significantly change the light setting in the area. The photometric for the athletics fields and the proposed library have been peer reviewed by an independent consultant who suggested refinements that were incorporated into the proposed selection of fixtures. Additionally, the Civic Project would comply with Section 18.55.140 and Section 18.60.050 of the Pleasant Hill Municipal Code, which requires certain screening, lighting, and landscaping features for parking areas. Lighting on the athletic fields would be used Monday through Friday after school until 10:00 p.m., and on Saturdays and Sundays from 8:00 a.m. to 10:00 p.m. Lighting along the pedestrian pathway would

[33] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Page 3.1-19. August.
[34] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Page 3.1-29. August.
[35] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Page 3.1-3. August.
[36] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Page 3.1-26. August.

also be shut off at 10:00 p.m. Therefore, there would not be any significant adverse impacts on scenic resources.

Response to FPHC-36
The organization asserts that the 70-foot-tall light towers would be out of character with the site and would have an adverse impact of existing public review of the site.

Please see Master Response 4—Lighting and Response to FPHC-35. As described in the Draft EIR there would be no significant impacts on the quality of public views of the site. As shown in Exhibit 3.1-2 through Exhibit 3.1-7, which include pictures of the proposed lighting poles, the existing daytime and nighttime views from the identified viewpoints are not substantially impacted by the proposed plan. The suggestion to limit the Civic Project component lights to the same height as the streetlights included in the new library building would not be feasible as it would not allow for sufficient lighting to safely illuminate the athletic fields.

Response to FPHC-37
The organization asserts that the Draft EIR's analysis of light and glare is incomplete and express concern related to increase in ALAN.

Please refer to Master Response 4—Lighting.

Response to FPHC-38
The organization requests clarification for the location and direction of the ball field lighting and library facility lighting.

Please refer to Master Response 4—Lighting, as well as the photometric plans included in Appendix A.

Response to FPHC-39
This comment addresses concerns about lighting impacts on residences south of the project and planned residences west of the project.

Please refer to Master Response 4—Lighting.

Response to FPHC-40
The organization asserts that the Draft EIR should include a view towards the Grayson Creek Corridor and Mount Diablo, which the commenter includes as an attachment to the comment letter. The commenter also notes that the Draft EIR does not include a view from the proposed library north towards the proposed park.

Please refer to Response to FPHC-29.

Response to FPHC-41
The organization asserts that there is no need for additional lighted ball fields and that youth ball games would not require lighting for most of the year.

There are several months where it gets dark before 8:00 p.m. and lighting would be required for youth sports as well as for the adult games. The Recreation and Parks District has been closely

involved in the design and planning of the Civic Project, and has determined the need for additional lighted ball fields. The Civic Project would also include a pedestrian trail immediately west of Grayson Creek Corridor that would help meet the need for multiuse paved trails as identified in the Recreation and Park District's Master Plan.

Response to FPHC-42
The organization asserts that the Draft EIR does not specify how much light will be entering the Grayson Creek riparian corridor or analyze the impacts on wildlife.

The Draft EIR analysis potential lighting impacts on wildlife for both the Civic Project and the Residential Project. Please see Master Response 5—Lighting Impacts to Wildlife Movement.

Response to FPHC-43
This comment addresses concerns about lighting impacts on residences south of the project and planned residences west of the project.

Please refer to Master Response 4—Lighting.

Response to FPHC-44
This comment requests justification for lighting along the proposed pedestrian trail. The commenter notes that neither the Iron Horse Trail nor the Creek Walk Trail include lighting.

The proposed pedestrian trail would provide a pedestrian connection for the library and the athletic fields as well as Pleasant Oaks Park to the north and residences to the south. Lighted bollards would be provided along the southern portion of the trail (from Oak Park Boulevard to just south of the library parking lot). The lighting along this portion of the pedestrian trail would allow lighted pedestrian access during evening hours while the library and athletic fields are in operation.

Response to FPHC-45
This comment summarizes the assertions in comments 29 through 45.

Please refer to Responses FPHC-29 through FPHC-45 for detailed responses.

Response to FPHC-46
The organization asserts that Grayson Creek is a sensitive habitat and has been recognized as an eBird public "Hotspot" with 70 species of birds documented over 24 months by a field survey conducted by (FPHC and Mount Diablo Audubon Society (MDAS), and the commenter lists some of the species documented on or near the site.

Please refer to Response to FPHC-2.

Response to FPHC-47
The organization notes that raptor species have been documented in the Grayson Creek Corridor at or near the Civic Project site.

Prior to ground disturbance and/or tree removal, pre-construction surveys as outlined in MM BIO-1a[37] will be conducted to determine presence of birds species protected by the MBTA, including raptors.

Response to FPHC-48
The organization notes that river otters have been documented in the Grayson Creek Corridor at the Civic Project site.

Two subspecies of American river otter (*Lutra canadensis*) are recognized by the CDFW. Of these two subspecies, only the Southwestern river otter (I) is recognized as a Species of Special Concern. The local otter subspecies, (*Lutra canadensis brevipilosus*) which inhabits the northern portion of the State, is not recognized as a Species of Special Concern, and is therefore not protected under CEQA.

FCS's literature search found no records of river otters occurring within Grayson Creek within the Civic Project site. According to River Otter Ecology Project, otter sightings have been reported in the Grayson Creek watershed.[38] Furthermore, the site currently does not contain quality foraging habitat for river otters and the Civic Project would improve the overall habitat of the creek through removal of non-native species and planting of native species as outlined in the Habitat Mitigation Monitoring and Reporting Plan.

Response to FPHC-49
The organization notes that salmonids have been documented in the Grayson Creek Corridor.

FCS's California Natural Diversity Database (CNDDB) search found no recent records of salmonids within the length of Grayson Creek within the plan area (refer to Appendix D in the Draft EIR). Steelhead trout (*Oncorhynchus mykiss*) have been documented in the lower Walnut Creek watershed, however, the likelihood of anadromous fish such as steelhead and Chinook salmon (*Oncorhynchus tshawytscha*) occurring within the Grayson Creek watershed remains low because of extensive man-made alterations.[39] Salmon and steelhead require specific habitat conditions such as suitable spawning gravel and nursery habitat that is not found in this part of Grayson Creek.[40]

Response to FPHC-50
The organization quotes text from Section 3.3, Biological Resources, that states that the "Civic Project site is located in a highly urbanized environment . . ."[41] The organization disagrees with this statement. The organization points to text from Section 3.1, Aesthetics, which describes the physical environmental of the City as being "suburban in character."[42]

Section 3.3, Biological Resources, of the Draft EIR evaluates the plan area with respect to biological resources; in that respect, the plan area is urbanized as explained on page 3.3-27 and 3.3-28 of the

[37] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Page 3.3-28. August.
[38] ArcGis (Web Map by lontraroep). 2019. Otter Spotter Web Map. Website: https://www.arcgis.com/home/webmap/viewer.html?webmap=f77e440efbd241afb1a108c6f5815568&extent=-124.2259,37.1138,-120.6938,38.8327. Accessed October 24, 2019.
[39] Contra Costa County. 2019. A Brief History of Lower Walnut Creek. Website: https://www.contracosta.ca.gov/5787/A-Brief-History-of-Lower-Walnut-Creek. Accessed: November 21, 2019.
[40] Pacific States Marine Fisheries Commission. No date. Salmonid Habitat Requirements. Website: https://www.psmfc.org/efh/Jan99-sec3-22.html. Accessed: January 2, 2020.
[41] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Page 3.3-27. August.
[42] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Page 3.1-1. August.

Draft EIR.[43] However, the aesthetics character of the City of Pleasant Hill and the area surrounding the plan area is characterized as suburban as explained on page 3.1-1 of the Draft EIR.[44]

Response to FPHC-51
The commenter asserts that the Draft EIR's assumption that there has been human activity on the Civic Project site is incorrect because no human activity has been witnessed during the monthly bird surveys.

Because the Civic Project site is surrounded by urban uses and development, it is a reasonable assumption that there is human activity on-site, which may occur at times other than when the monthly bird surveys are taking place.

Response to FPHC-52
The organization notes that they have observed several special-status species including killdeer (*Charadrius vociferous*), Say's phoebe (*Sayornis saya*), black phoebe (*Sayornis nigricans*), red-shouldered hawk (*Buteo lineatus*), white-crowned sparrow (*Zonotrichia leucophrys*), American goldfinch (*Spinus tristis*), mallard (*Anas platyrhynchos*), and red-winged blackbird (*Agelaius phoeniceus*) utilizing the Civic Project site open space and its seasonal ponds for foraging and resting. Regarding the assertion of open space within the plan area, the property is not designated for open space uses under existing conditions. The plan area does not qualify as open space because it is an urbanized and developed County property that at one time was developed for educational uses. The Oak Park Properties Specific Plan proposes to designate the Civic Project site for parks and recreational fields that will provide active open space should the City approve the Oak Park Properties Specific Plan. The proposed improvements within the Grayson Creek will enhance the existing habitat and improve the function of the creek for use by wildlife.

Prior to ground disturbance and/or tree removal, pre-construction surveys as outlined in MM BIO-1a[45] will be conducted to determine presence of birds species protected by the MBTA, including the birds noted by the organization (see Section 3.3, Biological Resources, and Appendix D).

Response to FPHC-53
The commenter asserts that the Civic Project site provides habitat for 66 special-status (MBTA protected) birds as well as other species such as river otters.

Please refer to Response to FPHC-2 and Response to FPHC-48.

Response to FPHC-54
The organization asserts that the Draft EIR should address all 66 species of birds protected under the MBTA that have been documented within the plan area, including five species of raptors.

The Draft EIR is focused on special-status species that are likely to occur within the plan area and on the Civic project and Residential Project sites and species that have been previously documented in the vicinity of the plan area. FCS's literature search of the plan area and its vicinity recorded fewer

[43] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Page 3.3-27 and 3.3-28. August.
[44] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Page 3.1-1. August.
[45] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Page 3.3-28. August.

than 66 special-status species occurring in the vicinity of the plan area. Special-status species are defined as:

- Officially designated "threatened," "endangered," or "candidate" species federally listed by the United States Fish and Wildlife Service (USFWS) and protected under the Federal Endangered Species Act (FESA).
- Officially designated "rare," "threatened," "endangered," or "candidate" species State listed by the CDFW and protected under the California Endangered Species Act (CESA). The CDFW also maintains a list of "Fully Protected" species as well as "California Species of Special Concern" that are also generally included as special-status species under CEQA.
- Species considered rare, threatened, or endangered under the conditions of Section 15380 of the CEQA Guidelines, such as plant species identified on Lists 1A, 1B, and 2 in the California Native Plant Society (CNPS) Inventory of Rare and Endangered Vascular Plants of California.
- Bat species listed as Medium or High Priority by the Western Bat Working Group.
- Other species considered sensitive, such as nests of birds listed in the MBTA, which includes most native birds, and plants included in Lists 3 and 4 in the CNPS Inventory.

Please refer to Appendix D of the Draft EIR for an inventory of species recorded in the vicinity of the plan area.

Response to FPHC-55
The organization asserts that the Civic Project site has the potential to adversely impact special-status wildlife species.

Section 3.3, Biological Resources, of the Draft EIR analyzes the potential impact of both the Civic Project and the Residential Project on special-status species and includes mitigation (MM BIO-1a, MM BIO-1b, and MM BIO-1c) to reduce potential impacts to these species to a less than significant level in accordance with CDFW regulations. Additionally, please see response to FPHC-27 regarding impacts to Grayson Creek.

Response to FPHC-56
With respect to noise from new recreational activities, the organization asserts that the Draft EIR does not adequately address noise impacts on wildlife, only evaluates the impacts of daytime noise on humans, and does not analyze the increase of nighttime noise. The organization also asserts that Section 3.3, Biological Resources, avoids all noise analysis.

The Civic Project site is located within a densely populated area. The site is adjacent to a highly trafficked road and wildlife species found within the project site and vicinity are adapted to anthropogenic influences. The development of athletic fields within the Civic Project site will not result in a significant impact to wildlife species due to increased noise levels as evaluated in Section 3.3, Biological Resources, and Section 3.10, Noise, in the Draft EIR.

Regarding construction noise, MM BIO-1a through MM BIO-1c requires pre-construction clearance surveys for nesting birds, nesting bats roosts, and active turtle dens, and requires the creation of buffer zones for any of these species should they be found on-site.

MM BIO-2b requires the project sponsors for the Civic Project to file a notification of CDFW Streambed Alteration Agreement, implementation of which would mitigate potential construction impacts (including noise impacts) on riparian habitat and wildlife per applicable CDFW standards. Therefore, potential construction noise impacts on wildlife located within the Civic Project would be less than significant with mitigation.

Regarding operational noise, the library would not produce significant noise. As discussed in Impact NOI-1, new stationary noise sources associated with the proposed library include mechanical ventilation equipment, parking lot activity, and recreational activity associated with the new trail improvements in the Grayson Creek Corridor. The loudest of these stationary noise sources would be the mechanical ventilation equipment operations and parking lot activities, and the Draft EIR concluded that operational stationary source noise impact associated with the proposed library would be less than significant. .[46]

The project including the recreational fields, are subject to compliance with the noise performance standards of Section 18.50.060 of the City's Municipal Code, which limits users from producing noise levels in excess of 50 dBA CNEL as measured at a receiving residential property line. The CNEL noise metric accounts for the time varying noise over a 24-hour period, with a 5 dBA weighting factor applied to the hourly L_{eq} for noises occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and 10 dBA weighting factor applied to noise occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours). The noise weighting factors are added to the relaxation and sleeping hours to account for the fact that most people are more sensitive to noise events during these hours. Therefore, compliance with the 50 dBA CNEL noise performance standard would ensure that ball field activities would not result in a noise impact that would result impacts, such as sleep disturbance, as measured at nearby residential land uses.

While evening ball field activity might constitute a new noise source that could be audible at receptors in the project vicinity, including wildlife, they would not constitute a significant noise impact compared to the applicable noise performance thresholds established by the City.

It should further be noted that the ball fields would not be in use past 10:00 p.m. Softball or soccer games would not occur at the same time, as these activities would use the same fields. These activities are expected to include primarily participants with a minimal number of spectators. A conservative estimate of total users during these evening activities would be approximately 30 team members and an estimated five spectators total. The nearest residential land uses to the proposed ball fields at the properties to the east of the project site on St. Lawrence Way, located over 200 feet from the nearest acoustic center of ball field activity. At this distance, noise levels from ball field activities would attenuate by more than 20 dBA compared to noise levels experienced at the sidelines of the ball fields. Under quiet conditions in a free field, an adult male shouting can produce

[46] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.10-27 and 3.10-28. August.

noise levels of up to 62 dBA L_{max} as measured at 50 feet. At 200 feet, maximum noise levels from an adult male shouting would attenuate to below 50 dBA L_{max}. Therefore, noise levels from the projected number of participants playing on the ball fields (spread out as they play their various positions) would not result in noise levels that would exceed the City's weighted 24-hour average noise performance standard of 50 dBA CNEL as measured at the nearest residential property line.

As an additional point of reference, existing background traffic noise levels along roadway segments in the plan area range from 53.0 dBA to 63.7 dBA CNEL as measured at 50 feet from the center of the nearest travel lane. Thus, project related ball field activities would also not exceed existing background traffic noise levels experienced in the project vicinity.

The use of the ballfields would not constitute a significant increase in the amount of noise in the area and would not expose wildlife to a substantial increase in noise such that there would be an adverse impact to the wildlife. Given that the wildlife in this area has been exposed to noise at night (e.g. noise from residences, traffic noise, noise from the existing middle school), the wildlife within this urban environment is habituated to nighttime noise.

Therefore, based on the industry standard guidance for evaluating potential noise impacts, the operational stationary source noise impact at the proposed park would be less than significant, for both humans and wildlife.

Response to FPHC-57
The organization asserts that there is insufficient analysis of the potential impacts of increased volume, flow rate, and polluted runoff on the riparian habitat. The organization also asks if native cattails (*Typhaceae*) growing in the creek channel will be protected.

The project sponsor for the Civic Project has submitted a notification of Lake and Streambed Alteration Agreement (LSAA) to the CDFW to address impacts to riparian features. The regulatory permitting process and consultation with the CDFW will verify the scope of the mitigation for the Civic Project. Moreover, the Habitat Mitigation and Monitoring Reporting Plan provides measures to ensure the replanting of native vegetation is successful, leaving the creek and its associated riparian corridor with higher quality riparian habitat. As of November 12, 2019, the CDFW has determined the application complete. The CDFW is now preparing the terms of the LSAA. With respect to potential impacts to water quality, please refer to Section 3.8, Hydrology and Water Quality, and Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements.

Regarding the protection of cattails, existing cattails outside the plan area will be avoided. Any existing cattails within the outfall improvement areas would be removed; however, cattails are expected to recolonize the wettest areas of Grayson Creek within the plan area.

Response to FPHC-58
The organization expresses concern about light spillover into the riparian corridor. Please refer to Master Response 5—Lighting Impacts to Wildlife Movement.

Response to FPHC-59
The organization asserts that the Draft EIR fails to analyze the impacts of the increase of artificial light on wildlife.

Please refer to Master Response 4—Lighting, and Master Response 5—Lighting Impacts to Wildlife Movement.

Response to FPHC-60
The organization expresses concern about bird strike at the proposed library.

Because the library building would not be significantly taller than the buildings in the immediate vicinity, it does not pose an increased risk of bird strike and no additional measures are necessary.

Response to FPHC-61
This comment summarizes the assertions in comments 46 through 60.

Please refer to Responses FPHC-46 through FPHC-60 for detailed responses.

Response to FPHC-62
The organization asserts that the Draft EIR fails to quantify the projected increase in volume and rate of stormwater runoff, including polluted runoff, into Grayson Creek and fails to analyze the potential impacts to Grayson Creek's water quality, flow rate, bank stability, riparian habitat, and downstream flood risk. In addition, the comment notes that stormwater regulatory requirements typically require zero increase in stormwater contributions.

Please refer to Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements, and Response to FPHC-22 (which discusses polluted runoff during both construction and operation of the Civic Project and Residential Project).

Response to FPHC-63
The organization asserts that the Draft EIR does not provide justification for riprap and suggests a stabilization alternative.

Please refer to Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements.

Response to FPHC-64
The organization asserts that the Draft EIR fails to adequately analyze the environmental impacts of increased noise levels produced by certain recreational activities (ball games) in the plan area and on noise sensitive receptors, particularly during the 7:00 p.m. to 10:00 p.m. timeframe. The organization then lists noise sensitive receptors.

Please refer to Response to BADE.2-2 for a discussion of potential noise impacts on residences and libraries and Response to FPHC-56 for potential noise impacts of wildlife within Grayson Creek.

Response to FPHC-65
The organization states that no baseline noise measurements were gathered between 7:00 p.m. to 10:00 p.m. despite potential games lasting until 10:00 p.m.

Please refer to Response to FPHC-18.

Response to FPHC-66
The organization asserts that the Draft EIR did not provide data on noise levels or usage statistics for the existing ball field activities or for the proposed facilities.

For noise impacts related to background noise levels and the potential noise impacts associated with ball field activities, please refer to Response to BADE.2-2 and Response to FPHC-18.

Response to FPHC-67
The organization states that noise from nighttime ball games, including the use of loudspeakers and stomping on bleachers, could severely impact surrounding suburban neighborhoods. The organization asserts that the Draft EIR's claim that the Civic Project would not result in a doubling of users of recreational activities already occurring in the plan area is unsubstantiated, and that nighttime games would generate additional noise compared to baseline noise levels.

There will be no amplified loudspeakers at the ball games, and no additional analysis is required. For noise impacts related to background noise levels and the potential noise impacts associated with ball field activities, see Response to BADE.2-2 and Response to FPHC-18.

The analysis identified that the applicable noise performance standard established by the City for stationary noise sources is 50 dBA CNEL for receiving residential land uses. The noise analysis provided in the Draft EIR shows that stationary noise sources associated with implementation of the project would not result in an exceedance of this standard as measured at any receiving residential land use in the plan area.

Response to FPHC-68
The organization recommends a redesign of the park component of the Civic Project. CEQA requires that a Final EIR address comments on the adequacy of the Draft EIR (PRC § 21091(d)(2)(B); CEQA Guidelines § 15088(c)).

CEQA considerations are limited to environmental issues and the potential impacts of the project on the environment. This comment does not relate to an environmental issue or topical area that is addressed within the Draft EIR. The comment is noted.

Response to FPHC-69
This comment includes Figure A-1 referenced in comment FPHC-17, FPHC-29, and FPHC-36.

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Friends of Pleasant Hill Creeks

Mount Diablo Audubon Society

October 15, 2019

Troy Fujimoto, Acting City Planner
City of Pleasant Hill
100 Gregory Lane
Pleasant Hill, CA 94523

Via email: tfujimoto@pleasanthillca.org

RE: Oak Park Properties Specific Plan (Project) Environmental Impact Report (EIR)
Avian Species Data for Grayson Creek Corridor

Dear Mr. Fujimoto:

On behalf of Friends of Pleasant Hill Creeks (FPHC) and Mt. Diablo Audubon Society (MDAS), we are writing to submit avian species data relevant to the EIR for the above referenced Project.

Friends of Pleasant Hill Creeks is an all-volunteer nonprofit organization of Pleasant Hill residents who care about our creeks. Mt. Diablo Audubon Society is a chapter of National Audubon Society and is committed to the sustainable balance of our community's people, birds, other wildlife, and habitat through conservation, education, and advocacy.

Since 2017, FPHC and MDAS have been collaborating on the Grayson Creek Bird Survey, a joint community science project to document avian biodiversity in Grayson Creek in Pleasant Hill. The survey study area includes the section of the Grayson Creek corridor that crosses the 10-acre Civic Project site. MDAS members with significant expertise in habitat assessment and bird identification worked with FPHC to design the monthly survey, which is modeled on the Audubon Society's Christmas Bird Count, one of the oldest and largest citizen science programs in the country. Over 24 months (November 2017 to October 2019), the survey documented 70 species of birds on or near the Project site, including 66 species of native and migratory birds and 5 species of raptors. 1

Based on these data, the Grayson Creek corridor at Oak Park Blvd. has been designated an eBird public "Hotspot." (https://ebird.org/hotspot/L9110333) Attached are lists of the species documented by the survey as well as two years of month-by-month data. These data demonstrate that the Grayson Creek riparian corridor is a sensitive habitat for native and migratory birds, including raptors. Accordingly, the EIR should specifically evaluate impacts on avian wildlife of tree removal, increases in night light pollution from operation of the Project, increases in noise from construction and operation of the Project, the risk of collisions between birds and windows, and the hydro-modification related disruption of the natural ecology of the creek, which may affect the food chain.

We note with appreciation that the Civic Project includes installation of riparian habitat buffer and a creekside trail. We look forward to working with the community to support bird-friendly educational and recreational opportunities, such as naturalist programs and interpretative signage. 2

Thank you for your consideration of these comments.

Sincerely,

Alan Bade

Alan Bade
Leader, Grayson Creek Bird Survey
Co-Founder, Friends of Pleasant Hill Creeks,
A Project of SEE
25A Crescent Drive #245, Pleasant Hill, CA 94523

Nancy Wenninger

Nancy Wenninger
Conservation Chair
Mt. Diablo Audubon Society
P.O. Box 53
Walnut Creek, CA 94597-0053

Enc.

Friends of Pleasant Hill Creeks

Mount Diablo Audubon Society

Grayson Creek Bird Survey Species List

Grayson Creek Riparian Corridor from Oak Park Blvd. to Beatrice Rd., Pleasant Hill, CA
November 2017—October 2019

1. Canada Goose (Branta canadensis)
2. Mallard (Anas platyrhynchos)
3. Hooded Merganser (Lophodytes cucullatus)
4. Wild Turkey (Meleagris gallopavo)
5. Rock Pigeon (Columba livia)
6. Mourning Dove (Zenaida macroura)
7. Black-chinned Hummingbird (Archilochus alexandri)
8. Anna's Hummingbird (Calypte anna)
9. Killdeer (Charadrius vociferous)
10. Ring-billed Gull (Larus delawarensis)
11. California Gull (Larus californicus)
12. Great Blue Heron (Ardea Herodias)
13. Great Egret (Ardea alba)
14. Green Heron (Butorides virescens)
15. Black-crowned Night-Heron (Nycticorax nycticorax)
16. Northern Harrier (Circus hudsonius)
17. Sharp-shinned Hawk (Accipiter striatus)
18. Cooper's Hawk (Accipiter cooperii)
19. Red Shouldered Hawk (Buteo lineatus)
20. Belted Kingfisher (Megaceryle alcyon)
21. Red-breasted Sapsucker (Sphyrapicus ruber)
22. Acorn Woodpecker (Melanerpes formicivorus)
23. Downy Woodpecker (Dryobates pubescens)
24. Nuttall's Woodpecker (Dryobates nuttallii)
25. Northern Flicker (Colaptes auratus)
26. American Kestrel (Falco sparverius)
27. Willow Flycatcher (Empidonax traillii)
28. Pacific-slope Flycatcher (Empidonax difficilis)
29. Black Phoebe (Sayornis nigricans)
30. Say's Phoebe (Sayornis saya)
31. Hutton's Vireo (Vireo huttoni)
32. California Scrub-Jay (Aphelocoma californica)
33. American Crow (Corvus brachyrhynchos)
34. Common Raven (Corvus corax)
35. Chestnut-backed Chicadee (Poecile rufescens)
36. Oak Titmouse (Baeolophus inornatus)
37. Northern Rough-winged Swallow (Stelgidopteryx serripennis)
38. Violet-green Swallow (Tachycineta thalassina)
39. Oak Titmouse (Psaltriparus minimus)
40. Wrentit (Chamaea fasciata)
41. Ruby-crowned Kinglet (Regulus calendula)
42. White-breasted Nuthatch (Sitta carolinensis)
43. Marsh Wren (Cistothorus palustris)
44. Bewick's Wren (Thryomanes bewickii)
45. European Starling (Sturnus vulgaris)
46. Northern Mockingbird (Mimus polyglottos)
47. Western Bluebird (Sialia Mexicana)
48. Hermit Thrush (Catharus guttatus)
49. American Robin (Turdus migratorius)
50. Cedar Waxwing (Bombycilla cedrorum)
51. House Sparrow (Passer domesticus)
52. House Finch (Haemorhous mexicanus)
53. Purple Finch (Haemorhous purpureus)
54. Lesser Goldfinch (Spinus psaltria)
55. American Goldfinch (Spinus tristis)
56. Fox Sparrow (Passerella iliaca)
57. Dark-eyed Junco (Junco hyemalis)
58. White-crowned Sparrow (Zonotrichia leucophrys)
59. Golden-crowned Sparrow (Zonotrichia atricapilla)
60. Song Sparrow (Melospiza melodia)
61. Lincoln's Sparrow (Melospiza lincolnii)
62. California Towhee (Melozone crissalis)
63. Spotted Towhee (Pipilo maculatus)
64. Hooded Oriole (Icterus cucullatus)
65. Bullock's Oriole (Icterus bullockii)
66. Red-winged Blackbird (Agelaius phoeniceus)
67. Brown-headed Cowbird (Molothrus ater)
68. Brewer's Blackbird (Euphagus cyanocephalus)
69. Yellow-rumped Warbler (Setophaga coronate)
70. Western Tanager (Piranga ludoviciana)

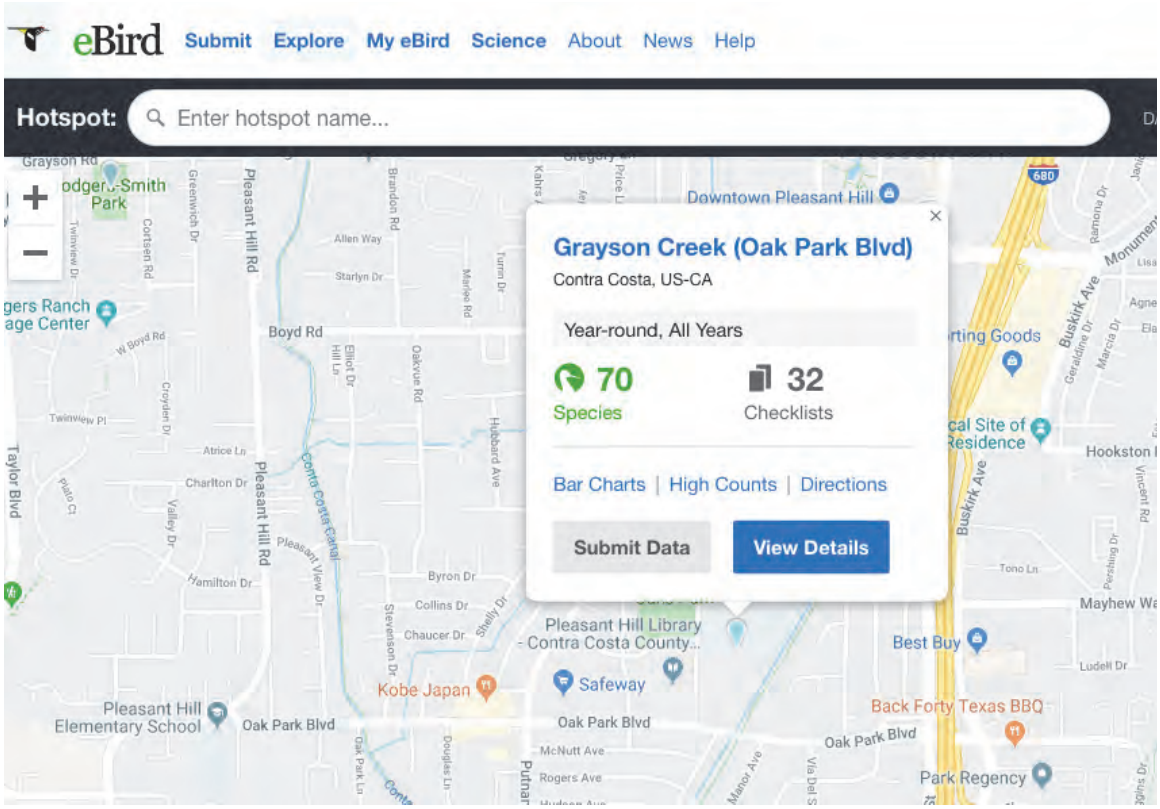
Total Species: 70
Total Native and Migratory Species: 66
Total Raptor Species: 5

Data Source: Grayson Creek Bird Survey, a joint community science project of Friends of Pleasant Hill Creeks (a project of SEE) and Mt. Diablo Audubon Society. Updated: 10/14/19.

Study Area: Grayson Creek Riparian Corridor and associated open space from Oak Park Blvd. to Beatrice Rd., Pleasant Hill, CA

Contact: pleasanthillcreeks@gmail.com

Grayson Creek (Oak Park Blvd)
Contra Costa, US-CA
eBird Hotspot - Location



https://ebird.org/hotspot/L9110333

About eBird

eBird is the world's largest biodiversity-related citizen science project, with more than 100 million bird sightings contributed each year by eBirders around the world. A collaborative enterprise with hundreds of partner organizations, thousands of regional experts, and hundreds of thousands of users, eBird is managed by the Cornell Lab of Ornithology. https://ebird.org/about

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eBird Menu

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Grayson Creek (Oak Park Blvd) Life List

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	Alphabetic Taxonomic	Location	S/P	Date	
1	Canada Goose	Grayson Creek (Oak Park Blvd)	US-CA	31 Dec 2017	View All
2	Mallard	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
3	Hooded Merganser	Grayson Creek (Oak Park Blvd)	US-CA	26 Jan 2018	View All
4	Wild Turkey	Grayson Creek (Oak Park Blvd)	US-CA	15 Apr 2018	View All
5	Rock Pigeon	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
6	Mourning Dove	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
7	Black-chinned Hummingbird	Grayson Creek (Oak Park Blvd)	US-CA	16 Jun 2019	View All
8	Anna's Hummingbird	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
9	Killdeer	Grayson Creek (Oak Park Blvd)	US-CA	31 Dec 2017	View All
10	Ring-billed Gull	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
11	California Gull	Grayson Creek (Oak Park Blvd)	US-CA	31 Dec 2017	View All
12	Great Blue Heron	Grayson Creek (Oak Park Blvd)	US-CA	18 Feb 2018	View All
13	Great Egret	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
14	Green Heron	Grayson Creek (Oak Park Blvd)	US-CA	17 Jun 2018	View All
15	Black-crowned Night-Heron	Grayson Creek (Oak Park Blvd)	US-CA	17 Jun 2018	View All
16	Northern Harrier	Grayson Creek (Oak Park Blvd)	US-CA	24 May 2019	View All
17	Sharp-shinned Hawk	Grayson Creek (Oak Park Blvd)	US-CA	29 Sep 2019	View All
18	Cooper's Hawk	Grayson Creek (Oak Park Blvd)	US-CA	21 Oct 2018	View All
19	Red-shouldered Hawk	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
20	Belted Kingfisher	Grayson Creek (Oak Park Blvd)	US-CA	26 Jan 2018	View All
21	Red-breasted Sapsucker	Grayson Creek (Oak Park Blvd)	US-CA	26 Jan 2018	View All
22	Acorn Woodpecker	Grayson Creek (Oak Park Blvd)	US-CA	25 Aug 2019	View All
23	Downy Woodpecker	Grayson Creek (Oak Park Blvd)	US-CA	16 Sep 2018	View All
24	Nuttall's Woodpecker	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
25	Northern Flicker	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
26	American Kestrel	Grayson Creek (Oak Park Blvd)	US-CA	31 Dec 2017	View All
27	Willow Flycatcher	Grayson Creek (Oak Park Blvd)	US-CA	25 Aug 2019	View All
28	Pacific-slope Flycatcher	Grayson Creek (Oak Park Blvd)	US-CA	25 Aug 2019	View All
29	Black Phoebe	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
30	Say's Phoebe	Grayson Creek (Oak Park Blvd)	US-CA	30 Nov 2018	View All
31	Hutton's Vireo	Grayson Creek (Oak Park Blvd)	US-CA	16 Sep 2018	View All
32	California Scrub-Jay	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
33	American Crow	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
34	Common Raven	Grayson Creek (Oak Park Blvd)	US-CA	15 Apr 2018	View All

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35	Chestnut-backed Chickadee	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
36	Oak Titmouse	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
37	Northern Rough-winged Swallow	Grayson Creek (Oak Park Blvd)	US-CA	17 Jun 2018	View All
38	Violet-green Swallow	Grayson Creek (Oak Park Blvd)	US-CA	28 Apr 2019	View All
39	Bushtit	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
40	Wrentit	Grayson Creek (Oak Park Blvd)	US-CA	28 Apr 2019	View All
41	Ruby-crowned Kinglet	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
42	White-breasted Nuthatch	Grayson Creek (Oak Park Blvd)	US-CA	20 May 2018	View All
43	Marsh Wren	Grayson Creek (Oak Park Blvd)	US-CA	29 Sep 2019	View All
44	Bewick's Wren	Grayson Creek (Oak Park Blvd)	US-CA	31 Dec 2017	View All
45	European Starling	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
46	Northern Mockingbird	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
47	Western Bluebird	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
48	Hermit Thrush	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
49	American Robin	Grayson Creek (Oak Park Blvd)	US-CA	26 Jan 2018	View All
50	Cedar Waxwing	Grayson Creek (Oak Park Blvd)	US-CA	18 Mar 2018	View All
51	House Sparrow	Grayson Creek (Oak Park Blvd)	US-CA	31 Dec 2017	View All
52	House Finch	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
53	Purple Finch	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
54	Lesser Goldfinch	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
55	American Goldfinch	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
56	Fox Sparrow	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
57	Dark-eyed Junco	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
58	White-crowned Sparrow	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
59	Golden-crowned Sparrow	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
60	Song Sparrow	Grayson Creek (Oak Park Blvd)	US-CA	31 Dec 2017	View All
61	Lincoln's Sparrow	Grayson Creek (Oak Park Blvd)	US-CA	13 Oct 2019	View All
62	California Towhee	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
63	Spotted Towhee	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
64	Hooded Oriole	Grayson Creek (Oak Park Blvd)	US-CA	19 Aug 2018	View All
65	Bullock's Oriole	Grayson Creek (Oak Park Blvd)	US-CA	28 Apr 2019	View All
66	Red-winged Blackbird	Grayson Creek (Oak Park Blvd)	US-CA	26 Jan 2018	View All
67	Brown-headed Cowbird	Grayson Creek (Oak Park Blvd)	US-CA	24 May 2019	View All
68	Brewer's Blackbird	Grayson Creek (Oak Park Blvd)	US-CA	31 Dec 2017	View All
69	Yellow-rumped Warbler	Grayson Creek (Oak Park Blvd)	US-CA	25 Nov 2017	View All
70	Western Tanager	Grayson Creek (Oak Park Blvd)	US-CA	28 Apr 2019	View All

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YEAR REPORT: Species Totals

Report Details

Date range:	Nov 1, 2018 - Oct 31, 2019	**Total # of Species:**	61
		Total # of Checklists:	14

Location(s): Grayson Creek (Oak Park Blvd)

Summary

	Nov 2018	Dec 2018	Jan 2019	Feb 2019	Mar 2019	Apr 2019	May 2019	Jun 2019	Jul 2019	Aug 2019	Sep 2019	Oct 2019
Number of Species	29	24	22	25	29	25	29	23	18	25	26	27
Number of Individuals	193	102	107	112	133	87	193	160	130	133	158	178
Number of Checklists	1	1	1	1	1	1	1	3	1	1	1	1

Total Number of Birds (sample size)

Species Name	Nov 2018	Dec 2018	Jan 2019	Feb 2019	Mar 2019	Apr 2019	May 2019	Jun 2019	Jul 2019	Aug 2019	Sep 2019	Oct 2019
Canada Goose	--	--	--	2 (1)	6 (1)	4 (1)	--	--	--	--	--	--
Mallard	2 (1)	--	11 (1)	3 (1)	4 (1)	2 (1)	4 (1)	--	--	--	--	6 (1)
Hooded Merganser	--	--	2 (1)	--	1 (1)	--	--	--	--	--	--	--
Rock Pigeon	40 (1)	6 (1)	--	5 (1)	--	--	6 (1)	--	--	3 (1)	5 (1)	13 (1)
Mourning Dove	9 (1)	9 (1)	10 (1)	4 (1)	3 (1)	2 (1)	5 (1)	3 (2)	8 (1)	9 (1)	12 (1)	27 (1)
Black-chinned Hummingbird	--	--	--	--	--	--	--	1 (1)	--	--	--	--
Anna's Hummingbird	2 (1)	5 (1)	--	4 (1)	11 (1)	6 (1)	6 (1)	6 (2)	8 (1)	6 (1)	3 (1)	7 (1)
hummingbird sp.	--	--	--	--	--	--	--	--	--	--	1 (1)	--
Killdeer	--	--	--	4 (1)	1 (1)	--	--	--	--	--	3 (1)	1 (1)
California Gull	--	--	--	--	--	--	--	--	--	--	--	1 (1)
gull sp.	--	--	--	--	--	--	--	--	--	--	1 (1)	5 (1)
Great Egret	1 (1)	--	--	--	1 (1)	--	--	1 (1)	1 (1)	1 (1)	--	--
Northern Harrier	--	--	--	--	--	--	1 (1)	--	--	--	--	--

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CONT

Sharp-shinned Hawk	--	--	--	--	--	--	--	--	--	--	1 (1)	--
Sharp-shinned/Cooper's Hawk	--	--	--	--	--	--	--	2 (1)	--	--	--	1 (1)
Red-shouldered Hawk	1 (1)	--	1 (1)	2 (1)	2 (1)	1 (1)	1 (1)	2 (2)	--	1 (1)	--	1 (1)
Red-breasted Sapsucker	2 (1)	--	--	--	--	--	--	--	--	--	--	--
Acorn Woodpecker	--	--	--	--	--	--	--	--	--	1 (1)	--	--
Downy Woodpecker	1 (1)	--	--	--	--	--	--	2 (1)	--	--	--	--
Nuttall's Woodpecker	3 (1)	2 (1)	4 (1)	2 (1)	4 (1)	4 (1)	2 (1)	5 (2)	2 (1)	3 (1)	4 (1)	3 (1)
Northern Flicker	6 (1)	4 (1)	4 (1)	1 (1)	2 (1)	--	--	--	--	--	2 (1)	3 (1)
Willow Flycatcher	--	--	--	--	--	--	--	--	--	1 (1)	--	--
Pacific-slope Flycatcher	--	--	--	--	--	--	--	--	--	1 (1)	--	--
Black Phoebe	4 (1)	3 (1)	1 (1)	2 (1)	1 (1)	3 (1)	5 (1)	5 (1)	5 (1)	6 (1)	4 (1)	4 (1)
Say's Phoebe	1 (1)	1 (1)	--	--	--	--	--	--	--	--	2 (1)	--
California Scrub-Jay	--	4 (1)	2 (1)	3 (1)	--	3 (1)	3 (1)	4 (1)	2 (1)	4 (1)	5 (1)	3 (1)
American Crow	10 (1)	7 (1)	4 (1)	6 (1)	3 (1)	4 (1)	4 (1)	3 (2)	4 (1)	9 (1)	10 (1)	9 (1)
Chestnut-backed Chickadee	1 (1)	--	--	--	2 (1)	2 (1)	1 (1)	5 (2)	1 (1)	4 (1)	5 (1)	--
Oak Titmouse	4 (1)	4 (1)	1 (1)	6 (1)	3 (1)	2 (1)	2 (1)	10 (1)	5 (1)	5 (1)	1 (1)	5 (1)
Northern Rough-winged Swallow	--	--	--	--	--	--	3 (1)	--	--	--	--	--
Violet-green Swallow	--	--	--	--	--	2 (1)	--	--	--	--	--	--
Bushtit	21 (1)	--	--	--	3 (1)	2 (1)	2 (1)	7 (1)	4 (1)	5 (1)	10 (1)	--
Wrentit	--	--	--	--	--	1 (1)	--	--	--	--	--	--
Ruby-crowned Kinglet	2 (1)	2 (1)	1 (1)	2 (1)	1 (1)	--	--	--	--	--	--	2 (1)
White-breasted Nuthatch	3 (1)	1 (1)	--	--	--	1 (1)	5 (1)	7 (2)	4 (1)	2 (1)	4 (1)	--
Marsh Wren	--	--	--	--	--	--	--	--	--	--	1 (1)	--
Bewick's Wren	--	--	--	1 (1)	1 (1)	--	2 (1)	1 (1)	2 (1)	--	--	--
European Starling	3 (1)	7 (1)	1 (1)	--	--	--	2 (1)	--	--	4 (1)	--	--

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CONT

Northern Mockingbird	--	1 (1)	--	--	1 (1)	1 (1)	3 (1)	4 (3)	--	--	--	--
Western Bluebird	--	3 (1)	2 (1)	2 (1)	2 (1)	2 (1)	6 (1)	4 (2)	5 (1)	8 (1)	3 (1)	5 (1)
Hermit Thrush	1 (1)	1 (1)	--	--	--	--	--	--	--	--	--	--
American Robin	10 (1)	--	--	19 (1)	--	--	1 (1)	--	--	--	--	--
Cedar Waxwing	--	--	--	--	1 (1)	6 (1)	90 (1)	--	--	--	--	--
House Sparrow	2 (1)	--	--	1 (1)	2 (1)	--	2 (1)	5 (1)	6 (1)	--	--	--
House Finch	4 (1)	9 (1)	1 (1)	1 (1)	10 (1)	4 (1)	14 (1)	18 (3)	12 (1)	44 (1)	29 (1)	5 (1)
Lesser Goldfinch	30 (1)	7 (1)	10 (1)	6 (1)	5 (1)	11 (1)	3 (1)	56 (2)	55 (1)	5 (1)	8 (1)	12 (1)
American Goldfinch	2 (1)	3 (1)	6 (1)	--	10 (1)	10 (1)	--	--	--	1 (1)	--	4 (1)
Dark-eyed Junco	--	--	9 (1)	1 (1)	--	--	3 (1)	--	--	1 (1)	5 (1)	1 (1)
White-crowned Sparrow	10 (1)	13 (1)	30 (1)	18 (1)	5 (1)	--	--	--	--	--	35 (1)	30 (1)
Golden-crowned Sparrow	--	5 (1)	1 (1)	3 (1)	--	--	--	--	--	--	1 (1)	6 (1)
Song Sparrow	--	2 (1)	1 (1)	3 (1)	4 (1)	5 (1)	7 (1)	2 (2)	--	1 (1)	--	3 (1)
Lincoln's Sparrow	--	--	--	--	--	--	--	--	--	--	--	1 (1)
California Towhee	--	1 (1)	2 (1)	--	1 (1)	5 (1)	8 (1)	7 (2)	4 (1)	7 (1)	2 (1)	2 (1)
sparrow sp.	--	--	--	--	30 (1)	--	--	--	--	--	--	--
Hooded Oriole	--	--	--	--	--	--	--	--	2 (1)	--	--	--
Bullock's Oriole	--	--	--	--	--	2 (1)	--	--	--	1 (1)	--	--
Red-winged Blackbird	14 (1)	--	--	--	--	--	--	--	--	--	--	--
Brown-headed Cowbird	--	--	--	--	--	--	1 (1)	--	--	--	--	--
Brewer's Blackbird	1 (1)	--	--	--	--	--	--	--	--	--	--	--
Yellow-rumped Warbler	3 (1)	2 (1)	3 (1)	11 (1)	13 (1)	--	--	--	--	--	1 (1)	18 (1)
Western Tanager	--	--	--	--	--	2 (1)	1 (1)	--	--	--	--	--

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CONT

YEAR REPORT: Species Totals

Report Details

Date range:	Nov 1, 2017 - Oct 31, 2018	**Total # of Species:**	57
		Total # of Checklists:	12

Location(s): Grayson Creek (Oak Park Blvd)

Summary

	Nov 2017	Dec 2017	Jan 2018	Feb 2018	Mar 2018	Apr 2018	May 2018	Jun 2018	Jul 2018	Aug 2018	Sep 2018	Oct 2018
Number of Species	31	29	31	24	28	22	21	19	14	16	26	24
Number of Individuals	135	224	128	118	116	55	65	54	76	138	214	233
Number of Checklists	1	1	1	1	1	1	1	1	1	1	1	1

Total Number of Birds (sample size)

Species Name	Nov 2017	Dec 2017	Jan 2018	Feb 2018	Mar 2018	Apr 2018	May 2018	Jun 2018	Jul 2018	Aug 2018	Sep 2018	Oct 2018
Canada Goose	--	59 (1)	15 (1)	4 (1)	6 (1)	--	--	--	--	20 (1)	18 (1)	28 (1)
Mallard	3 (1)	2 (1)	4 (1)	7 (1)	4 (1)	2 (1)	2 (1)	--	--	--	--	--
Hooded Merganser	--	--	2 (1)	2 (1)	--	--	--	--	--	--	--	--
Wild Turkey	--	--	--	--	--	1 (1)	--	--	--	--	--	--
Rock Pigeon	5 (1)	4 (1)	4 (1)	--	--	--	2 (1)	--	--	--	--	--
Mourning Dove	11 (1)	2 (1)	6 (1)	6 (1)	1 (1)	2 (1)	1 (1)	3 (1)	3 (1)	5 (1)	52 (1)	12 (1)
Anna's Hummingbird	3 (1)	5 (1)	3 (1)	3 (1)	6 (1)	2 (1)	4 (1)	4 (1)	4 (1)	7 (1)	5 (1)	4 (1)
Killdeer	--	25 (1)	--	--	--	--	--	--	--	--	--	--
Ring-billed Gull	3 (1)	--	--	--	10 (1)	--	--	--	--	--	--	20 (1)
California Gull	--	7 (1)	25 (1)	--	6 (1)	--	--	--	--	--	17 (1)	--
Great Blue Heron	--	--	--	1 (1)	--	--	--	--	--	--	--	--
Great Egret	1 (1)	1 (1)	--	1 (1)	1 (1)	1 (1)	1 (1)	2 (1)	--	--	--	--
Green Heron	--	--	--	--	--	--	--	2 (1)	--	--	--	--

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CONT

Black-crowned Night-Heron	--	--	--	--	--	--	--	1 (1)	--	--	--	--	
Cooper's Hawk	--	--	--	--	--	--	--	--	--	--	--	1 (1)	
Red-shouldered Hawk	1 (1)	1 (1)	--	1 (1)	1 (1)	--	--	--	1 (1)	1 (1)	2 (1)	2 (1)	
Belted Kingfisher	--	--	1 (1)	--	--	--	--	--	--	--	--	--	
Red-breasted Sapsucker	--	--	1 (1)	--	--	--	--	--	--	--	--	--	
Downy Woodpecker	--	--	--	--	--	--	--	--	--	--	1 (1)	--	
Nuttall's Woodpecker	1 (1)	--	1 (1)	--	1 (1)	1 (1)	1 (1)	1 (1)	2 (1)	1 (1)	3 (1)	1 (1)	
Downy/Hairy Woodpecker	--	--	2 (1)	--	2 (1)	--	--	--	--	--	--	3 (1)	
Northern Flicker	2 (1)	3 (1)	3 (1)	--	--	--	--	--	--	--	--	2 (1)	
American Kestrel	--	1 (1)	--	--	1 (1)	--	--	--	--	--	--	--	
Black Phoebe	6 (1)	3 (1)	1 (1)	--	1 (1)	4 (1)	6 (1)	2 (1)	3 (1)	5 (1)	3 (1)	3 (1)	
Say's Phoebe	--	--	--	--	--	--	--	--	--	--	--	--	
Hutton's Vireo	--	--	--	--	--	--	--	--	--	--	1 (1)	1 (1)	
California Scrub-Jay	4 (1)	3 (1)	3 (1)	3 (1)	3 (1)	1 (1)	1 (1)	3 (1)	3 (1)	--	3 (1)	1 (1)	
American Crow	5 (1)	20 (1)	2 (1)	28 (1)	6 (1)	4 (1)	5 (1)	7 (1)	29 (1)	17 (1)	23 (1)	13 (1)	
Common Raven	--	--	--	--	--	1 (1)	--	--	--	--	--	--	
Chestnut-backed Chickadee	3 (1)	5 (1)	--	3 (1)	--	--	1 (1)	--	--	10 (1)	4 (1)	--	
Oak Titmouse	2 (1)	1 (1)	3 (1)	1 (1)	2 (1)	1 (1)	1 (1)	2 (1)	2 (1)	2 (1)	2 (1)	1 (1)	
Northern Rough-winged Swallow	--	--	--	--	--	--	--	1 (1)	--	--	--	--	
Bushtit	21 (1)	27 (1)	--	4 (1)	5 (1)	6 (1)	11 (1)	--	--	11 (1)	17 (1)	8 (1)	
Ruby-crowned Kinglet	4 (1)	4 (1)	3 (1)	2 (1)	2 (1)	--	--	--	--	--	--	2 (1)	
White-breasted Nuthatch	--	--	--	--	--	--	1 (1)	--	--	2 (1)	2 (1)	1 (1)	
Bewick's Wren	--	2 (1)	--	--	--	--	--	--	--	2 (1)	1 (1)	--	

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CONT

European Starling	2 (1)	4 (1)	3 (1)	1 (1)	--	1 (1)	--	--	--	--	--	--
Northern Mockingbird	2 (1)	1 (1)	2 (1)	--	--	1 (1)	2 (1)	1 (1)	2 (1)	1 (1)	3 (1)	1 (1)
Western Bluebird	4 (1)	--	6 (1)	2 (1)	3 (1)	3 (1)	3 (1)	4 (1)	4 (1)	--	8 (1)	--
Hermit Thrush	1 (1)	--	--	--	--	--	--	--	--	--	--	--
American Robin	--	--	2 (1)	--	--	--	--	1 (1)	1 (1)	--	--	--
Cedar Waxwing	--	--	--	--	4 (1)	--	--	--	--	--	--	--
House Sparrow	--	4 (1)	1 (1)	2 (1)	1 (1)	3 (1)	9 (1)	5 (1)	--	--	4 (1)	--
House Finch	9 (1)	5 (1)	5 (1)	9 (1)	11 (1)	7 (1)	2 (1)	8 (1)	16 (1)	24 (1)	12 (1)	7 (1)
Purple Finch	1 (1)	--	--	--	6 (1)	--	--	--	--	--	--	--
Lesser Goldfinch	8 (1)	3 (1)	1 (1)	7 (1)	6 (1)	--	5 (1)	1 (1)	4 (1)	29 (1)	18 (1)	43 (1)
American Goldfinch	1 (1)	--	--	4 (1)	2 (1)	2 (1)	--	--	--	--	--	--
Fox Sparrow	1 (1)	--	--	--	--	--	--	--	--	--	--	--
Dark-eyed Junco	2 (1)	--	1 (1)	--	--	--	--	--	--	--	--	1 (1)
White-crowned Sparrow	11 (1)	11 (1)	11 (1)	5 (1)	13 (1)	6 (1)	--	--	--	--	3 (1)	42 (1)
Golden-crowned Sparrow	1 (1)	--	2 (1)	4 (1)	3 (1)	1 (1)	--	--	--	--	4 (1)	--
Song Sparrow	--	1 (1)	2 (1)	2 (1)	--	2 (1)	3 (1)	5 (1)	--	--	1 (1)	--
California Towhee	3 (1)	11 (1)	1 (1)	--	2 (1)	3 (1)	3 (1)	1 (1)	2 (1)	--	5 (1)	--
Spotted Towhee	2 (1)	--	--	--	--	--	--	--	--	--	--	--
Hooded Oriole	--	--	--	--	--	--	--	--	--	1 (1)	2 (1)	--
Red-winged Blackbird	--	--	5 (1)	--	--	--	1 (1)	--	--	--	--	--
Brewer's Blackbird	--	1 (1)	--	--	--	--	--	--	--	--	--	1 (1)
Yellow-rumped Warbler	12 (1)	8 (1)	7 (1)	16 (1)	7 (1)	--	--	--	--	--	--	35 (1)

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Friends of Pleasant Hill Creeks and Mount Diablo Audubon Society (FPHC + MDAS)

Response to FPHC + MDAS-1

The commenter notes that both organizations have been collaborating on a joint community science project to document avian biodiversity in the Grayson Creek, including adjacent to the project site. The commenter notes that the portion of Grayson Creek adjacent to the project site is a designated eBird public "Hotspot" and the commenter provides a list of the species of birds documented in Grayson Creek. The commenter asks that the Draft EIR evaluate impacts to avian wildlife from construction and operation of the project.

CEQA requires analysis of potential impacts to nesting migratory birds protected under the MBTA. MM BIO-1a and MM BIO-1b, which are included in Section 3.3, Biological Resources of the Draft EIR, would help reduce any potential impacts on nesting and migratory birds that may result from construction. These mitigation measures include a requirement for pre-construction surveys, as well as implementation of protective measures, where needed, to ensure any active nests of protected species are protected pursuant to the MBTA. Impacts would be less than significant.[47]

Response to FPHC + MDAS-2

The commenter states that the organization supports installation of riparian habitat buffers and a creekside trail. The comment is noted and no response is required.

Response to FPHC + MDAS-3

The commenter provides a list of the bird species documented by the Grayson Creek Bird Survey within the Civic Project site.

The comment is noted and no response is required.

[47] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.3-25 through 3.3-27. August.

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From: Monika Olsen [mailto:phigarden@gmail.com]
Sent: Tuesday, October 15, 2019 5:34 PM
To: Troy Fujimoto <Tfujimoto@pleasanthillca.org>
Subject: public comments on EIR for Pleasant Oaks Project (library, ball fields, residential housing)

Troy,

Please include this concern in the public comments:

We look forward to the new library project. We do have some environmental concerns. As mentioned in the consultant's report about Grayson Creek status under the Clean Water Act, the project should *avoid impacts to riparian habitat associated with Grayson Creek.* Appendix D mentions common native plants found in the area to not be disturbed. These plants would not be able to survive under the pile of boulders planned for the creekside. In addition, the project includes a public viewing trail for along the creekside. It appears the pile of boulders planned for the creekside instead would not only disturb or prevent those native plant ecosystems from thriving or even growing, but would also eliminate public and school environmental and watershed education about the creek, its natural habitats, the ongoing water quality studies and citizen science projects as well as annual creek clean-up projects. Additionally, the Mt. Diablo Audubon Society has surveyed Grayson Creek for birdlife. If the support plant ecosystems are not provided, there will be negative impacts to the wildlife in the area. 1

Thank you.

--

Monika Olsen, Teacher
U. C. Master Gardener, Contra Costa County
Garden Manager, Pleasant Hill Instructional Garden
P.O. Box 23454, Pleasant Hill, CA. 94523
Voicemail: (925) 482-6670

Located At 1 Santa Barbara Rd., Pleasant Hill, CA.
Opposite Pleasant Hill Middle School and Pleasant Oaks Park
web site: http://phig.webs.com

https://www.facebook.com/Pleasant-Hill-Instructional-Garden-PHIG-115550191840821/

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Pleasant Hill Instructional Garden (PHIG)

Response to PHIG-1

The commenter expresses general support for the proposed plan. The commenter states that the project should avoid impacts to Grayson Creek and the planned boulders, riprap, and stormwater improvements should not inhibit native plant life growth in Grayson Creek. In addition, the commenter explains that the planned pile of boulders in Grayson Creek would eliminate any potential watershed or environmental educational opportunities, ongoing water quality studies, citizen science projects, and creek clean-up projects. The commenter concludes that if Grayson Creek cannot support native plant life due to the proposed boulders in Grayson Creek there will be negative impacts to wildlife in the area.

Please refer to Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements. Additionally, please refer to Response to FPHC-58.

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From: Alan Bade [mailto:alanbade@jps.net]
Sent: Tuesday, October 15, 2019 4:38 PM
To: Troy Fujimoto <Tfujimoto@pleasanthillca.org>
Cc: Wendy Gollop <wendygollop@jps.net>; Alan Bade <alanb1491187@gmail.com>
Subject: DEIR comments Oak Park Properties Specific Plan

Dear Troy Fujimoto,

I'd like to submit the following comments for the Draft EIR;

1. **Light *color*** should be specified and analyzed in regards to the light fixtures for the project, both civil and residential. The DEIR fails to specify the light color/wavelength of the light proposed in the DEIR, and hence it is impossible for the public to comment effectively. Many cities are developing standards on light color in order to reduce glare that is greatly increased with higher wavelengths. These include Davis, CA; San Francisco, CA; Los Angeles, CA; Riverside, CA; San Diego, CA, Oceanside, CA; and others. **Warmer wavelengths (<3000Kelvin)** have a reduced impact on humans, wildlife and migratory birds, and the overall sky glow. There is minimal or no cost increase by specifying a warmer wavelength fixture for all the project's lighting. Please see the guidelines in the following; https://www.darksky.org/our-work/lighting/lighting-for-citizens/3k/ — 1
2. **Specific Light Placement and intensity;** The DEIR fails to specify how many light fixtures, placement, up/down orientation or compass directional aim, lumens, candela, or combined total output of the proposed lighting. It is impossible for the public to review or understand how the proposed sports field lighting will affect adjacent residences, the ecology of the riparian corridor and adjacent open space. — 2
3. **Hydromodification of the creek;** The DEIR fails to specify why the east fork of Grayson Creek will need "vegetated rip-rap" instead of more benign methods that are also considered "best management practices". These include bio-engineering techniques that do not include rip rap, which will greatly impede vegetation and habitat restoration. — 3
4. **Hydrology continued;** The DEIR does not include specific plans with the extent shown on a map for the rip-rap reinforced outfall structures, so there is no effective way for the public to comment or evaluate impacts.
5. **Hydrology continued;** Can stabilization techniques be employed that do not include rip-rap? Why is rip rap needed rather than bio-engineering techniques?
6. **Hydrology continued;** Bio-engineering techniques are often cited as the best way to increase "roughness" and frictional resistance to dissipate energy in streams. Tight knit rip rap that inhibits vegetative growth increases stream velocities and contributes to downstream erosion. How do the proposed "rip rap" solutions avoid this undesirable impact? How can the public evaluate this without specific plans with placements and their full extents to review? — 4
7. **Hydrology cont;** It is hard to not have public distrust of a plan with a lack of definition. There are many examples of rip rap used for bank stabilization that are ugly, devoid of habitat potential, and lack the beauty of a natural creek setting. Cross sectional examples and diagrams should be provided of the "vegetated rock rip rap" should be shown so the public can evaluate.
8. **Hydrology and landscaping;** How is the engineering plan integrated into the landscaping/restoration plans for the creek? Are they mutually compatible, and why aren't the outfall structures shown within a broader landscaping plan set? How can the public comment or evaluate on the impacts/aesthetics/habitat potential, etc, without much greater specifics shown in the DEIR? — 5

9. **Hydrology cont;** will there be opportunities for the public to comment on the specifics of the engineering plan for the creek? 6
10. **Traffic;** The plan fails to analyze how much cut-through traffic neighborhoods will have added as a result of the project. I believe the conclusions of the traffic study lowball the estimated increased traffic especially on Oak Park Blvd. We already have a lot of cut through traffic on Longfellow drive when Oak Park is busy. 7
11. **Trees;** the DEIR states that there are scattered trees along the creek. It is actually an unbroken line of trees. The Plan should try to plant as many trees as possible in order to maximize the habitat and human enjoyment of the riparian corridor. 8
12. **Fire safety;** new guidelines are being developed that encourage at least 10 feet between residential housing so that fire ladders can be placed for evacuation and extinguishing. 9

Bio-Resources; The analysis on birds and wildlife in the DEIR was inadequate. Not enough data acquisition in regards to bird life was performed by Firts Carbon. We have submitted under separate cover two years of scientifically conducted bird documentation that should be included in mitigation and planning efforts for the new library and park. This is one of the last large pieces of open space in Pleasant Hill and is important bird and wildlife habitat. It is centrally located along a riparian corridor and is an important bird migration habitat. The DEIR needs to address this in it's evaluation of the construction AND operation of the project. I am hopeful that the new library and park will remain good habitat in the future. If this is properly planned for and achieved in the final outcome, it will also be a better balance of human/wildlife needs, which in my view greatly increases its' value to human enjoyment. 10

We are generally *very* supportive of building our new library and park at this location, but are making all of our comments in hopes of making this as good a project as possible.

Thanks, Alan Bade

280 Longfellow Dr. Pleasant Hill, CA 94523

Individuals

Alan Bade, Letter 1 (Bade.1)

Response to BADE.1-1
The commenter states that the light color of the proposed Civil and Residential project light fixtures should be specified and analyzed within the Draft EIR. The commenter explains that light color standards have been established in nearby Bay Area cities and that warmer light color wavelengths would have a reduced impact on humans, wildlife, and night skies.

Please refer to Master Response 4—Lighting and Master Response 5—Lighting Impacts to Wildlife Movement.

Response to BADE.1-2
The commenter notes that the Draft EIR did not specify the lighting placement throughout the project site or the light intensity. The commenter explains that these traits are needed for the public to fully understand the impacts of the proposed sports field lighting on adjacent residences and riparian habitat.

Please refer to Master Response 4—Lighting and Master Response 5—Lighting Impacts to Wildlife Movement.

Response to BADE.1-3
The commenter asks why the east fork of Grayson Creek would need vegetated riprap instead of other less intrusive BMPs.

Please refer to Master Response 2—Hydrology, Flooding, and Storm Drainage, which confirms that City Staff will incorporate into the proposed plan's stormwater drainage design the recommendations of the USACE Stability Thresholds for Stream Restoration Materials,[48] as appropriate, including the use of less rock protection.

Response to BADE.1-4
The commenter notes that there are no specific plans that show the extent of the riprap reinforced outfall structures. The commenter asks why riprap is needed rather than bioengineering techniques. The commenter describes why bioengineering techniques would be more effective than riprap designs in reducing impacts to streams. The commenter reiterates the need for specific plans that show the design of the proposed riprap.

Please refer to Master Response 2—Hydrology, Flooding, and Storm Drainage.

Response to BADE.1-5
The commenter asks how the engineering plan is integrated into the landscaping and restoration plans. The commenter further asks why the outfalls are not shown in a broader landscaping plan set and how the public can comment or determine impacts without these specific shown in the Draft EIR.

[48] United States Army Corps of Engineers (USACE). 2001. Stability Thresholds for Stream Restoration Materials. May.

As described in MM BIO-2a, the project sponsor for the Civic Project would prepare a detailed Habitat Mitigation Monitoring and Reporting Plan that would include details on the type and quantity of different species that will be utilized in the design. The Draft EIR evaluates potential impacts to aesthetics and habitat (see Section 3.1, Aesthetics, and Section 3.3, Biological Resources) and recommends mitigation measures to address those potential impacts in accordance with identified performance standards in order to ensure impacts remain less than significant.

Response to BADE.1-6
The commenter asks if the public can comment on the specifics of the engineering plan for Grayson Creek.

The Draft Floodplain Evaluation Report is provided in Appendix H of the Draft EIR, which describes the Civic Project's potential impacts to adjacent floodplains and proposed mitigation measures.

Response to BADE.1-7
The commenter states that the TIA did not analyze the amount of cut-through traffic that would be added to adjacent neighborhoods as a result of the proposed plan. The commenter asserts the conclusions in the TIA did not fully capture the existing cut-through traffic adjacent to the project site.

The proposed plan would not be expected to increase the level of cut-through traffic on neighboring roadways because there are multiple roadway connections that provide access to the Civic Project and Residential Project sites. In addition, despite multiple roadway connections to the Civic Project and Residential Project sites, approximately 70 percent of the generated traffic would be expected to access the plan area via Oak Park Boulevard, which was accounted for in the Draft EIR. Over-assigning project trips to minor roadways, such as Longfellow Drive, could reduce the potential effect of traffic associated with the proposed plan on the roadway system and not provide an accurate estimate of traffic impacts.

Longfellow Drive connects Keats Circle and Patterson Boulevard while providing direct access to retail centers and single-family homes. Given the location of Longfellow Drive in relation to the plan area, the plan area is not expected to add through traffic to this roadway facility.

Response to BADE.1-8
The commenter states that the Draft EIR description of the trees located adjacent to Grayson Creek incorrectly describes the amount of trees.

The comment is noted, and a correction/revision is included in Section 3: Errata. This revision does not materially impact the analysis provided in the Draft EIR.

The commenter explains that the proposed plan should plant as many trees as possible to maximize the amount of habitat available for wildlife and human benefit.

As described in Section 3.3, Biological Resources, construction of the Civic and Residential Projects requires the removal of trees subject to Pleasant Hill Municipal Code Section 18.50.110, and tree permits would be required prior to the removal of such protected trees (per MM BIO-5a). In addition, the remaining trees that are proposed for preservation within the plan area would be

protected through the implementation of the pre-, during, and post-construction tree protection guidelines identified and outlined in the project-site-specific arborist report (per MM BIO-5b through MM BIO-5d).[49]

Response to BADE.1-9
The commenter states that new fire safety guidelines are being developed to encourage adequate spacing for fire ladders. The Oak Park Properties Specific Plan (Appendix K of the Draft EIR) provides standards for setbacks for the Residential Project and the Residential Project would be required to adhere to those standards if the Specific Plan is adopted by City Council.

Response to BADE.1-10
The commenter states that the Draft EIR did not include or collect enough data with regards to bird and wildlife activity on the project site. The commenter also asserts that the plan area is one of the last large pieces of open space in Pleasant Hill and is important bird and wildlife habitat.

CEQA requires analysis of potential impacts to nesting migratory birds protected under the MBTA. Mitigation measures listed in Section 3.3 of the Draft EIR, including MM BIO-1a and MM BIO-1b would help reduce any potential impacts on nesting and migratory birds that may result from construction such as tree removal, noise and other disturbances. These mitigation measures include a requirement for pre-construction surveys, as well as implementation of protective measures, where needed, to ensure any active nests of protected species are protected pursuant to the MBTA.

Regarding the assertion of open space within the plan area, the property is not designated for open space uses under existing conditions. The plan area does not qualify as open space because it is an urbanized and developed County property that at one time was developed for educational uses. The Oak Park Properties Specific Plan proposes to designate the Civic Project site for parks and recreational fields that will provide active open space should the City approve the Oak Park Properties Specific Plan. The proposed improvements within the Grayson Creek will enhance the existing habitat and improve the function of the creek for use by wildlife.

[49] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Page 3.3-38. August.

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From: Alan Bade [mailto:alanbade@jps.net]
Sent: Tuesday, October 15, 2019 4:50 PM
To: Troy Fujimoto <Tfujimoto@pleasanthillca.org>
Cc: Alan Bade <alanb1491187@gmail.com>; Wendy Gollop <wendygollop@jps.net>
Subject: DEIR comments Oak Park Properties Specific Plan Noise

Dear Troy-

I'd like to add one more item to my comments on the DEIR for the Oak Park Properties Specific Plan.

Noise; There was no mention of whether amplified noise would be allowed at the new ball fields. This *should* have been evaluated if the Park and Rec District plans on allowing amplified noise. On Sunday Oct 6th, there was an event at that site with amplified noise and we could hear every word over here on Longfellow Drive. Either the project description was incomplete, or there was a failure to evaluate, if they plan on having amplified events. 1

Also, if games are allowed past 8PM until 10 PM, there will be a lot more noise than there is currently, so the impact is not "less than significant", like the DEIR claims. The noise will have impacts on wildlife as well as local residents. 2

Thanks, Alan Bade

280 Longfellow Drive, Pleasant Hill, CA

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Alan Bade, Letter 2 (BADE.2)

Response to BADE.2-1
The commenter states that the Draft EIR does not evaluate the impacts of amplified noise from the new ball fields associated with the Civic Project. The commenter notes that on October 6, 2019, an event was held adjacent to the project site and amplified noise could be heard at their residence on Longfellow Drive.

The proposed plan would not include installation of any amplified sound equipment as part of the ball field development. In addition, it should be noted that users of the proposed athletic fields are subject to compliance with the noise performance standards of Section 18.50.060 of the City's Municipal Code, which limit users from producing noise levels in excess of 50 dBA CNEL as measured at a receiving residential property line. Compliance with this noise ordinance would ensure that ball field activities would not result in a noise impact as measured at nearby residential land uses.

Response to BADE.2-2
The commenter states that if games or events would be allowed past 8:00 p.m. until 10:00 p.m. at the Civic Project ball fields, then the noise impacts would not be less than significant as stated in the Draft EIR.

The proposed plan would permit activities at the proposed ball fields during the evening hours of 8:00 p.m. to 10:00 p.m. All users of the proposed plan are subject to compliance with the noise performance standards of Section 18.50.060 of the City's Municipal Code, which limit users from producing noise levels in excess of 50 dBA CNEL as measured at a receiving residential property line. They would also have to comply with Section 9.15.030, which prohibits a person from making "loud, unnecessary, or unusual noise" that disturbs the peace of a quiet neighborhood; Section 9.15.050 explicitly addresses amplified sound. The CNEL noise metric accounts for the time varying noise over a 24-hour period, with a 5 dBA weighting factor applied to the hourly L_{eq} for noises occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours), and 10 dBA weighting factor applied to noise occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours). The noise weighting factors are added to the relaxation and sleeping hours to account for the fact that most people are more sensitive to noise events during these hours. Therefore, compliance with the 50 dBA CNEL noise performance standard would ensure that ball field activities would not result in a noise impact that would result in impacts, such as sleep disturbance, as measured at nearby residential land uses.

While evening ball field activity might constitute a new noise source that could be audible at receptors in the vicinity of the plan area, the activity would not constitute a significant noise impact compared to the applicable noise performance thresholds established by the City.

It should further be noted that the ball fields would only be used for adult softball or soccer during the evening hours (8:00 p.m. to 10:00 p.m.). Only one of these types of activities would occur at a time, as these activities would use the same fields. These activities are expected to include primarily participants with a minimal number of spectators. A conservative estimate of total users during these evening activities would be approximately 30 team members and an estimated five

spectators.[50] The nearest residential land uses to the proposed ball fields are located at the properties to the east of the plan area on St. Lawrence Way, over 200 feet from the nearest acoustic center of ball field activity. At this distance, noise levels from ball field activities would attenuate by more than 20 dBA compared to noise levels experienced at the sidelines of the ball fields. Under quiet conditions on a free field, an adult male shouting can produce noise levels of up to 62 dBA L_{max} as measured at 50 feet.[51] At 200 feet, maximum noise levels from an adult male shouting would attenuate to below 50 dBA L_{max}. Therefore, noise levels from the projected number of participants playing on the ball fields (spread out as they play their various positions) would not result in noise levels that would exceed the City's weighted 24-hour average noise performance standard of 50 dBA CNEL as measured at the nearest residential property line.

As an additional point of reference, existing background traffic noise levels along roadway segments in the plan area range from 53.0 dBA to 63.7 dBA CNEL as measured at 50 feet from the center of the nearest travel lane. Thus, project related ball field activities would also not exceed existing background traffic noise levels experienced in the vicinity of the plan area.

[50] Michelle Lacy. Recreation and Park District, General Manager. Personal communication: email. October 17, 2019.
[51] Levitt, Harry and John C. Webster, 1991. Handbook of Acoustical Measurements and Noise Control (3rd Edition, edited by Cyril M Harris).

-----Original Message-----
From: Jim Bassett [mailto:jim@jimbassett.com]
Sent: Monday, October 14, 2019 1:20 PM
To: Troy Fujimoto <Tfujimoto@pleasanthillca.org>; Home <jim@jimbassett.com>
Subject: Comment for Oak Park Properties Specific Plan Draft EIR

Hello,

We currently live at 1668 St. Lawrence Way, adjacent to and east of the EBMUD trail and proposed ball field.

In Chapter 3 of the DEIR the relevant section of City code for lighting is referenced (Section 18.55.140). It mentions the light level limit of
0.2 foot-candles for lighting adjacent to an R district boundary, which is our location.

However, in the section for Impact AES-4 there is no mention of what would be done to meet the City's light level limit. There is mention of shut-off at 10pm, but this does not address the issue raised in Appendix B that "The Ball Field development will provide a full array of sports floodlighting as well as fly ball up lighting which does not comply with the City requirements." Appendix B does indicate that the selection of lighting has been adjusted "to reduce the potential for exceedance of illumination standards and for light trespass due to location and angle of illumination.", but there doesn't appear to any mention of this adjustment in the DEIR. 1

My comment is that the light level issue is adequately addressed in the EIR and that whatever is implemented fully complies with City regulations.

Thanks,
Jim Bassett

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Jim Bassett (BASSETT)

Response to BASSETT-1

The commenter states their residence location near the Civic Project site and references the discussion of light level limits in Section 3.1, Aesthetics, of the Draft EIR. The commenter notes that Impact AES-4 does not mention what would be done to ensure lighting for the Civic Project and Residential Project meets the City's light level limit contains in Municipal Code Section 18.55.140. The commenter explains that Appendix B of the Draft EIR indicates lighting would be selected to reduce the potential for exceedance of illumination standards but there is no discussion of this in the Draft EIR.

Please refer to Master Response 4—Lighting, and the photometric plans and Lighting Peer Review Memo included in Appendix A. See also Response to FPHC-14.

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October 14, 2019

City of Pleasant Hill Planning Division
100 Gregory Lane, Pleasant Hill, CA

Comments to Oak Park Properties Specific Plan, DEIR, Residential Properties

There are notable deficiencies in this DEIR, with insufficient data on every aspect of the early closure of the existing library. The social and economic loss of this important community resource requires further study.

CEQA Guidelines, Section XIII, asks; "Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities... maintain acceptable service ratios, response times or other performance objectives?"

Additionally, the CCC Library's Strategic Plan 2019, presented to and approved by the Board of Supervisors this summer, includes the Children's Impact Statement: The CCC Library ensures easy, equitable access to library services for all Contra Costa County residents, including children... specific areas focus on improving services to the youth of our communities and directly support three of the five community outcome areas... 1

1. Children ready for and succeeding at school
2. Children and youth healthy and preparing for productive adulthood
3. Communities that are safe and provide for a high quality of life for children and families

This DEIR needs to be amended to identify everyone who will be underserved if the existing library is demolished before the new one is build. What is the provision for families, school children, disabled residents of the Crestwood Behavioral Health, groups such as ESL, Girls Who Code, and many others? Where is the data on the number of library visitors and the time and travel miles required if they must travel to multiple locations for services and resources for different ages? What is the cultural and social loss when a library is dismembered, and its component parts are scattered to various locations and times? 2

EIR 1, page 144, headed; Demolition, Relocation, Remediation and Removal must be expanded to identify each problem and offer satisfying mitigations to the many people who will be immediately affected. Library users need much better options for the two years (or longer) than what little is offered in this document. 3

Nancy Evans
625 Pershing Drive, Walnut Creek, CA

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OCT 15 2019
PLANNING DIVISION
CITY OF PLEASANT HILL

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Nancy Evans (EVANS)

Response to EVANS-1

The commenter states that the Draft EIR does not fully analyze the impacts of the closure of the existing library. The commenter asks that the Draft EIR should be amended to identify everyone that would be affected by the closure of the library.

Please refer to Master Response 1—Schedule for Construction and Use of Temporary Library.

Response to EVANS-2

The commenter asks what the cultural and social loss would be from the existing Pleasant Hill library closing and what would happen to the library's resources.

Social and economic impacts are not considered physical effects on the environment under CEQA. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

Response to EVANS-3

The commenter requests that the Draft EIR identify who would be affected by the demolition of the existing Pleasant Hill Library and states that the library users should be provided a better temporary option.

Please refer to Master Response 1—Schedule for Construction and Use of Temporary Library.

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From: Nancy [mailto:2nancyellen@gmail.com]
Sent: Monday, October 14, 2019 5:03 PM
To: Troy Fujimoto <Tfujimoto@pleasanthillca.org>
Subject: Oak Park Properties Specific Plan - Draft Environmental Impact Report - comment

I have lived in Pleasant Hill since 1990 and believe a bioretention basin is critical to the environmental impact and mitigation of the proposed project, since Pleasant Hill has approximately 700 homes in a Special Flood Hazard Area - virtually all of them potentially impacted by storm-water flow from the project into the creek systems -- and the community rating system for floodplain management in Pleasant Hill is only 8 out of 10 (with "1" being the best and qualifying for the highest percentage discount in either mandatory or voluntary flood insurance for community members).

1

The project is an opportunity to improve public safety. Planners must include considerations about flood impacts on the surrounding existing properties, rather than narrowly consider offsetting drainage on-site through fill and cuts. It is clear these offsets are not guaranteed to even maintain the current level of flood control experienced in this parcel. The DEIR is exceptionally vague about the proposed bioretention basin; Appendix H Figure 16 indicates it will be where an EBMUD trail runs along the east side of the property. A mitigation this essential needs to be presented with more specificity in the EIR.

Furthermore, there is incomplete discussion of follow-on impacts from increasing flow into what the document describes as an "inadequate" creek capacity that contributes to flooding in the Specific Plan area (p. iv, Appendix H). Only "backwater" effects are considered (p. v) for the proposed larger storm drain. The report should also include modeling to anticipate impacts to Special Flood Hazard Area properties that drain into those two creeks. I respectfully request that the city ensure the final document makes up for these omissions and oversights in order to proactively consider, and mitigate to the full extent possible, potential harm to people and property affected by the planned development.

Supporting documents:

2

Community rating (p. 4): https://www.fema.gov/media-library-data/1503240360683-30b35cc754f462fe2c15d857519a71ec/20_crs_508_oct2017.pdf

https://www.sfgate.com/bayarea/article/Pleasant-Hill-Flood-Zone-Expands-Insurance-3302882.php

https://www.ci.pleasant-hill.ca.us/DocumentCenter/View/11358/Flooding-Information-and-Services-in-the-City

Sincerely,

Nancy

Nancy Garcia

173 Maxine Drive

Pleasant Hill, CA 94523

2nancyellen@gmail.com

(925) 708-9587

Nancy Garcia (GARCIA)

Response to GARCIA-1

The commenter states that a bioretention basin is crucial to address stormwater flooding in the plan area and describes the flood risk for the plan area. The commenter states that the proposed plan is an opportunity to improve public safety and the Draft EIR needs to include more detail about the proposed bioretention basin indicated in Appendix H, Figure 16.

Please refer to Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements.

Response to GARCIA-2

The commenter states that the Draft EIR does not discuss follow-on impacts resulting from increasing flow into Grayson Creek which has "inadequate" creek capacity that contributes to flooding in the plan area. The commenter states only backwater effects are considered for the proposed storm drains. The commenter also asks that the Floodplain Evaluation Report include modeling to anticipate impacts to Special Flood Hazard Zones that drain to Grayson and Murderers Creek.

The intent of the proposed 36-inch storm drain systems is to minimize changes to the extent of the existing 100-year floodplain. Studies, including modeling, have taken all the backwater effects into consideration. Based on modeling results, the backwater effect from the implementation of the proposed larger storm drain along Oak Park Blvd is not anticipated to change the existing flooding conditions to the properties around the proposed library. The modeling reflects the overall design approach to convey runoff and overflow to the proposed athletic fields via the proposed storm drain systems and site grading. The proposed athletic fields would be graded to provide adequate storage for the 100-year storm event and would minimize impacts to the surrounding community.

Studies, including modeling, have been completed for the 100-year storm event and are documented in a Floodplain Evaluation Report (Appendix H) and a FEMA Flood Study Impact Memorandum. The 100-year storm event model will be updated and documented in a Revised Floodplain Evaluation Report when the design work nears completion. The other model is based on the FEMA Effective Model and is documented in the FEMA Flood Study Impact Memorandum. This latter model shows that there are no adverse impacts and the memorandum justifies that a Conditional Letter of Map Revision is not required to be submitted to FEMA. The proposed plan would not represent a significant flood impact as explained in Section 3.8, Hydrology and Water Quality, of the Draft EIR.

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From: Wendy Gollop [mailto:wendygollop@jps.net]
Sent: Tuesday, October 15, 2019 4:20 PM
To: Troy Fujimoto <Tfujimoto@pleasanthillca.org>
Cc: June Catalano <Jcatalano@pleasanthillca.org>
Subject: Comments to DEIR on the Oak Park Properties Specific Plan State Clearinghouse Number: 2018112058

Dear Troy Fujimoto,

I am sending this document to comment on the DEIR for the Oak Park Specific Plan. I am cc to the City manager June Catalano to be sure that someone gets it in the City by the 5:00 PM deadline today. Please forward this letter to all listed parties. Please let me know that you have received my letter. Thank you.

Wendy Gollop

1

Dear Planning commission, City Council members, and Pleasant Hill Rec and Park Board members,

I wanted to submit comments on areas of the DEIR for the Oak Park Specific Plan that I feel need to be addressed further as there is insufficient information included to make the necessary judgements on whether there is any significant impacts of this project.

First is the traffic study. There is a considerable amount of cut through traffic on many streets in Pleasant Hill. This is particularly true of the Poets Corner neighborhood where streets where built before wider, safer widths were mandated. At present, there is considerable cut through traffic on streets that have schools near larger arterials that have heavy traffic. Longfellow gets quite a bit of cut through traffic in the morning when people are trying to take kids to Pleasant Hill Elementary, drive to BART on Oak Park Blvd, and catch the freeway onramp off Oak Park Blvd. There is also traffic on Oak Park Blvd trying to get to Pleasant Hill Rd to take to the 24 onramp in Lafayette. Traffic cuts through Longfellow from Patterson to Keats to avoid the Patterson/ Oak Park signal which was rated a D on the traffic study in the morning. Traffic also cuts through Pleasant View Dr. from Oak Park Blvd to Pleasant Hill Rd to avoid the traffic at PHE. There are no sidewalks and so people walking and kids biking to school dodge traffic in the morning and it is difficult to get out of one's driveway and onto side streets because of this. The DEIR does not examine the impact on side streets from this cut through traffic. It only examines traffic at the major intersections in 15 locations surrounding the project. The farthest west that the study intersection examines is Oak Park Blvd and Patterson. From this, the traffic study concluded that there was no significant impact from the development. It also does not discuss traffic apps that direct traffic into neighborhoods when traffic backups exist. I think that traffic on streets and neighborhoods will increase dramatically from this and other already approved projects in the area. The DEIR states that traffic flow at Oak Park/ Patterson and other intersections will decrease from LOS D to E and many other intersections go from A or B LOS to an F. (Table 11 appendix J) yet the traffic study concluded that the level of significance was less than significant. Table 12 on page 53 of appendix J shows that there are more cars than there is storage length or queue at Oak Park and Patterson and two other intersections. This will also increase the likelihood of cut through traffic in the neighborhoods. Still, even though traffic was reported to be slow and the project will increase this congestion, the DEIR concludes that there is a less than significant impact from the project. This will be true until you are the one that lives nearby.

2

3

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I hope that the City has plans to address the multiple problems that arise from this development as they will occur. I believe that this traffic study was done without specific information about details of the Oak Park Properties Specific Plan and therefore the conclusions drawn are not accurate either. I believe that the citizens will be contacting the City with complaints about traffic from this project.

5

Another area of concern is the size of the houses and their setbacks in the residential development aspect of the plan. The conceptual plan states that houses will be 2800 -3400 sq ft dwellings that are 8 ft apart. Some of these houses will have ADUs attached. There is no mention of the number of bedrooms that the houses in this development will have. I am assuming that people who move to the suburbs and buy large houses do so because they have or want to have a family. The DEIR has made the assumption that only 6 students will attend the elementary school. 3 middle and 3 high school. I am not sure how this assumption was made. There is a ratio added but not references as to how it was arrived at. Yet the DEIR states that there is no impact on schools. I think that there will be more attending schools than is predicted in the DEIR and the schools are at capacity. 6 7

Amplification of sound and noise or the presents of speakers at the new ball fields is not mentioned or analyzed in the DEIR either. On Sunday morning October 6th , there was a very big gathering of people at the 10 acre project site. An amplified sound system used could be heard quite clearly from a broad area of Poets Corner. I hope that this will not be what we can expect from the new playing fields. I could distinctly hear the announcements from the loud speaker from my yard that morning. I went over to the 10 acre project site to see what was going on and I was amazed at the amount of traffic and parked cars. There must have been at least 150 vehicles . The area was COMPLETELY parked up including all adjoining side streets and part of the undeveloped 10 acre site. There were also people still searching for any available parking spot. 8

Parking is another area that looks inadequate. The number of bedrooms in the 34 houses and accompanying ADUs is not defined in the DEIR. There will no parking on the residential streets or Monticello and parking spots are mostly confined to the residential driveways and garages. There is not a complete examination of how many cars each house is expected to have and where guests will park. I did not see any off street parking for the ADU units and so that perhaps tandem parking for those residents was assumed but not discussed. That may prove a difficult parking arrangement for those living in the those units as someone will have to move a car to let someone pull out. The parking situation in the civic part of the project is already at capacity if not over, and so if residential parking spills over into the Library/Rec and Park shared parking lot, even less parking will be available for patrons of those facilities. I am assuming that the study takes into account the public transportation system when calculating the number of vehicles, traffic and parking but the bus system in Pleasant Hill is not convenient and so few people rely on it for transportation. 9

Houses that are less than 10 ft apart are harder to defend from fire spreading to nearby houses. https://firerescuemagazine.firefighternation.com/2009/03/20/too-close-for-comfort/#gref This point was brought up at the scoping question section but not addressed in the DEIR. Perhaps the houses could be slightly smaller on each side to keep within the 10 ft between house spacing. This fire spread was not addressed in the DEIR. 10

Another area of great concern is the Creek drainage proposals in the DEIR. In it there is a lot of information about the new drainage system that will be added to the project. It states that the 100 year flood plain flow pattern will not be altered but the storm water will be diverted into series of pipes and bio catch basins to contain the water and reroute it to Grayson Creek via new outfall structures and reinforced creek bank. There are no diagrams or *detailed* descriptions about how this new system will be integrated into the Grayson Creek restoration and Creek trail that have been so widely discussed. There is a section that states 242 linear feet of riprap will be installed with new outfall structures, but without diagrams or a greatly detailed description of where and how this will be implemented. It is impossible to analyze what impact this will have on the creek ecosystem of micro invertebrates that in turn effects the birds and otters documented to be seen in the creek. Therefore it if impossible to conclude that there is a less than significant impact on this ecosystem. (Below is attached a picture of a riprapped creek bank at the Golf Club bridge in Pleasant Hill).

Also, C3 guidelines state: 11

https://www3.epa.gov/npdes/pubs/sw_state_summary_standards.pdf

“Post-development peak storm water runoff discharge rates shall not exceed the estimated

pre-development rate for developments where the increased peak storm water discharge

rate will result in increased potential for downstream erosion. Individual jurisdictions are

adopting standards applicable to their conditions.”

Hydromodification controls also have to comply with C3g requirements within the context of Provision C.3.g. “In-stream measures shall be an option only where the stream, which receives runoff from the project, is already impacted by erosive flows and shows evidence of excessive sediment, erosion, deposition, or is a hardened channel. .,(“highly developed watersheds” refers to catchments or sub-catchments that are 70 percent impervious or more)”

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/contra_costa/r5-2010-0102_npdes.pdf

Grayson Creek does not contain 70% or more imperious surface next to the Oak Park Properties Specific Plan and so I am wondering if rip rap is even necessary considering that there is no riprap present in the creek now. The C3 guide states that “LID (Low Impact Development) has been found to be feasible for nearly all development sites.” Page 44 of the C3 Storm Water Guidebook.

https://www.cccleanwater.org/userfiles/kcfinder/files/Stormwater_C3_Guidebook_7th_Edition_2017-05-12%281%29.pdf

I believe that there are better alternatives to rip rap for bank stabilization such as bio-engineering techniques with willows and other native plants that also have other benefits such as an enhanced wildlife ecosystem and is much more attractive next to a trail. Studies show that planting in dirt around riprap is not usually very successful because of the shallow soil base in the riprap. Other methods have proven to be better for bank stabilization and wildlife enhancement.

Reference: "Restoring Neighborhood Streams, Planning, Design and Construction" By Ann Riley, Island Press; 2016 ; "Restoring Streams in Cities, A Guide for Planners, Policymakers, and Citizens" By Ann Riley, Island Press 1998.

11 CONT.

Appendix K page 59 section 21 A: Discusses the relationship of Oak Park Properties Specific Plan to the City's General Plan. There are many flawed assumptions here.

Page 59 : "General Plan goals: Require reclamation of degraded streams and riparian areas, including wildlife migration corridors, where possible, in co-operation with flood control"

DEIR states " Consistent: Within the Grayson Creek Civic project. Would upgrade existing outfalls." How does rip raping sections of a creek reclaim a degraded stream? The County has a 50 Year Plan that states:

12

"On April 9, 1999, Contra Costa County held its first Watershed Symposium. At that Symposium, we outlined a vision to convert our concrete and rip-rap lined channels into natural systems that safely convey the same flood waters. Over the years, this vision has been reviewed and refined. The purpose of this paper is to identify the benefits for the Flood Control District to convert its first generation infrastructure, consisting of concrete and rip-rap lined channels, to second generation facilities, consisting of natural creek systems, and the methods to achieve this. The vehicle to achieve this is long range planning for creek enhancement." The entire report can be read here:

https://www.contracosta.ca.gov/DocumentCenter/View/6853/50---Year-Plan-3-20-09-BOS-compressed?bidId=

The County, I am sure, would like to uphold its own planning guidelines by not using riprap in this creek. The Contra Costa Flood Control District has been involved in a very large project to restore Lower Walnut Creek to wetlands and to more closely approximate the area to the original ecosystem that was originally there. Grayson Creek empties out just above the Lower Walnut Creek Restoration Project near Imhoff Dr and any trash and pollutants from this project could affect this riparian restoration project. https://www.contracosta.ca.gov/5784/Lower-Walnut-Creek-Restoration-Project. Salmon and other fish have been documented to swim up Walnut Creek as far as the first drop structure near Willow Pass Rd in Concord. Grayson Creek joins Walnut Creek below this drop structure, and has been historically native habitat for these fish. Yet more reason to keep Grayson Creek in its' upper reaches as natural as possible.

Section 22A General Plan Goal: Minimize the impact on Plants and animals including sensitive habitat and migration corridors. Consistency Determination: States that they might find birds protected under the Migratory Species Act and will do nesting studies prior to construction. There are 70 species of birds already documented by a two year study including 5 raptor species, (including documented picture of mating Red shouldered hawks) along with documented otter sightings. None of this was mentioned in the study or the effects of this project on those biological resources.

13

(The bird survey was a joint project between Mt Diablo Audubon and Friends of Pleasant Hill Creeks). The General Plan Consistency determination is not a valid conclusion based on the arguments presented in this document.

In Conclusion, This DEIR has so much missing data and invalid assumptions that it is hard for me to see how the City can except such a flawed document. I hope that those reviewing this document will see the many flaws and erroneous arguments and challenge First Carbon to do a better job at analyzing and drawing their conclusions. I think that it is important for a DEIR to accurately describe the environmental impacts that the project causes because they are much harder if not impossible to mitigate after the project is built. It will require the City and thus the Citizens of Pleasant Hill to bear the costs and endure the degradation of trying to reverse any unwanted impacts generated by this project that were not accurately discussed and removed or mitigated during the design phase of the project.

14

Sincerely

Wendy Gollop and Alan Bade

280 Longfellow Dr

Pleasant Hill CA 94523

Wendy Gollop and Alan Bade (GOLLOP_BADE)

Response to GOLLOP_BADE-1
The comment provides introductory remarks. No response is necessary.

Response to GOLLOP_BADE-2
The commenters express concern with respect to an increase in cut through traffic on Longfellow Drive and Pleasant View Drive. They also express concern with the lack of walking and biking facilities along Pleasant View Drive and conflicts with vehicles.

The proposed plan is not expected to appreciably increase the level of cut-through traffic on neighborhood roadways in the surrounding area. Assigning project trips to a variety of "cut-through routes" on minor roadways could dilute the potential effect of project traffic on the roadway system, and understate the overall impact of traffic associated with the proposed plan.

Based on guidelines developed by the Contra Costa Transportation Authority, potential study intersections to include in a TIA are typically identified by the level of traffic that a project could add to a specific location, with a 50-vehicle trip increase to a signalized intersection during either the morning or evening peak-hour established as a typical threshold requiring analysis. Based on the level of vehicle traffic generated by the proposed plan, very few intersections in the study area meet the threshold for requiring analysis.

The segment of Longfellow Drive referenced in the comment connects Keats Circle (which intersects with Oak Park Boulevard) and Patterson Boulevard. Direct access to a retail center as well as several single-family homes is provided from Longfellow Drive. Given the location of Longfellow Drive to the plan area, the proposed plan is not expected to add through traffic to this roadway facility.

With respect to walking and bicycling facilities, the Draft EIR acknowledges that there are many streets within the vicinity of the plan area that do not provide bicycle or pedestrian facilities, including some portions of Oak Park Boulevard. As part of the proposed plan, bicycle and pedestrian facilities would be improved along the project frontage, and connections to transit would be enhanced. The proposed plan's contribution to added vehicle traffic on streets without pedestrian and bicycle facilities was acknowledged in the TIA; these increases did not rise to a level of significance under CEQA. In addition, the City is currently undertaking a General Plan Update, which will identify citywide strategies to improve bicycle and pedestrian facilities.

Response to GOLLOP_BADE-3
The commenters assert that traffic apps direct traffic into neighborhoods. The comment does not identify any areas where the transportation analysis contained in the Draft EIR fails to meet the legal requirements nor does it identify any significant impacts that are not adequately discussed in the Draft EIR. No response is necessary.

Response to GOLLOP_BADE-4
The commenter questions the significance conclusions in the TIA given the data provided in Tables 11 and 12 of Appendix J.

The findings of significance in the TIA are based on significance threshold that are presented in the TIA and the Draft EIR (see Section 3.15, Transportation). While the effects of the added vehicle traffic from the proposed plan may be noticeable in the immediate study area, those effects do not rise to a level of significance under CEQA.

Response to GOLLOP_BADE-5
The commenters assert that the TIA was completed without specific information about details of the Oak Park Properties Specific Plan and that its conclusions are not accurate. Generally, a project description must contain "a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences."[52]

CEQA Guidelines specifically state that a project description "should not supply extensive detail beyond that needed for evaluation and review of the environmental impact." Specifically, CEQA requires a "**general description** of the project's technical, economic, and environmental characteristics, considering the principal engineering proposals if any and supporting public service facilities."[53]

Accordingly, EIRs are not required to include an extensive recitation of every detail. Instead, the project description should describe the main features of a project. EIR project descriptions are inadequate when the EIR limits the scope of environmental review by artificially narrowing the project description, thus minimizing the project's impacts and limiting review. The description of the Specific Plan complies with all legal requirements for a project description articulated in Section 15124 of the State CEQA Guidelines.

Response to GOLLOP_BADE-6
The commenters raise concern about the size of the houses and their setbacks.

The Oak Park Properties Specific Plan sets forth site development standards for the Residential Project (see Table 3.9-6 and Table 3.9-7 in Section 3.9, Land Use).[54] As discussed under Impact LUP-1, the Residential Project would be compatible with the Pleasant Hill 2003 General Plan land use designations in the vicinity as well as the general development pattern of residential neighborhoods further south in the City of Walnut Creek and the educational uses to the north. Moreover, the proposed plan would be consistent with the Pleasant Hill 2003 General Plan policies adopted for the purpose of avoiding or mitigating an environmental effect (see Table 3.9-8).

The City would adopt the proposed plan to guide future development within the plan area. The proposed plan describes the distribution, location, and extent of land uses (including open space). Pursuant to the proposed plan, the Residential Project would be required to adhere to proposed building standards and design criteria (including landscaped areas) as set forth in the Specific Plan and design guidelines. The land use schedule generally defines the permitted, conditional, and temporary and accessory uses within the area covered by the proposed plan. Adherence to the policies set forth in the proposed plan and review of the proposed plan by the Architectural Review

[52] Dry Creek Citizens Coalition v. County of Tulare (1999) 70 CA 4th 20, 26.
[53] CEQA Guidelines Section 15124(c); emphasis added.
[54] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.9-14 and 3.9-15. August.

Commission and the Planning Commission prior to approval would ensure compatibility with community standards including any development standards regulating setbacks.[55]

Response to GOLLOP_BADE-7
The commenters state that the Draft EIR does not provide the source for the student generation rate.

The generation rates used in the Draft EIR were 0.2 elementary school students per unit, 0.2 middle school students per unit, and 0.17 to 0.25 high school students per unit resulting in 21 elementary school students, 21 middle school students, and 18 to 26 high school students for a maximum of 68 students. These rates were taken from nearby Walnut Creek School District and Acalanes Union High School District.[56] The Specific Plan uses generation rates of 0.1789 (elementary school students), 0.0879 (middle school students), and 0.0997 (high school students) which were provided by the School Fee Justification Study dated April 10, 2018. The Draft EIR provides a higher generation rate than the Specific Plan, and the Draft EIR concluded that impacts to schools would be less than significant. Therefore, the rates provided in the Specific Plan, which are lower than the rates in the Draft EIR, would also result in a less than significant impact to schools.

Response to GOLLOP_BADE-8
The commenters state that the Draft EIR does not evaluate the impacts of amplified noise from the new ball fields associated with the Civic Project. The commenter notes that on October 6, 2019, an event was held adjacent to the project site and amplified noise could be heard at their residence on Longfellow Drive.

Please refer to Response to BADE.2-1.

Response to GOLLOP_BADE-9
The commenters state that there was a lack of parking during an event on October 6, 2019, and expresses concern regarding a lack of parking during operation of the proposed plan.

For impacts related to closing the existing library and use of a temporary library, please refer to Master Response 3—Parking.

Response to GOLLOP_BADE-10
The commenters express concern with the spacing of the houses and fire spread.

The Residential Project would comply with the California Building Standards Code (CBC), which is adopted by the Contra Costa County Municipal Code. In compliance with the California Fire Code, Part 9 of the CBC, the Residential Project would follow standards for fire safety including any spacing requirements, fire flow requirements for buildings, fire hydrant location and distribution criteria, automated sprinkler systems, and fire-resistant building materials.[57] Additionally, the development would comply with the setback standards set forth in the Oak Park Properties Specific Plan, which are currently under review by the City and will be approved or denied by the City Council.

[55] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Page 3.9-30. August.
[56] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Page 3.12-14. August.
[57] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Page 3.12-11. August.

Response to GOLLOP_BADE-11
The commenters express concern about the proposed storm drainage improvements.

Please refer to Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements. The project sponsor for the Civic Project has submitted a notification of Lake and Streambed Alteration Agreement (LSAA) to the CDFW to address impacts to riparian features. As of November 12, 2019, the CDFW has deemed the application complete indicating that sufficient information has been provided. The City is studying alternate methods of slope protection at the outfalls in accordance with recommendations of the USACE Stability Thresholds for Stream Restoration Materials, including the use of less rock protection and may refine the design in coordination with the USACE and the CDFW, as well as the RWQCB.

Response to GOLLOP_BADE-12
The commenters assert that there are many flawed assumptions included in Oak Park Properties Specific Plan (Appendix K of the Draft EIR) and provides text from the County's 50 Year Plan.

As described in Section 3.3, Biological Resources, the City is proposing to use a combination of riprap and vegetation in discrete sections at the outfall locations and not along the entire length of the Grayson Creek channel. Areas of permanent impact that receive hard treatments (e.g. riprap) to prevent erosion will have native planting (e.g. willows [*Salix exigua*]) incorporated into the design to provide habitat for wildlife and water quality functions as well as bank stabilization. Integration of brush layering, pole planting, and live siltation techniques will be used during riprap placement to ensure contact with native ground. Vegetation includes willow cuttings, and graded granular filter or filter fabric will be used to improve root penetration; and cobbles, gravel, and soil will be placed around cuttings. Vegetation that is currently absent will help to provide a natural streambank and buffer along the creek. The combination of riprap and vegetation will improve habitat function and erosion control along Grayson Creek compared to its current condition.

The City will maintain the Grayson Creek outfall improvements and will implement BMPs in a manner to minimize indirect effects, just as it does for any of its storm drainage improvements within creek channels as described in Section 3.8, Hydrology, in the Draft EIR. A SWPPP will be implemented during construction, and a Stormwater Control Plan has been developed and will be implemented, following construction. The proposed improvements include upgrades to existing stormwater outfalls and construction of bioretention ponds, as well as storage and detention of stormwater at the site of the proposed sports fields during extreme rain events (such as 100-year events). The hydrological analysis indicates that the inclusion of bioretention features in the design of the proposed plan results in a reduction of peak flows for the 25-year storm event in the post-development model. The proposed improvements are therefore not expected to negatively impact the downstream Lower Walnut Creek Restoration Project.

Response to GOLLOP_BADE-13
The commenters provide text from Section 22A from the Pleasant Hill 2003 General Plan and state that there are 70 species of bird documented by a 2-year study including five raptor species.

Please refer to Response to FPHC-2.

Response to GOLLOP_BADE-14
The commenters assert that the Draft EIR is missing data and includes invalid assumptions.

This comment does not provide an example of what causes the analysis in the Draft EIR to be incomplete, inaccurate, or inadequate for purposes of CEQA. The Draft EIR contains sufficient information and has an accurate and detailed description sufficient to inform decision-makers of the Specific Plan's potential environmental effects.

Response to GOLLOP_BADE-15
This comment includes the photograph referenced in comment GOLLOP_BADE-11. No further response is required.

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From: biozoid@mail.com [mailto:biozoid@mail.com]
Sent: Saturday, September 14, 2019 10:58 AM
To: Troy Fujimoto <Tfujimoto@pleasanthillca.org>
Subject: Comments on Oak Park Properties E.I.R.

Animal life (aka wildlife) is difficult to assess over a short survey period so here's some help, especially as it concerns a rarely seen creature which was not mentioned in the EIR. I, regularly, have walked the area with a dog and collected litter.

I would like to ammend the EIR with these observationd:

PACIFIC RING-NECK SNAKE: Actually on-site! This is my report to the librarian.

****

***From:** biozoid@mail.com [biozoid@mail.com]

***Sent:** Friday, April 19, 2019 3:33 PM
***To:** Patrick Remer
***Cc:** grynaf@yahoo.com
***Subject:** Ring-necked snake found at proposed site of new Contra Costa library branch

*

*Patrick:

*I found a Pacific ring-necked snake (Diadophis punctatus amabilis) on approx. April 2015 (shortly before my cellphone

*with pictures of it was stolen), under a board, just outside (south) of the fence surrounding Pleasant Hill Middle School's *running track and about 50 yards from the creek east of the school. This puts the species on the site of the proposed *new Pleasant Hill branch of the Contra Costa Library.

*

*A photo of a similar Contra Costa form of the snake can be seen californiaherps.com

*

*Cheers,

*

*Dennis Harris

1

****

The location of the snake in terms of the EIR maps is about 200 feet due west of the creek, just south of the northern fenceline. I left it where I found it.

1
CONT

FOOTHILL YELLOW-LEGGED FROG (RANA BOYLII)

The species is mentioned in Table 2: Special Status Wildlife Species Potentially Occurring Within the Project

The status code is "CT" fide CDFW which is not defined in the report. Shall we assume "California Threatened."

2

There is a population of these frogs that use the water feature in the front yard of 14 Amber Lane, Lafayette, CA, rather near the Lunardi's Market ca. 2 miles from the Oak Park site. I have not seen them in the stream next to the proposed development, but I wouldn't think "unlikely to occur" is the best entry for Table 2.

OTHER REPTILES AND AMPHIBIANS that frequent the site and/or stream:

Alligator lizard (Elgaria multicarinata) -- one seen on the library front walk.

Western Fence lizard (Sceloporus occidentalis) -- commonly seen.

3

California Slender Salamander (Batrachoceps attenuatus) -- common in my yard and probably a main food item of ring-necked snakes.

Sierran Treefrog (Pseudacris sierra) -- I've heard it's calls by the stream.

Submitted by Dennis M. Harris, Herpetologist, Taxonomist

925/937-3149

513 Patterson Blvd

Pleasant Hill, CA 94523

Dennis Harris (HARRIS)

Response to HARRIS-1

The commenter references their personal experience walking on or near the site and encountering Pacific ring-neck snake (*Diadophis punctatus amabilis*).

This species is not a listed or sensitive species and their localized populations would not be significantly impacted by implementation of the proposed plan. Implementation of the mitigation measures already identified in the Draft EIR would also reduce impacts to these species, to the extent practicable.

Response to HARRIS-2

The commenter notes that the CDFW status code "CT" is not listed in Table 2: Special-status Wildlife Species Potentially Occurring Within the Project, in Appendix D of the Draft EIR. The commenter also states that a population of yellow-legged frog (*Rana boylii*) inhabits a water feature in Lafayette, California, approximately 2 miles south of the Civic Project site and disagrees with the determination that they would be "unlikely to occur" on the Civic Project site. The commenter notes that he has not seen yellow-legged frog within Grayson Creek.

The errata includes an updated Table 2, in which the status code "CT" is clarified as California Threatened.

As noted in Table 2: Special-status Wildlife Species Potentially Occurring Within the Project, in Appendix D of the Draft EIR, there is a lack of suitable habitat and extremely high level of disturbance within the Civic Project site. In addition, there is a lack of deep water depth and a lack of recorded sighting within or nearby the Civic Project site. Therefore, the determination of "unlikely to occur" is appropriate.

Response to HARRIS-3

The commenter lists reptile and amphibian species that frequent the plan area and Grayson Creek based on their personal experience living and walking near the Civic Project site.

None of the species listed by the commenter is a sensitive species, and their localized populations would not be significantly impacted by construction of the Civic Project. Implementation of the mitigation measures already identified in the Draft EIR would also reduce impacts to these species, to the extent practicable.

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October 15, 2019

City of Pleasant Hill Planning Division
100 Gregory Lane, Pleasant Hill, CA

Comments to Oak Park Properties Specific Plan, DEIR, Residential Properties

The DEIR, does not have sufficient traffic data on the impact on surrounding properties and residential streets especially in regards to the cumulative impact report.

Appendix J

Pages 8 and 46

. • The addition of project traffic at a study intersection would result in the 95th percentile vehicle queue exceeding the available storage or would increase 95th percentile queue by more than two vehicles where the queue already exceeds the available storage space (for example, vehicle queues extending beyond the available turn pocket length, impeding travel in the adjacent lanes) 1

The amount of traffic associated with the project was estimated using a three-step process: 1. Trip Generation – The amount of vehicle traffic entering/exiting the site was estimated. 2. Trip Distribution – The direction trips would use to approach and depart the area was projected. 3. Trip Assignment – Trips were then assigned to specific roadway segments and intersection turning movements. 2

Cumulative Conditions

Much like Pleasant Valley Dr/OakPark , Eccleston Avenue is frequently used as a thorough fare from Putnam Blvd. to access Oak Park Blvd as is McNutt Blvd.

Questions:

Why isn't the safety of pedestrians and bicyclists being studied on the intersection of Eccleston Avenue and Oak Park Blvd? . 3

What is the vehicle cue impact on Eccleston Avenue ? 4

What is the vehicle cue impact on McNutt Blvd? 5

How will the fire department access be impacted (hydrant near Oak Park on Eccleston Avenue)? 6

Will the cumulative impact of these projects impede travel in adjacent lanes? 7

Recommendation: In order to do a complete EIR for the surrounding area , the impact of these multiple projects needs to be thoroughly studied on Eccleston Avenue and McNutt Blvd. This street is located directly across from the new library site, and the new expanded Fountain Head day care center (Oak Park & Eccleston Avenue, where the drop off is currently slated to either enter or exit on Eccleston Avenue) and is used as a thorough fare from Putnam Blvd to Oak Park Blvd, as is McNutt Blvd . The impact of additional traffic and safety needs to be thoroughly studied . 8

Page 2

Cumulative Conditions Impacts and Mitigation

Page 60

Transit Accessibility County Connection…. Recommendation 6: Consider working with County Connection to provide an eastbound bus stop on the south side of Oak Park Boulevard, just east of Monticello Avenue. These recommendations are the same for the existing and cumulative conditions. 9

Questions:

1. What will the traffic impact be of a bus stop on the south side of Oak Park Boulevard?
2. What is the safety impact?
3. How will this impact side street visibility?

Appendix H Floodplain-Evaluation
Comments: Additional clarification on how rain runoff /basins will work is needed.
Questions/comments

10

1. In an area already prone to flooding, will the Bioretention Basins be providing flood protection for surrounding areas? Will they be used to manage runoff so that current conditions are improved?
2. If Basins are only to mitigate, who will measure and ensure that no additional runoff as a result of these projects impacts surrounding neighborhoods? What will be the consequence if it does? 11

Leslie Kelley

3216 Eccleston Avenue Walnut Creek, CA

Leslie Kelley (KELLEY)

Response to KELLEY-1
The commenter states the Draft EIR does not have sufficient traffic data to fully analyze the project's impact on surrounding properties, residential streets, and the cumulative impact determination. The commenter then cites information from pages 8 and 46 from the TIA.

The citation provided by the commenter restates the significance threshold. The commenter makes a general statement that there is not sufficient traffic data, but does not provide support for that assertion. The TIA provides an evaluation of Cumulative Conditions that includes Cumulative Plus Plan Conditions for intersection level of service, vehicle queues, signal warrants, transit, bicycle, and pedestrian circulation and facilities. As discussed in the TIA and the Draft EIR, and as analyzed against the significance thresholds, the addition of traffic associated with implementation of the proposed plan would result in less than significant impacts for all thresholds of significance under the Cumulative Plus Plan Condition.[58,59]

Response to KELLEY-2
The commenter summarizes the TIA's methodology and restates the Cumulative Conditions description of Eccleston Avenue.

The comment is noted and no further response is required.

Response to KELLEY-3
The commenter asks why the safety of pedestrians and bicyclists on the intersection of Eccleston Avenue and Oak Park Boulevard is not being studied as part of the Draft EIR.

The TIA evaluated pedestrian bicyclist safety on Eccleston Avenue as it is located approximately 200 feet from the intersection of Oak Park Boulevard at Monticello Avenue, and approximately 190 feet from the mid-block crossing of the EBMUD Trail on Oak Park Boulevard. Pedestrian and bicycle crossings are provided to the east and west of the Eccleston Avenue/Oak Park Boulevard intersection, at both the Oak Park Boulevard/Monticello Avenue and EBMUD Trail/Oak Park Boulevard intersections. The proposed plan is not expected to add vehicle traffic to Eccleston Avenue and thus would not increase potential traffic conflicts with pedestrians and bicyclists crossing Eccleston Avenue at Oak Park Boulevard.

Response to KELLEY-4
The commenter asks what the vehicle queue impact of the plan would be on Eccleston Avenue.

The addition of traffic associated with the proposed plan on Oak Park Boulevard is not expected to significantly change the levels of vehicle queuing on Eccleston Avenue. Additionally, improvements constructed as part of the proposed plan at the Oak Park Boulevard and Monticello Avenue intersection are expected to reduce the level of westbound vehicle queue spillback on Oak Park Boulevard around school bell times that periodically extends past Eccleston Avenue.

[58] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.14-70 through 3.14-74. August.
[59] Fehr & Peers (F&P). April 2019. Oak Park/Monticello Mixed-Use Project Final Transportation Impact Analysis. Pages 47-56.

Response to KELLEY-5
The commenter asks what the vehicle queue impact of the proposed plan would be on McNutt Boulevard.

McNutt Avenue connects Putnam Boulevard to Eccleston Avenue. The proposed plan would not affect the extent of vehicle queues on Putnam Boulevard at Oak Park Boulevard. Existing vehicle queues on Putnam Boulevard that periodically impedes access to and from McNutt Avenue from Putnam Boulevard are not expected to change with implementation of the proposed plan. Therefore, the vehicle queue impact to McNutt Avenue is negligible.

Response to KELLEY-6
The commenter asks how fire department access would be impacted by the proposed plan and lists a fire hydrant near Oak Park Boulevard and Eccleston Avenue.

Access to fire hydrants in the area is not proposed to change as part of the proposed plan. Additionally, the Fire Department is reviewing all improvement plans to ensure that adequate access to fire hydrants is maintained. As discussed in Impact TRANS-4 in Section 3.14, Transportation, in the Draft EIR, all access points would be required to comply with Pleasant Hill Municipal Code Chapter 14.05, requiring a fire apparatus access roadway have a minimum width of 20 feet and be capable of providing a minimum standard turning radius of 25 feet inside and 45 feet outside.[60]

Response to KELLEY-7
The commenter asks if the cumulative impact of both the Civil and Residential projects would impede travel in adjacent roadway lanes.

It is not clear as to what specific lanes the commenter is referring to. However, the intersections in the study area are projected to operate at acceptable levels of service during peak hours. Therefore, travel impedance in the study area is not anticipated.

Response to KELLEY-8
The commenter states that the Draft EIR needs to analyze the traffic and roadway safety impacts of the Residential and Civic projects on Eccleston Avenue and McNutt Boulevard.

Approved and pending projects in the immediate study area, including the Fountain Head Day Care Center, were considered in the cumulative evaluation, including regional growth analysis. Additionally, the Fountain Head Day Care Center was required to provide a detailed assessment of site access and circulation to their site. As this development, as well as others, was already accounted for in the analysis, no additional assessment is necessary.

Response to KELLEY-9
The commenter restates text from the TIA regarding transit accessibility and includes Recommendation 6, which discusses working with County Connection to provide an eastbound bus stop on the south side of Oak Park Boulevard east of Monticello Avenue. The commenter then asks what the traffic, roadway safety, and site distance impact would be from this recommendation.

[60] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.14-67 through 3.14-69. August.

Providing a bus stop on the south side of Oak Park Boulevard would improve transit accessibility to and from the library and sports fields by providing a transit stop at a location with a signalized pedestrian crossing at Oak Park Boulevard and Monticello Avenue, as well as a sidewalk connection. CEQA requires an analysis of whether a project would "conflict with a program, plan, ordinance, or policy addressing the circulation systems, including transit, roadway, bicycle, and pedestrian facilities." This bus stop would comply with all policies and provisions set forth by the City of Pleasant Hill, including those policies and provisions related to transit accessibility and roadway safety. Furthermore, this bus stop would operate similarly to how bus stops operate at other locations along Oak Park Boulevard and would not represent an unusual condition.

Response to KELLEY-10
The commenter asks for additional clarification on how the proposed bioretention basins would work and how they would provide flood protection for surrounding areas.

Please refer to Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements.

Response to KELLEY-11
The commenter asks who will measure and ensure that no additional runoff as a result of these projects would impact surrounding neighborhoods and what the stormwater impacts of the projects would be.

The new drainage facilities (including the bioretention areas and athletic fields) are designed to ensure that no increase in surface water runoff would occur during storm events. The modeling and quantitative analysis included in the Floodplain Evaluation Report (Appendix H) was used to support the design of the proposed improvements. The proposed improvements would be publicly owned by the City (storm drainage pipes and outfalls) and the Recreation and Park District (bioretention areas and overflow areas on the athletic fields), who would be responsible for ongoing maintenance.

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On Wed, Apr 17, 2019 at 1:10 PM Giles G Miller <gilesgmiller@gmail.com> wrote:

Council Member Flaherty,

I hope you are well.

As you know, I am a resident of Hook Ave. I have made Pleasant Hill my home for 22 years. I love my community. 1

I have been watching some of the back and forth discussions and meetings regarding the new library and additional development on the Oak Park / Monticello Ave property. I think that anything we do to make Pleasant Hill a wonderful place to live, work, and play is great. With all change comes some temporary discomfort, but as they say, this too shall pass. Because I do not have kids, or a particular need to use a library, I don' t have an opinion on the gap in time between tearing down the old building and the completion of a new one. In addition, I think that adding new homes to the area boosts property values and tax revenues. There is one major concern I do have about the proposed development of the overall site. FLOODING!

My home, and those of dozens of my neighbors, sits squarely in Zone AE. In the past 22 winters, I have seen the street flood up to my garage door about 15 times. For whatever celestial or man caused reasons, the past 4 years instances have been particularly frequent. There is a culvert that runs between my home and my neighbor to the South that flows over to the creek along the walking trail. When the creek rises, the culvert backs up and the water has no where to go. It can get up to 2+ feet deep and makes the street impassable. I am the neighborhood flood geek and it is my job to call PH Emergency services to send out some traffic control staff to place caution cones at either end of the block to prevent cars from trying to ford the stream. This has caused many a sleepless rainy night. 2

Homes in flood zones are required to have flood insurance by their mortgage holder. I write a $2100 check every year for the privilege of having said insurance. I guess knowing that when global climate change is complete in the next 20 or so years, I may have an opportunity to submit a claim. In the mean time, it's a pretty hefty chunk of change each year.

So that is my concern...flooding.

Here are my questions...

- ***What are the leaders and planners of Pleasant Hill doing to address problems of flood prone areas of the city?*** 3
- ***What run off mitigation will be included in the plans for the Oak Park development?*** 4
- ***What is planned for the creeks capacity to be increased to allow for more run off from newly paved land?*** 5
- ***How will the city engage the residents who will (potentially) effected by increased up slope development?*** 6
- ***What ever happened to the catchment basin?***

These are thoughts that do keep me awake at night. I know that my neighbors feel the same way. Council Member Flaherty, what can you say or do to address our concerns? 7

Thank you for your service to out city,

Giles Miller

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Giles G. Miller, Letter 1 (MILLER.1)

Response to MILLER.1-1
The commenter provides introductory statements, personal background, opinion about the temporary impacts of the proposed plan, and states their main concern regards flooding.

Please see Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements.

Response to MILLER.1-2
The commenter describes the existing flooding conditions that have occurred in their neighborhood and the cost of flood insurance.

The comment is noted; please see Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements.

Response to MILLER.1-3
The commenter asks what the City of Pleasant Hill is doing to address flooding in flood prone areas.

Please see Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements.

Response to MILLER.1-4
The commenter asks what mitigation the proposed plan would provide to address stormwater runoff.

Please refer to Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements.

Response to MILLER.1-5
The commenter asks what planned improvements to Grayson Creek would do to address the increased runoff generated from additional paved areas as part of the Civic Project.

No increase in creek capacity is proposed as part of the Civic Project. The only planned improvements within Grayson Creek are to upgrade three existing outfall structures, including include erosion control measures such as the provision of riprap or alternative methods at the outfalls for energy dissipation, and mitigation planting adjacent to these outfalls. Please refer to Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements.

Response to MILLER.1-6
The commenter asks how the City of Pleasant Hill will engage residents impacted by upslope development.

The Draft EIR provides information regarding the proposed storm drainage improvements. The public had the opportunity to comment on the Draft EIR and the public comment period on the Draft EIR ran for 45 days (from August 30 to October 15).

Response to MILLER.1-7
The commenter asks what happened to the stormwater catchment basin and expressed that flooding is a major concern of nearby residents.

Following the storms of 1997 in the City of Pleasant Hill, interest in a flood protection project in flood plain areas was rekindled. In 2001, the Contra Costa County Board of Supervisors formed the South Pleasant Hill Ad Hoc Policy Task Force and the USACE began a Reconnaissance Study to determine if the catchment basin project was worth a second look. The USACE completed their Reconnaissance Study for Grayson Creek and Murderer's Creek in March 2003. Through this study, the USACE determined that there was enough federal interest in a proposed flood control project to reduce historical flooding along both Grayson Creek and Murderer's Creek and to proceed with the next step—a Feasibility Study. In 2003, the City of Pleasant Hill and the Flood Control District entered into an agreement to equally share the local cost of the USACE Feasibility Study. Phase 1 of the Feasibility Study was completed in March 2007, and the investigations and analysis justified proceeding with Phase 2 of the Feasibility Study. The Phase 2 study was substantially completed in 2013, and the USACE concluded that none of the project alternatives had sufficient cost/benefits ratios to justify the project cost and compete at a national level for grant funds. The City Council has since concluded that there are not sufficient funds (estimated at $40 million or more) or funding opportunities for a detention basin project.

The Civic Project would not worsen flooding conditions in the plan area or the surrounding areas. Please refer to Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements.

From: **Giles G Miller** <gilesgmiller@gmail.com>
Date: Wed, Sep 18, 2019 at 2:33 PM
Subject: Re: Oak Park development
To: Tim Flaherty <flaherty4ph@gmail.com>

Hello Tim,

Winter is coming...

I have been keeping one eye on the debate and competing interests around the developments proposed along Oak Park. It does seem to be a LOT of building, covering over of open space, and increased traffic and congestion. I don't have a strong opinion on any one issue at this time, but give me a chance.

1

I am still VERY concerned about the potential that all this asphalt will have on the drainage just up slope from my house. (and don't get me started about the Molino property!) I really need to know, ***as do all those in my neighborhood***, what the city is going to do about the increased runoff from the paved plots of land. I think it is time you have some dialogue with those who will be affected by the plans as they exist.

A timely reply with input from city staff would be appreciated.

Thank you,

Giles

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Giles G. Miller, Letter 2 (MILLER.2)

Response to MILLER.2-1

The commenter restates their concern with the amount of existing pervious surface that would be covered by impervious surfaces that would create additional stormwater runoff. In addition, the commenter asks for continued dialogue between residents in the flood prone areas and the City.

Please refer to Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements.

There will be opportunities for public discussion as the project goes through the entitlement process.

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October 14, 2019

Dear Mr. Fujimoto,

Please accept the following review comments for the Oak Park/Monticello Site Program Area Draft EIR.

In reading the DEIR, I found nothing that addresses the old library closure impact to PH Middle School students as well as the impact of the temporary library to the members of the Senior Center. These are huge social impacts that should be added so this study truly addresses the complete impact this project will have to the community. 1

In preparing to review the DEIR, I came across the League of California Cities "10 Things To Look For In An EIR" document. Following their suggestion in Item #9 – "Do perform independent analysis of the evidence provided", I am asking below for three new independent studies. One for the ball field lighting, one for shared ball fields & library parking and a Senior Center traffic/parking study.

BALL FIELD LIGHTING

I request that an **independent ball field lighting analysis**, not just a peer review, be completed and added to the EIR.

The DEIR's current Lighting Peer Review Memo, Appendix B, from Lindsley Architectural Lighting is inadequate for such an important issue. The review provides no specific information to confirm the review's findings.

This review did find that the proposed ball fields lighting plan will make a significant difference in the residential nightscape from the current usage. The review confirms that the area that will be impacted currently has a LZ1 (Low Ambient Lighting) nighttime environment so it will be adversely affected by the ball field lighting. 2

This review also found that the 70' high lighting poles would extend the bright light to the east across Grayson Creek Corridor, over the off-site EBMUD Trail, impacting the single-family homes to the east. Although the review did not refer to them, the new housing as well as the single-family homes to the south will also be impacted.

This review found that ball fields development lighting will include fly ball up lighting which does not comply with the City requirements. The review also found that lighting and library facility would exceed the City's threshold of .2 foot candles adjacent to residential zones.

These findings highlight the need for an independent ball field lighting analysis to ensure that lighting levels will not exceed City lighting standards.

The review's recommendation that, "after installation, further adjustments be made to the angle of the lighting for the Ball Field to help minimize the obtrusive lighting" speaks for itself – this lighting will be obtrusive. The stated need to adjust the lights later highlights the need now for an independent ball field lighting analysis, before the lighting goes in. 2 CONT

SHARED PARKING

I request that an **independent shared ball fields and library parking analysis** be completed and added to the EIR.

While it has been stated that CEQA might not need to address parking, there are court cases that have said just the opposite. The courts have stated: "cars and other vehicles are physical objects that occupy space when driven and when parked" and thus "naturally must have some impact on the physical environment".

But we are reviewing the City's plans for our Measure K funded facilities and addressing the parking constraints absolutely needs to be addressed. Please recall that the July 24th property swap was due to parking space concerns. Even if CEQA does not require a parking space study, as a concerned citizen, it is clear that the numbers in the DEIR are questionable. Now that you have published these questionable numbers, it is critical that a parking space study be done to review this information before the EIR is completed. 3

The DEIR states that the Civic Project would include 30 parking spaces at the northwest corner of the ballfields at the intersection of Monticello Avenue and Santa Barbara Road. The DEIR also states that the shared parking lot for the library and ball fields would include 135 parking spaces, thus providing a total of 165 parking spaces.

But Table 3.14-12 has the numbers of fields incorrect. It states: "On a weekday, peak parking demand on a tournament evening was 290 spaces or 36.25 spaces per field that was in use. On a Saturday, the peak parking demand was 231, or 33 spaces per field that was in use."

Please note that 290 divided by 36.25 = 8 fields. And that 231 divided by 33 = 7 fields.

R & P only owns 5 existing ball fields in the project area. It appears that this simple survey might have included the 3 fields that are owned by MDUSD. It is not correct to assume use of the parking spaces at the rear of the Middle School to determine this project's available parking. The parking at the rear of the Middle School is packed at night with students attending Adult Education night classes. Please provide specific data on determining that there really are 290 parking spaces available.

This EIR needs to resolve the following parking space problem. If using the 5 existing fields that R & P owns as a go-by, 290 divided by 5 = 58. So the two new ball fields parking needs would be 58 X 2 = 116. Add 116 to the stated library requirements of 77 spaces on weekdays and 61 spaces on weekdays. This addition shows that there is a major problem here. 116 + 77 = 193 spaces and 116 + 61 = 177 spaces, both far exceeding the 165 parking spaces being provided.

The Final Transportation Impact Assessment in Addendum J highlights the trouble with the parking plan. Fehr & Peer's report amazingly suggests Recommendation #8, that the City limit formal usage of the sports fields to one field during normal library operating hours. This has one positive about it, this would also help get rid of some of the obtrusive ball field lighting problem.

Also note that the stated number of spaces required at the library does not match the number noted in Table 3.1-3. Given all of these concerns, the residents of PH require, and I request that an **independent shared ball fields and library parking analysis** be completed and included in the EIR.

3
CONT

SENIOR CENTER PARKING

The following DEIR statement is unacceptable. Library hours or Senior Center use should not be impacted by a sports league event. There is a clear need and I request that an **independent Senior Center traffic and parking analysis** be completed and included in the EIR

"Monitor parking demand at the senior and teen centers when temporary library uses occupy both sites and should a potential parking shortage be identified, develop a parking management plan to better accommodate temporary library uses. The parking management plan could include adjusting library hours, **adjusting Senior Center activities**, or directing residents of Pleasant Hill to utilize other nearby libraries."

4

In speaking to many members of the PH Senior Center, most have voiced fear of driving in that crowded parking lot with children running back and forth. This EIR would be negligent to not include an **independent Senior Center traffic and parking analysis.**

I appreciate this opportunity to express my concerns on what is going to eventually provide us with a wonderful new library. So many have worked very hard to get us to this point and I do appreciate everyone's efforts. I look forward to using that new library.

Regards,

Dick Offerman
2222 Heritage Hills Drive
Pleasant Hill, CA 94523
(925) 938-9364

10 Things to Look for in an EIR

Wednesday, May 8, 2019 General Session; 1:00 – 3:00 p.m.

Michael Hogan, Partner, Hogan Law APC

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Notes:

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CONT

2019 City Attorneys' Spring Conference

League of California Cities

REVIEWING AN EIR

(Ten Steps for Success)

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CONT

Michael M. Hogan

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REVIEWING AN EIR

Introduction

The California Environmental Quality Act (CEQA) requires cities and other lead agencies to prepare an environmental impact report (EIR) for proposed projects which may have a significant impact on the environment. An EIR is intended to identify the potential adverse effects of a proposed project and to recommend mitigation measures and alternatives which can avoid or reduce those impacts. Because many development projects are controversial, EIRs often are subject to legal challenges. As a result, city attorneys are regularly asked to review EIRs for compliance with CEQA's requirements before the documents are presented to the city council for certification.

This paper provides practical advice for city attorneys who are tasked with reviewing the adequacy and completeness of EIRs. Although this paper refers to EIRs, the "Ten Steps for Success" discussed below are equally applicable to other CEQA documents, including initial studies, negative declarations and addendums. The recommendations in this paper are based on CEQA's statutory provisions (Public Resources Code § 21000, et seq.), the CEQA Guidelines (California Code of Regulations, title 14, § 15000, et seq.) and the author's 25 years of experience in advising cities and other public agencies on their duty to comply with CEQA.

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CONT

Ten Steps for Success

1. Support Assumptions and Conclusions with Substantial Evidence
2. Verify All Numbers
3. Address the Question Asked
4. Analyze the Extent of Potential Significant Impacts
5. Address Post-2030 GHG Emissions
6. Make Mitigation Measures Effective and Enforceable
7. Use the Active Voice
8. Don't Defer Mitigation
9. Require Evidence of Infeasibility
10. Embrace Public Comments

5
CONT

STEP 1: Support Assumptions and Conclusions with Substantial Evidence

"Substantial evidence" includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. It does not include argument, speculation or unsubstantiated opinion or narrative. (CEQA Guidelines § 15384.)

For example, a determination that mitigation would "substantially" reduce significant impacts, which is not supported by facts or other evidence, is insufficient. (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502.)

- Do ask "why" or "who says so" with respect to all assumptions and conclusions

- Don't accept assumptions and conclusions at face value

STEP 2: Verify All Numbers

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CONT

Inconsistent or incorrect numbers in the text or appendices of an EIR may result in an unstable project description or the understatement of potential impacts. (See, e.g., *Ione Valley Land, Air and Water, etc. v. County of Amador* (2019) __ Cal.App.5th ___ [although appendix to DEIR contained accurate data, that data was not reflected in the text of the DEIR]; *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645 [inconsistencies in proposed aggregate mining project's estimated annual production caused project description to be inadequate and misleading].)

- Do check all numbers throughout the EIR

- Don't ignore the tables, figures or appendices

STEP 3: Address the Question Asked

EIRs often fail to address the specific question asked. This primarily occurs in two areas: (1) in an EIR's analysis of the "thresholds of significance" which are used to determine whether an impact is significant or less than significant; and (2) in the responses to public comments on the adequacy of a Draft EIR.

Thresholds of Significance (CEQA Guidelines § 15064.7)

- Do address the questions asked
- Don't combine separate questions

Responses to Public Comments (CEQA Guidelines § 15088)

- Do restate the comment's point or question in the response
- Don't ignore any points or questions raised in a comment

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CONT

STEP 4: Analyze the Extent of Significant Impacts

An EIR's designation of a particular adverse environmental effect as "significant" does not excuse the EIR's failure to reasonably describe the magnitude of the impact. (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502 [EIR deemed insufficient because it identified significant air quality impacts but failed to discuss the extent of such impacts].)

- Do discuss the magnitude or extent of significant impacts
- Don't skip from the nature of an impact to the necessary mitigation

Example:

Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

No soil or geologic conditions were encountered during the geotechnical investigation that would preclude the development of the property as presently planned, provided the recommendations of the geotechnical report and requirements under the California Building Code are followed. Therefore, impacts would be less than significant.

STEP 5: Address Post-2030 GHG Emissions

A lead agency must consider a project's greenhouse gas (GHG) emissions in light of the statewide reduction targets for 2030 and 2050. In considering the effect of a proposed project on these long-term targets, an EIR's analysis stays in step with evolving scientific knowledge and the state's regulatory scheme. (*Cleveland National Forest Foundation v. SANDAG* (2017) 3 Cal.5th 497.)

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CONT

Environmental analysis is expected to improve as more and better data becomes available. This expectation applies to all aspects of an EIR, including:

- Impact Analysis
- Mitigation Measures
- Alternatives

(See, e.g., *Cleveland National Forest Foundation v. SANDAG* (2017) 17 Cal.App.5th 413.)

STEP 6: Make Mitigation Measures Effective and Enforceable

CEQA requires an EIR to identify mitigation measures which are both effective and enforceable. "Effective" means the measures can reasonably be expected to avoid or reduce a potential significant impact. (CEQA Guidelines § 15126.4(a)(1)(A).) "Enforceable" means the measures are stated as conditions of approval in a permit, agreement or other legally binding document or incorporated into a plan, policy, regulation or project design. (CEQA Guidelines § 15126.4(a)(2).)

Do identify the four "W's" in every mitigation measure:

- Who
- What
- When
- Where

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CONT

STEP 7: Use the Active Voice

In *Sierra Club v. County of Fresno* (2014) 226 Cal.App.4th 704, the Fifth District Court of Appeal held that mitigation measures written in the passive voice are unenforceable because they fail to identify the person responsible for performing the mitigation. The Supreme Court declined to accept this view, holding that one could reasonably infer from the surrounding circumstances the identity of the person responsible for carrying out a measure. (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502.)

Nonetheless, use of the active voice should be encouraged because it increases the clarity of environmental documents.

- Do use the active voice

  ("The project applicant shall implement the following noise reduction measures during construction . . . .")

- Don't use the passive voice

  ("The following noise reduction measures shall be implemented during construction . . . .")

STEP 8: Don't Defer Mitigation

Don't put off for future study or determination what can be done now. If practical considerations preclude devising mitigation measures at the time of project approval:

5
CONT

- Do commit the agency to devising the measures in the future

- Do identify specific performance standards which the measures must achieve

- Do identify the types of potential actions that can feasibly achieve the performance standards

(CEQA Guidelines § 15126.4(a)(1)(B).) Brand names may be an appropriate substitute for performance standards. (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502 [EIR's specification of "PremAir or similar catalyst system" deemed a sufficient performance standard for HVAC systems].)

STEP 9: Require Evidence of Infeasibility

Like conclusions regarding significant impacts, findings of infeasibility must be supported by substantial evidence. (CEQA Guidelines § 15091(b).) The unsubstantiated opinions of project applicants do not constitute substantial evidence. (*Citizens of Goleta Valley v. Board of Supervisors of Santa Barbara County* (1988) 197 Cal.App.3d 1167.)

For development projects, economic infeasibility means the cost of a mitigation measure or alternative is so great that a reasonably prudent person would not proceed with the project. (*SPRAWLDEF v. San Francisco Bay Conservation & Development Com*. (2014) 226 Cal.App.4th 905.)

- Do require comparative cost, profit and economic data
- Do perform independent analysis of the evidence provided
- Don't accept unsupported assertions that mitigation measures or alternatives are too expensive

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CONT

STEP 10: Embrace Public Comments

Every public comment which raises a "significant environmental issue" is entitled to a meaningful response, including detailed explanations of why specific comments and suggestions are not accepted. Conclusory statements, unsupported by factual information, are not sufficient. (CEQA Guidelines §§ 15088, 15204.)

Use public comments to your advantage. The exhaustion doctrine requires objections to be sufficiently specific so that the agency has the opportunity to evaluate and respond to them. (*Sierra Club v. County of Orange* (2008) 163 Cal.App.4th 523 [must present "exact issue"].) Responses to comments are the last, best chance to prevent a successful legal challenge.

Responses to comments also present another opportunity for a lead agency to tell its story. Although written responses are not required for late comments, it is prudent to provide written responses to all comments regardless of when they are received. (CEQA Guidelines § 15207.)

When responding to comments:

- Do remember who your audience is
- Do repeat the comment in the response
- Don't use "Comment Noted"
- Don't be snarky or defensive

Example:

Comment: The proposed reverse-angle parking will be shunned by most drivers. 5 CONT

Response: Commenter has offered no evidence whatsoever to support this assertion. Section 2.4.6 of the EIR states unequivocally that reverse-angle parking would improve sight-lines for approaching bicyclists and motorists, which completely refutes commenter's interpretation.

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Dick Offerman (OFFERMAN)

Response to OFFERMAN-1

The commenter notes that the Draft EIR did not address the social impacts of closing the existing Pleasant Hill Library to Pleasant Hill Middle School students or members of the Senior Center. The commenter then requests that the Draft EIR conduct three new studies that analyze ball field lighting, shared sports fields and library parking, and Senior Center traffic/parking.

For impacts related to closing the existing library and use of a temporary library, please refer to Master Response 1—Schedule for Construction and Use of Temporary Library. For parking and lighting impacts, please refer to Master Response 3—Parking, and Master Response 4—Lighting.

Response to OFFERMAN-2

The commenter requests that an independent ball field lighting analysis be completed. The commenter states that the Lighting Peer Review Memo, provided in Appendix B of the Draft EIR, is inadequate to fully analyze lighting impacts from the proposed ball fields. The commenter explains that lighting from the ball fields (including fly ball up lighting) would extend across Grayson Creek and impact single-family homes, which would be in conflict with City of Pleasant lighting standards. The commenter also expresses concern regarding further adjustments being made for the ball field lighting after installation.

Please refer to Master Response 4—Lighting.

Regarding the post-installation adjustments recommended by the Lighting Peer Review Memo, these adjustments, if needed, are standard practice and would help to further reduce lighting impacts on surrounding neighborhoods.

Response to OFFERMAN-3

The commenter requests that an independent parking analysis be conducted for the proposed ball fields and library. The commenter states that parking should be evaluated in the Draft EIR because cars have a physical impact on the environment. The commenter then questions the methodology used for calculating the amount of parking near the project site and asks for specific data that demonstrates 290 parking spaces are available for the ball fields and library and notes that 290 divided by 26.25 equals eight fields, and 231 divided by 33 equals seven fields. The commenter assumes that eight fields were occupied on the weekday and the Saturday when parking counts were taken.

Parking counts were conducted as part of the TIA on a Saturday at 10:00 a.m., at noon on a day with tournaments at the athletic field, and on a typical weekday at 2:00 p.m. and 6:00 p.m. The parking surveys included on-street and off-street parking facilities, including parking facilities at Pleasant Hill Middle School. The parking survey results indicated that, on a weekday, peak parking demand on a tournament evening was 290 spaces. The reason for the discrepancy that the commenters notes is that on the weekday when parking counts were taken, eight fields were in use and only seven fields were in use on the Saturday when the counts were taken**.** The survey confirms that while some parking areas operate at or near capacity during some intervals, there is sufficient overall parking provided in the plan area such that parking spillover to adjacent neighborhood streets is minimal.

Although parking demand for any one use may be higher than presented in the Draft EIR or TIA during certain times or days, there is overall sufficient parking space supply to accommodate parking demand. In addition, given the various uses in the surrounding area, such as schools, parks, residential uses, and commercial retail uses, it is difficult to predict the exact level of parking demand for each individual activity in the plan area.

Overall, a peak parking demand of 40 spaces per ball field was used to estimate future parking demand associated with the Civic Project. As each sports team could include 12-15 participants, plus referees, and some spectators, the level of parking demand associated with each field (approximately 40), accurately represents the expected levels of activity on the sports fields (24-30 participants, plus support/spectators). The Civic Project would include a total of 165 parking spaces to support the use of both the library and sports fields. As part of the TIA, preparation of a shared parking agreement between the City and the Recreation and Park District was recommended such that parking could be shared between the uses to make efficient use of the off-street parking resource.

Response to OFFERMAN-4
The commenter request that an independent parking study be conducted for the Senior Center due to safety concerns and limited parking availability.

Neither the temporary library hours nor Senior Center hours are proposed to change based on sports league events. During the time when the library is temporarily inside the Senior Center, an assessment of parking at the Senior Center will be undertaken by the Recreation and Park District to inform the temporary library schedule at the Senior Center as well as identify strategies to best manage overall parking supplies at the Senior Center.

Response to OFFERMAN-5
The commenter includes the attachment, “10 Things to Look for in an EIR.”

No further response is required.

COMMENTS ON DRAFT EIR—OAK PARK PROPERTIES SPECIFIC PLAN

BACKGROUND:

This Draft EIR is being prepared by the City of Pleasant Hill to assess the potential environmental impacts that may arise in connection with actions related to implementation of the proposed plan.

REFERENCE DRAFT EIR Page 2-52 and 2-53 describing the Residential project proposed plan:

Construction of the Residential Project would require demolition of existing buildings and hardscaped/paved areas, including the vacant administrative offices, the County library building, the paved parking lot, trees, and landscaping, resulting in the removal of approximately 159,000 square feetof impervious surface and 59,000 square feet of pervious surface for a total of 218,000 square feet.

The County would relocate some of the library materials and services to a temporary library located at the Pleasant Hill Senior Center for approximately 18-24 months. The temporary library is expected to be open Monday to Saturday.

The Pleasant Hill Teen Center, located at 147 Gregory Lane, would be used for story-time and other programs when available.

Construction of the Residential Project is anticipated to start in June 2020 and finish in the summer of 2022.

1 COMMENT: PROJECT ALTERNATIVES (Chapter 6)
Under project alternatives, noticeably missing is consideration of an alternative to the proposed plan for the residential project, which would include keeping the existing library open during the construction of the new library. This being a logical approach (that is not in conflict with the project objectives) would allow execution the project with the least impact to public use and is conspicuous in its absence. Why was this alternative not considered, especially given the resolution passed by the Pleasant Hill City Council supporting such an alternative?

1

2 COMMENT : ECONOMIC AND SOCIAL EFFECTS:

CEQA guideline (15131) provides that a lead agency may require the addition of economic or social effects. The social and economic effects of the proposed residential plan to close the library two years earlier than necessary to meet the project objectives is substantial and should be added by the City Pleasant Hill to this EIR before its' final evaluation. There is nothing in the project objective that would require construction by any specific date, so it could be scheduled to start to coincide with completion of the new library.

2

CEQA 15131 REFERENCE:

CEQA 15131. ECONOMIC AND SOCIAL EFFECTS:

Economic or social information may be included in an EIR or may be presented in whatever form the agency desires. (a) Economic or social effects of a project shall not be treated as significant effects on

the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes. (b) Economic or social effects of a project may be used to determine the significance of physical changes caused by the project. For example, if the construction of a new freeway or rail line divides an existing community, the construction would be the physical change, but the social effect on the community would be the basis for determining that the effect would be significant. As an additional example, if the construction of a road and the resulting increase in noise in an area disturbed existing religious practices in the area, the disturbance of the religious practices could be used to determine that the construction and use of the road and the resulting noise would be significant effects on the environment. The religious practices would need to be analyzed only to the extent to show that the increase in traffic and noise would conflict with the religious practices. Where an EIR uses economic or social effects to determine that a physical change is significant, the EIR shall explain the reason for determining that the effect is significant. (c) Economic, social, and particularly housing factors shall be considered by public agencies together with technological and environmental factors in deciding whether changes in a project are feasible to reduce or avoid the significant effects on the environment identified in the EIR. If information on these factors is not contained in the EIR, the information must be added to the record in some other manner to allow the agency to consider the factors in reaching a decision on the project. Note: Authority cited: Section 21083, Public Resources Code; Reference: Sections 21001(e) and (g), 21002, 21002.1, 21060.5, 21080.1, 21083(c), and 21100, Public Resources Code.

2 CONT

3 COMMENT: Impacts of PUB 3

The recommended determination of “less than significant physical impacts” resulting from the early closure of the existing library appears to be too narrowly defined. The proposed residential plan essentially eliminates a long standing public service much earlier than necessary by any stated purpose. The project objective does not require it, the individually planned and separate construction efforts do not require it. A simple statement of less than significant impact is unacceptable.

Impact PUB-3: The proposed plan would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for schools.

” Because the Civic Project would not cause direct or indirect population growth, no school enrollment growth would occur. Accordingly, no impacts would occur.”(page 3.12-13)

3

Effects on educational facilities directly may be minimal, considering the availability of in-school libraries but not less than significant. Children rely on the public library to supplement what is available in the school library. The inference in the EIR is that two libraries in Walnut Creek are adequate for providing a public resource for use by children who choose to use the public library during the two years of

construction. This requires travel outside the Mount Diablo school district and for those children who do not have a ride, presents an unsurmountable denial of opportunity. Libraries are funded for education and unnecessary closure for two years of a typical child's 12 year education process is significant and does impact the ability to maintain acceptable service and performance objectives of Mt Diablo District schools. This impact is not about physical school growth, but acceptable service. Does the Mount Diablo school district agree that not having a library easily available to students for two years is acceptable? I could not find any reference to such school district approval.

3 CONT

4 COMMENT Impacts of PUB 4 and adequacy of proposed mitigation measures

Impact PUB-4: The proposed plan could result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for other public facilities.

"Implementation of the mitigation summarized below would reduce potential impacts to less than significant……. (see page 3.12-15)

The County would relocate some of the library materials and services to a temporary library located at the Pleasant Hill Senior Center for approximately 18-24 months. The temporary library is expected to be open Monday to Saturday.[19]

The temporary library space at the Senior Center would not have a significant impact on existing users of the Senior Center because no programs or activities would be displaced. The Senior Center currently contains buildings and rooms that are available during the hours of operation for the library and the Senior Center would be able to accommodate normal library use in conjunction with existing Senior Center operations.[20]

4

[19] Melinda Cervantes. County Librarian, Contra Costa County. Personal communication in person March 12, 2019.
[20] Michelle Lacy. Pleasant Hill Recreation and Park District: General Manager. Personal communication: email. January 14, 2019. "

In consideration of adults who have automotive transportation to utilize either of the two "nearby" Walnut Creek Libraries there is only reference to the relative short distance (2-3 miles) from the existing library. The reality is that Pleasant Hill library is in a suburban setting while the Walnut Creek libraries are in a more urban setting which means there is much more traffic to contend with and far less parking available. These may be considered convenience issues but will have both social and economic impacts to persons who use the library. They should not qualify as "less than significant impacts with mitigation" to the public who need to use the library services.

Mitigation measures referenced in the EIR regarding the proposed temporary services required as a result of early closure of the existing library appear to be from the same government organizations who hope to gain from the current proposed plan. Is it possible to have uninvolved parties with knowledge of public libraries to provide an unbiased determination of appropriateness and adequacy for such

mitigation measures, such as the Office of the California State Libriarian? What we have now unfortunately appears as a conflict of interest . 4 CONT

5 COMMENT: Project Objectives (CHAPTER 2.2)

The involved agencies have developed a project agreement (MOU) that is further publically detailed by the Project Objectives in chapter 2.2 of this EIR. Nowhere in the Project Objectives are any date specific requirements for construction of the three components. Delay in construction for the residential project, to start upon completion of the new library construction would not violate either the MOU or the Propose Objectives.

The reasons for setting an early start date for construction of the Residential Project are undefined in this EIR and appears arbitrary (proposed construction schedule for the Residential project , see page 2-52 and 2-53). Many of the impacts to Public Services discussed above would be avoided by simply changing the start date for the residential project until the new library is constructed. 5

Starting the Residential Project as currently planned causes social and economic impacts not adequately mitigated in this EIR. The start date for the residential project should be set to coincide with completion of the new library construction.

Submitted By:

Robert Pentacoff

Resident of Pleasant Hill

Robert Pentacoff (PENTACOFF)

Response to PENTACOFF-1
The commenter provides an introductory statement and cites Draft EIR pages 2-52 and 2-53. The commenter asks why the Draft EIR did not include the alternative of keeping the existing library open until the new library is finished.

Please refer to Master Response 1—Schedule for Construction and Use of Temporary Library.

Response to PENTACOFF-2
The commenter requests that the City of Pleasant Hill conduct an analysis of the economic or social effect of the Residential Project consistent with CEQA Guideline 15131. The commenter notes that the closure of the existing Pleasant Hill Library for 2 years would be substantial and it should be kept open until the Civic Project is complete.

Social and economic impacts are not considered physical effects on the environment under CEQA. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. Please refer to Master Response 1—Schedule for Construction and Use of Temporary Library.

Response to PENTACOFF-3
The commenter disagrees with the Draft EIR determination of a less than significant impact related to Impact PUB-3. The commenter expresses that although the Residential Project would not have a significant impact on school enrollment, it would significantly impact student access to the library because the library would be demolished as part of construction the Residential Project. The commenter asks if the Mount Diablo School District has been contacted about the proposed plan's impacts to library access.

The Mount Diablo Unified School District is a responsible agency for the proposed plan and has submitted no comments on the Draft EIR or the proposed plan. Please refer to Master Response 1—Schedule for Construction and Use of Temporary Library.

Response to PENTACOFF-4
The commenter restates text from the Draft EIR regarding Impact PUB-4 and the adequacy of mitigation measures. The commenter disagrees with the less than significant with mitigation incorporated determination because they do not agree that the mitigation is adequate.

See Master Response 1—Schedule for Construction and Use of Temporary Library.

Response to PENTACOFF-5
The commenter states that there is no defined reason for starting the Residential Project prior to the completion of construction of the new library. The commenter further states that delaying the construction of the Residential Project would avoid most of the impacts to Public Services.

See Master Response 1—Schedule for Construction and Use of Temporary Library.

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From: Jack Prosek [mailto:jacpro60@gmail.com]
Sent: Friday, August 30, 2019 10:12 PM
To: Troy Fujimoto <Tfujimoto@pleasanthillca.org>
Subject: OPP - Draft EIR - Executive Summary

Troy -

Saw the notice late today that the Draft EIR for the Oak Park Properties Specific Plan indeed was issued on August 30th & found the documents posted on the City's website.

Just read the Executive Summary & found it curious that there was no mention of the role of the PH Recreation & Park District (R&PD) in this whole undertaking. In particular, on page ES-3, two statements are made regarding the "City of Pleasant Hill" residents or parks whereas if the Park is owned & developed by the R&PD, it would equally serve all residents of that District including those living outside of the Pleasant Hill City Limits. 1

Also noted that no documents are shown as being available for review at the R&PD District Office or any of their other facilities.

1
CONT

Is some clarification of their role in the whole OPP scheme in order at this time ?

Jack Prosek

PH Resident / Homeowner

zz

Jack Prosek, Letter 1 (PROSEK.1)

Response to PROSEK.1-1

The commenter asks if the Pleasant Hill Recreation and Parks District has been involved in the EIR process.

As shown in Section 2.3, Specific Plan Components, one of the Civic Project sponsors is the Pleasant Hill Recreation and Parks District. The Recreation and Parks District has been closely involved in the design and planning of the Civic Project, including identifying the Recreation and Parks objectives, drafting a description of the proposed Recreation and Parks Department improvements associated with the Civic Project, and carefully reviewing and commenting on the internal Draft EIR to ensure its accuracy in evaluating potential impacts associated with the Recreation and Parks components of the Civic Project.

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02 September 2019

City of Pleasant Hill – Planning Division
Troy Fujimoto – Acting City Planner
100 Gregory Lane
Pleasant Hill, CA 94523

Re: Oak Park Properties Specific Plan
Draft EIR dated August 30, 2019
Senior Center Operations

Having made a brief review of select portions of the above referenced document, we are submitting herein our initial questions & comments on the Draft EIR as prepared by First Carbon Solutions regarding the operations of the Pleasant Hill Senior Center as recorded in Article 3.14.

On page 3.14-52 in Part 3 of the Draft EIR, the Transportation section states:

"The Pleasant Hill Senior Center typically has scheduled activities from 8:00 a.m. to 9:00 a.m. most days, with some later evening activities on Fridays. Activities on Saturday and Sunday are minimal."

The above statement is not even close to being correct.

There are currently three different types of activities at the PH Senior Center: those sponsored by the PH Recreation & Park District (RPD) which primarily serve the senior citizens of our larger community (many PH Senior Club Members do live outside the boundaries of both the City and the RPD), those organized & manned by Senior Club Volunteers (with assistance from Staff as needed), and those that result from rental of various rooms in the Senior Center to outside parties. The use of a portion of the Senior Center building as a Temporary PH Community Library adds a fourth dimension to these uses. 1

On weekdays the regular activities start as early as 8:30 or 9:00 AM; some go to 4:00 or 4:30 PM, and there are a few activities in the evenings (currently on Mondays & Tuesdays). The Senior Club's newsletter, known as the "Senior Sounds", is the source for these days & times. On weekends, there is the Senior Club's monthly Pancake Breakfast & a number of other Special Events throughout the year. Based on availability of the desired spaces, rentals can & do occur on weekdays & evenings as well as on weekends. And the Temporary Library is expected to be open SIX days per week !!!!!!

The peak demands often exceed the 140+/- available parking spaces in the Senior Center lots for the weekly Chef's Lunches on Fridays, for the monthly Trip meetings, and for Special Events (this month's Special Event is the Anniversary Party at Noon on the 27th). And even though the original design intent was for these parking spaces to serve the Senior Center facility exclusively, the City later mandated that they be open for other users as well. These overflow conditions seriously affect the ability of those least mobile & able (primarily senior citizens) to enjoy the benefits of this otherwise wonderful building.

Please advise WHO will be responsible to develop & implement the "parking management plan" for the Senior Center & the PH Park that is referred to in the Draft EIR ??

JACK Prosek
Twelve Year Member
Pleasant Hill Senior Club

Efile: EIR Comments – Senior Center Operations

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Jack Prosek, Letter 2 (PROSEK.2)

Response to PROSEK.2-1

The commenter describes the issues they have with the existing description of the Pleasant Hill Senior Center and lists their knowledge of the Senior Center activities. In addition, the commenter expresses issues with the number of proposed parking spaces, and identifying who will be responsible for implementing the parking management plan.

The comment regarding the Senior Center is noted and the changes are included in Section 3: Errata. No further response is required.

The Recreation and Park District would be responsible for monitoring parking and for modifying programs and hours to ensure parking is adequate at the senior and teen centers when temporary library uses occupy both sites during construction and will work with the City and County to modify activities and/or programming to accommodate demand in accordance with MM TRANS-1a. Please Refer to Master Response 3—Parking, for additional information.

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02 September 2019

City of Pleasant Hill – Planning Division
Troy Fujimoto – Acting City Planner
100 Gregory Lane
Pleasant Hill, CA 94523

Re: Oak Park Properties Specific Plan
Draft EIR dated August 30, 2019
Part 2 – Article 3.05 – Geology and Soils

Having made a brief review of select portions of the above referenced document, we are submitting herein our initial questions & comments on the Draft EIR as prepared by First Carbon Solutions regarding the Geology and Soils Analysis in Article 3.05 (Part 2). 1

1- On page 3.5-10 under the California Building Code, should the second paragraph read "… **designed** and constructed …" rather than "… **designated** and constructed …" ?

2- Please identify each of the Earthquake Fault Zones (EFZ) shown on the Regional Fault Map in Exhibit 3.5-1 on page 3.5-5 of the Draft EIR Report. 2

3- Please provide the Scale & a North Arrow on the Regional Fault Map in Exhibit 3.5-1 on page 3.5-5 of the Draft EIR Report. This comment is equally applicable to many of the maps included elsewhere in the Draft EIR. 3

John R. "JACK" Prosek, Jr. PE
CA Civil Engineer # C-041349
Pleasant Hill Resident / Homeowner

Efile: EIR Comments – 3.05 – Geology and Soils

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Jack Prosek, Letter 3 (PROSEK.3)

Response to PROSEK.3-1
The commenter provides an introductory statement and provides an edit to the Geology and Soils Chapter.

The comment is noted and this revision is included in Section 3: Errata.

Response to PROSEK.3-2
The commenter requests that each of the Earthquake Fault Zones are included in Exhibit 3.5-1.

The comment is noted and this revision is included in Section 3: Errata.

Response to PROSEK.3-3
The commenter provides a comment about Exhibit 3.5-1 and asks that all exhibits include a scale and north arrow, where applicable.

The comment is noted and these revisions are included in Section 3: Errata.

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02 September 2019

City of Pleasant Hill – Planning Division
Troy Fujimoto – Acting City Planner
100 Gregory Lane
Pleasant Hill, CA 94523

Re: Oak Park Properties Specific Plan
Draft EIR dated August 30, 2019
Part 3 – Article 3.14 Transportation

Having made a brief review of select portions of the above referenced document, we are submitting herein our initial questions & comments on the Draft EIR as prepared by First Carbon Solutions regarding the Transportation Analysis in Article 3.14 (Part 3).

1- In Table 3.14-6: Existing Parking Conditions on page 3.14-27, the data shown in section "K" for the South Library Lot do NOT reflect the ACTUAL PEAK Parking Demand for this important facility. The Peak Parking Demand for this lot occurs during the 10:15 AM to 12:15 PM time period on weekdays when our phenomenal Story-Time programs are in session ! We have personally witnessed this when we made the mistake of trying to use the existing Library during that time period – I found myself circling the lot along with several other vehicles – we all had to wait until another Library patron left before we could park. EVERY legal space (except 2 or 3 ADA Restricted ones) was occupied.

1

This led to questioning just how many spaces there were in the existing South lot, and when the answer came back as **"140",** this issue was then raised in several meetings of the City's Library Task Force. Thereafter, the figure of **140 parking spaces** became the **design objective** that was included in the criteria for the Architectural Design Contract Agreement for our new Library building.

Given these facts, the data shown for our new Library building on Weekdays in Table 3.14-12 on page 3.14-61 is incorrect. The same applies to the related text on page 3.14-62. Seventy (70) spaces are no where near enough to meet the actual peak demand !

Although we have not personally witnessed the parking situation during our extremely popular special evening programs, it is our understanding that the situation then is even worse than during the morning Story-Times. And we hope that the new Library building will allow us to expand all of these programs even further – therefore we agree with the concept that it is desirable to ADD 10% more parking spaces at the very minimum ! Therefore, this shortfall becomes a Significant Negative Impact.

Re: Oak Park Properties Specific Plan
Draft EIR dated August 30, 2019
Part 3 – Article 3.14 Transportation

2- In Table 3.14-6: Existing Parking Conditions on page 3.14-27, the number of underutilized spaces shown in section "M" for the Solar Panel Lot in front of the County Office of Education is irrelevant if the use of these spaces is restricted to persons working or having business in that facility. Also, we would guess that the Peak Demand in that lot might also be in the late morning hours rather than at 2:00 PM as shown. 1 CONT

3- In an email dated **11/21/2018** and at the NOP Scoping Meeting held on November 15, 2018, we questioned the use of a single driveway for both access to & egress from the Joint Parking Lot serving our new Library building & the "New Library Park". We still believe that the community will be better served with two driveways that are aligned with the two E/W driving aisles in the Joint Parking Lot. The southern driveway should be used for access into the Joint Parking Lot & should be wide enough to allow simultaneous LT & RT turns from Monticello Ave. The northern driveway should be wide enough to allow simultaneous RT & LT movements out of the Joint Parking Lot. Providing two separate driveway has the additional benefit in allowing police, fire & EMT vehicles greater emergency access (especially for the new Library building) than can be provided with a single driveway located further north serving both functions. Please clarify the text on pages 3.14-67 & 3.14-68 in this regard. 2

4- Although we have not yet seen a specific answer to the issue that we raised regarding the capacity of the intersection at Oak Park Blvd. to handle the LT & RT vehicles, bicycles & pedestrian traffic from SB Monticello Ave, we have the impression that the expected traffic counts indicate that this will not cause a LOS "E" or "F" even during either the morning school drop-off or during the afternoon school discharge time periods. Please confirm if this assumption is correct. 3

5- On page 1-8, the Author column should reference my email dated November 21, 2018, and not the one dated 12/18/2018 which addressed the Study Session on the Housing Component of the Specific Plan. 4

We look forward to seeing complete & accurate responses to each of these issues as raised & required by the EIR process !

John R. "JACK" Prosek, Jr. PE
CA Civil Engineer # C-041349
Pleasant Hill Resident / Homeowner

Efile: EIR Comments – 3.14 Transportation

Jack Prosek, Letter 4 (PROSEK.4)

Response to PROSEK.4-1
The commenter notes that existing parking conditions for the south library lot described in Table 3.14-6 in the Draft EIR, do not reflect the actual peak parking demand. The commenter then disagrees with the proposed number of parking spaces and suggests that there should be a 10 percent increase in the amount of parking provided by the Civic Project.

Please refer to Master Response 3—Parking.

Response to PROSEK.4-2
The commenter states that the Civic Project should include two driveways rather than one and asked for clarification on pages 3.14-67 and 3.14-68 of the Draft EIR.

The projected levels of vehicle traffic into and out of the shared library and park parking lot do not warrant the provision of two driveways onto Monticello Avenue from a vehicular capacity perspective. While providing two driveways would provide ease of vehicle movements into and out of the parking area, it would also introduce a new vehicle/bicycle conflict zone along the proposed pedestrian trail that would extend along the east side of the Civic Project. The Civic Project is designed to meet emergency access requirements and provision of a second access is not required to meet those standards.

Response to PROSEK.4-3
The commenter asks for clarification on whether or not the intersection of Oak Park Boulevard and Monticello Avenue would operate at Level of Service (LOS) E or LOS F during the morning school drop-off hour or school release periods.

Over the course of the peak-hour, the intersection of Oak Park Boulevard at Monticello Avenue currently operates at an overall acceptable level of service (LOS A); with the added traffic generated by the proposed plan and the associated roadway improvements, the intersection would continue to operate at a LOS A during the weekday AM and weekday PM peak-hour, and LOS B during the weekday afternoon around school dismissal, and Saturday afternoons when multiple games are being played on the athletic fields and while the library is open. While there may be periodic congestion, especially around school dismissal, vehicle queues will dissipate quickly. The commenter's assumption that LOS E or LOS F conditions would not occur on a routine basis for the AM or PM peak-hours is correct.

Response to PROSEK.4-4
The commenter requests that Table 1-1 of the Draft EIR reference their letter dated November 21, 2018, rather than the listed December 18, 2018.

The comment is noted and this revision has been included in Section 3: Errata.

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From: Jack Prosek [mailto:jacpro60@gmail.com]
Sent: Tuesday, October 15, 2019 4:44 PM
To: Troy Fujimoto <Tfujimoto@pleasanthillca.org>
Subject: OPPSP - October 14th Earthquake

Troy -

Given the jolt that we got last night at about 10:33 PM, we have to ask how does the Pleasant Hill / Contra Costa Centre earthquake (M 4.5+/-) affect the Geotechnical Studies that are included in the Draft EIR dated August 30, 2019, for the Oak Park Properties Specific Plan ? 1

John R. "Jack" Prosek, Jr. PE

PH Resident / Homeowner

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Jack Prosek, Letter 5 (PROSEK.5)

Response to PROSEK.5-1

The commenter asks if the earthquake that occurred on October 14, 2019, at 10:33 p.m. in Pleasant Hill near the plan area would affect the conclusions reached in the geotechnical reports prepared for the Civic Project and the Residential Project.

As discussed in Section 3.5, Geology and Soils, both project-specific Geotechnical Exploration Reports determined the plan area is not located within a State of California Earthquake Fault Hazard Zone for active faults, and no known faults cross the plan area boundaries.[61] Although the plan area could experience strong ground shaking, implementation of MM GEO-1 would ensure that building design recommendations contained in the project-specific geotechnical reports are included in final plans. These recommendations include specific building materials and earthwork activities that would prevent significant impacts to the project from seismic ground shaking or other earthquake related impacts. Recommendations included in MM GEO-1 would be verified prior to issuance of grading permits for both the Civic and Residential Projects. No additional geotechnical analysis is required.

[61] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.5-14 through 3.5-16. August.

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From: maryjopugh@aol.com [mailto:maryjopugh@aol.com]
Sent: Monday, September 23, 2019 2:58 PM
To: Troy Fujimoto <Tfujimoto@pleasanthillca.org>
Subject: draft EIR Oak Park Properties 2018112058

I believe that the consideration of the impact of the staging of the two projects is not adequately covered in the Draft EIR. I contest the conclusions in section 3.12 point 4. The impact of closing the existing public library on the public services provided by the library is grossly understated. The space and services provided by the Senior Center are not adequate to provide comparable service ratios and performance objectives of the current library. In fact these service ratios and performance objectives are not even considered in the report. The parking at the Senior Center is frequently filled by senior activities. The tutoring services under Project Second Chance, a library literacy program headquartered at the Pleasant Hill Library are not considered in the report. 1 2 3

The report does not consider the alternative of keeping the existing library open while the new library is constructed. The Residential Project could be built after the new library is completed. There would be no adverse impacts on the public services provided by the library under this alternative. 4

The report does not consider the impact of the project on 3.12 point 3 impacts on schools. The students of the Pleasant Hill Middle School, which is .13 miles from the project site, make heavy use of the existing library after school is dismissed each afternoon. 5

I am a resident of Walnut Creek but the Pleasant Hill Library is much closer to me and has adequate parking. I make heavy use of the library for obtaining books and other materials, participating in library events, and participating in a library book discussion group. I also have been a tutor in Project Second Chance. 6

Mary Jo Pugh

313 Meghan Lane

Walnut Creek CA 94597

925-476-5403

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Mary Jo Pugh (PUGH)

Response to PUGH-1
The commenter states that the Draft EIR does not adequately cover the impact of staging for the proposed plan and closing the existing public library. The commenter notes that the Draft EIR does not consider service ratios and performance objectives as they relate to closure of the existing library

Please refer to Master Response 1—Schedule for Construction and Use of Temporary Library.

Response to PUGH-2
The commenter notes that the parking lot of the Senior Center is filled quickly.

Please refer to Master Response 3—Parking

Response to PUGH-3
The commenter asserts that the parking analysis does not include parking associated with Project Second Chance.

The existing levels of activity at the existing library were considered in the evaluation of transportation conditions in the surrounding area, which include parking associated with Project Second Chance. For additional information regarding parking, please refer to Master Response 3—Parking.

Response to PUGH-4
The commenter notes that the Draft EIR does not consider the alternative of keeping the existing library open while the Civic Project is under construction.

Please refer to Master Response 1—Schedule for Construction and Use of Temporary Library.

Response to PUGH-5
The commenter states that the Draft EIR did not consider the impacts of the proposed plan on the adjacent school and that students frequently use the existing library.

The TIA takes into consideration the existing vehicle, bicycle, and pedestrian travel to and from Pleasant Hill Middle School. Additionally the TIA acknowledges that a number of students walk from campus to the library after school, where they are either picked-up from the library parking lot, or utilize the library facilities after school and are picked up later. Strategies to manage the flow of school travel via all modes of travel are identified as recommendations in the TIA and would be evaluated through monitoring parking demand during construction and with a parking demand assessment during operation (if necessary). Please also refer to Master Response 1—Schedule for Construction and Use of Temporary Library.

Response to PUGH-6
The commenter describes their personal use of the library and participation in the Project Second Chance program. This comment is noted and no further response is required.

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From: Bany Wilson [mailto:bany.wilson@gmail.com]
Sent: Sunday, October 13, 2019 7:01 PM
To: Troy Fujimoto <Tfujimoto@pleasanthillca.org>
Subject: PLAN DRAFT EIR

PLEASE STOP THIS PLAN; WE, THE NEIGHBORS, WANT A LIGHTING STUDY

1

Bany Wilson, Realtor
DRE# 01841536

C (925) 658-2967
bany.wilson@bahayco.com

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Bany Wilson (WILSON)

Response to WILSON-1
The commenter requests a lighting study.

Please Refer to Master Response 4—Lighting.

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From: kathleendwoulfe@aol.com [kathleendwoulfe@aol.com]
Sent: Wednesday, October 09, 2019 5:06 PM
To: Troy Fujimoto
Subject: Pleasant Hill library

Referring to part three page 213, mitigation measures:
Referring Pleasant Hill Library users to other libraries is completely impractical. The Martinez Library is located across the street from the courthouse and parking is only available on Saturday. The Concord Library has a full-time guard due to adult misbehavior. Walnut Creek and Lafayette Library's locations and parking are extremely cumbersome and inconvenient. Also the measure inaccurately refers to Pleasant Hill residents only using the Pleasant Hill Library. Users come from all over the area. I live in Martinez and use the Pleasant Hill Library. 1

From Kathleen's iPhone

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Kathleen Woulfe (Woulfe)

Response to Woulfe-1
The commenter states that utilizing other libraries during the closure of the existing library is impractical.

Please refer to Master Response 1—Schedule for Construction and Use of Temporary Library.

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Comments on Draft EIR – October 14, 2019

Dear Mr. Fujimoto,

Please accept the following review comments for the Pleasant Hill Library Draft EIR.

Section 2: Project Description

Page 2-35: Stormwater Drainage, Paragraph 4 states: *"In the event of extreme rain events such as 100-year storm event, when the on-site section of Grayson Creek reaches capacity, stormwater will be detained on the northern portion of the Civic Project site and **slowly released through the 15-inch outfall** (northern on-site outfall) that includes riprap for energy dissipation."*

Comment:

- This statement implies there is some type of control system that will slowly release water. Is that true? Or is water simply flowing as fast as it can through a 15-inch pipe, and is only being slowed by the diameter of the pipe? If that is the case, the water is not being "released". It is being held back by the limited flow. It also appears from the elevation of the ground at the north-east corner of the ball field, that water can potentially overflow any containment, and move into the creek at a rapid rate. 1

Recommendation:

- Revise the paragraph to clarify how water will be detained, and how it will be released from the ball field, including any condition when water will overflow the retention basin.

Section 3.8: Hydrology and Water Quality - Flood Control

MM HYD-3, page 3.8-32 states "*A **bioretention basin capable of retaining waters from a 100-year storm event** shall be installed adjacent to Grayson Creek and east of the proposed library*"

Recommendation:

- Revise this paragraph to make it clear the basins are not retaining the contents of a 100-year storm event, or providing flood protection for the site or the surrounding area. It is only mitigating the impact of raising ground level at the library and housing elements. 2

Page 3.8-31, Residential Project: "*In compliance with C.3 requirements, the Residential Project would also include bioretention basins, which would ensure that there would not be an increase in runoff that could exceed the storm drainage capacity or redirect flood flows*."

Recommendation:

- The storm drainage plans contained in the DEIR do not show any retention basins on the residential project site. Please provide the location of these basins and a description of how they will function. 3

How will trash and debris be screened from storm water?

During a storm event, water will flow though yards and streets for a long distance before arriving at Grayson Creek. During this time the fast-moving water will pick up trash and other debris.

Questions:

- How will this water be handled by the basins and the outflows to both the creek and storm drain? 4

- What measure(s) will be implemented to prevent this debris from flowing into the creek and storm drains? 4 CONT
- How will these bioretention basins drain fully?
- Are the basin covered or open? If open, how will they prevent people or animals from falling into these 4 ft deep basins? 5

Section 3.10: Noise

Page 3.10-9: Existing Noise Levels states a total of three short-term noise measurements were taken on Tuesday July 10 between 1:52 pm and 3:01 pm 6

Recommendation:

- In order to adequately evaluate noise, noise measurements should be taken on a Saturday when all ball fields are being used for league play. (NOTE: There was plenty of time to have done this over the past summer. It may be more difficult now, but without this information the assumptions are not accurate.)

Page 3.10-26 Civic Project – Proposed Park states noise from the ball fields would only be a significant impact if the noise level doubles. Since they are building 2 new fields, and the existing areas already has 5 ball fields, they conclude "*Implementation of the Civic Project would not result in a doubling of users of recreational activities already occurring in the vicinity of the plan area*."

Questions:

- Since no noise readings were taken during a busy time at those fields, how do we know that we are not already near or exceeding city noise limits? 7
- Will noise from the new fields, because they are in a different location, have a greater impact on the surrounding residential area than the existing fields?
- The proposed fields will be used at night. Noise travels differently at night. How will the night noise from these fields impact the surrounding area?

Page 3.10-28: Operational Noise Impact on Wildlife states "*According to this analysis, noise emitted from the proposed park will not have a significant impact on wildlife*." All mitigation measures for wildlife apply to noise during construction, when impacted biological resources will be monitored, moved, or otherwise protected. But once the construction is complete, there will be ongoing noise from the ball fields located next to Grayson Creek. 8

Questions:

- Will the noise from the proposed ball fields, either during the day or at night, have any ongoing impact on the wildlife at Grayson Creek (bats, birds, turtles, etc.)?
- What analysis was done of the impact of this ongoing noise on biological resources?

Correction:

Page 3.10-9 Ambient Noise: the sentence that reads "*and the noise measurement data sheets are contained in **Appendix H**.*" should be corrected to refer to **Appendix I**. 9

Section 3.9: Land Use and Planning

Page 3.9-18 states the land use for the residential project will be revised to multi-family very low density. According to the Municipal code, that is defined as:

"MRVL very low density multiple-family residential district. The MRVL district allows multiple-family residential uses, including duplexes, townhouses and attached or detached single-family homes on small lots; all with landscaped open space at a density between 7 and 11.9 units per acre."

10

Recommendation:

- This residential project does not meet the spirit of this definition. Only 7 of the 34 homes are proposed to be multi-family. Of those, certainly less than 7, and possibly as few as 0 of those homes will be rented to an unrelated person. This is essentially a single-family home development and should be classified as such.

Table 3.9-8, Page 3.9-29, Item 3A: states the city's goal to "*Facilitate construction of affordable housing by favoring new projects that include units for lower-income segments of the community*." The Consistency Determination states: "*The Residential Project includes 34 single-family homes with seven accessory dwelling units and would therefore fulfill that requirement and help the City in providing affordable housing*."

Comment:

- This residential project is not consistent with the goal of favoring projects that include units for lower-income people. These ADU's, at only 540 sq. feet, have no parking space and do not have a full kitchen. While they would be appropriate for a home office, or a mother-in-law unit, they are not appropriate as a rental unit for the average adult working person. Furthermore, there is no legal requirement for a homeowner to rent this ADU, and it is highly unlikely they will.

11

Recommendation:

- Revise the housing project to include true low to moderate income housing for at least 25% of the dwelling units.

Section 3.11: Population and Housing

Page 3.11-4: City of Pleasant Hill shows Pleasant Hill housing need from 2014 to 2022 is 271 units for extremely low to moderate incomes, and 177 for above moderate incomes. Clearly there is a much greater need for housing units in the low to moderate income categories.

According to redfin.com, during the past year, 408 homes priced higher than $550K have sold in Pleasant Hill. The new houses at Tanager Heights (Morello and Mercury) sold for between $1.16M and $1.61M. Also, per redfin.com, only 68 homes sold during the past year at a price of $550K or less. Only 14% of the homes that sold were in the $550K or less category. Clearly, the housing shortage in Pleasant Hill is with the lower priced homes ($550K or less).

12

Page 3.11-7 states, in 2017 the median income in Pleasant Hill was $101,530. A household earning $101K/year, with no significant debt, can only afford a home up to approximately $550K. That means roughly 50% of Pleasant Hill households, those making less than that, cannot afford to purchase any home. Those who earn around the median income would find

almost nothing available for them to buy. As of October 13, 2019, 8 homes are on the market priced $550K or less, and 47 are on the market at $550K or higher.

This Residential Project proposes 34 very large homes (2800-3400 sq. ft) on very small lots. This plan does not, in any way, provide solutions to local housing shortages. These houses will be sold for more than $1M, making them unaffordable to almost all Pleasant Hill residents. 12 CONT

The Project proposes that 7 of the 34 houses will have auxiliary dwelling units (ADU's), and those units will allow the project to meet any requirements for low- or moderate-income housing. As stated above, those ADU's, at 540 sq. feet, with no parking, and without a full kitchen, do not meet the spirit of low-income housing. Furthermore, there is no legal requirement for a homeowner to rent this ADU, and it is highly unlikely they will. 13

Questions:

- What measures will be taken to ensure that those 7 ADU's will be rented to low income people?
- How was the determination made that the proposed 34 large homes would best serve the goal of Pleasant Hill of providing housing for people of low to moderate income? 14
- What other housing options were considered for this site? 15

Page 3.11-6: California Housing Element Law makes no mention of California laws that apply to the sale of publicly owned property.

The Surplus Land Act of 1968, and AB 2135 of 2014 (see attachment) requires any publicly owned land to be offered first to developers who will build affordable housing, with at least 25% of the units available to people earning less than 70% of the median income. Once a preferred entity expresses interest, the parties must enter into good faith negotiations to determine a mutually satisfactory sales price or lease terms. 16

Questions:

- What agencies or developers have been notified of the availability of this property?
- How is the County complying with the Surplus Property Act law in the sale of this property? 17

New State Laws in 2019 for Affordable Housing

In October 2019, Governor Newsom signed 18 housing related bills into law. These include:

- AB 1255 requires cities and counties to report to the state an inventory of its surplus lands in urbanized areas. The bill then requires the state to include this information in a digitized inventory of state surplus land sites.
- AB 1486 expands the Surplus Land Act requirements for local agencies, requires local governments to include specified information relating to surplus lands in their housing elements and annual progress reports (APRs), and requires the state Department of Housing and Community Development (HCD) to establish a database of surplus lands, as specified. This law will impose a 30% penalty of the sale price of the land if this law is violated. 18

Question:

- What measures have been taken to ensure this project complies with these new laws?

Recommendation:

- Modify Section 3.11.2 to enumerate the requirements of the Surplus Land Act, AB 2135, AB 1255, and AB 1486, and its relation to the Residential Project.

Section 3.14 and Appendix J: Temporary Library

Missing from DEIR – The Environmental Impact of Destroying Books

According to County Librarian, Melinda Cervantes, no books will be stored during construction of the new library. As of February 2019, the existing library held about 140,000 books. This is the number that was stated on the library website. Today the website says the library has 85,000 books. They have discarded 55,000 books over the past several months. About 10,000 books will be moved to the temporary library. About 40,000 books will be placed in permanent circulation at other libraries. That leaves 35,000 books still to be discarded. If the library were to stay open during construction, at least 50,000 books would not be destroyed and would not need to be purchased again. 19

Recommendation:
Include analysis of the environmental impact of (1) discarding a total of 90,000 books, and (2) the environmental impact of purchasing 60,000 new books to put into the new library.

The DEIR Defers Analysis of Parking and Traffic at the Temporary Library

The DEIR does not include a traffic study or parking study for the proposed temporary library location at the Senior Center. On March 7, 2019, I was told by Councilmember Noack, that the EIR would include a traffic study at Gregory Lane and the Sr. Center. On April 30, 2019, I was told by Troy Fujimoto that "*analysis of the temporary library will be part of the DEIR*". However, there was no analysis done.

Page 3.14-63 – Mitigation Measures Trans 1a: Bullet #3 directs the Civic Project contractor to "*Monitor parking demand at the senior and teen centers when temporary library uses occupy both sites and should a potential parking shortage be identified, develop a parking management plan to better accommodate temporary library uses. The parking management plan could include adjusting library hours, adjusting Senior Center activities, or directing residents of Pleasant Hill to utilize other nearby libraries.*" 20

Comments:

- This mitigation measure is bundled in a group of other measures related to managing traffic at the construction site. This item does not fit in this group of construction related items. It is a separate and unique issue.
- At the point in time it is recommended – before the grading permit is issued - the old library will already have been closed and there will be no choice but to implement the suggestion of limiting hours or going elsewhere. That is not mitigation. Furthermore, it is not enforceable as it has nothing to do with the Civic Project and there are multiple unrelated groups who would have to come to an agreement.

Questions:

- What contractual obligations will the Contractor at the Civic Project have to monitor parking at a the Senior and Teen Centers, 2 miles away?
- How is monitoring parking at a remote site an appropriate part of a construction contract?
- How does this deferred analysis comply with the requirements of an EIR?

Appendix J, Traffic Impact Assessment, Page 45, Mitigation Measure 4: recommends performing a parking occupancy study at the Sr. Center. This recommendation should be added to the DEIR. Since the Sr. Center parking lot is already too full, conclusions must be drawn as to 21

the number of additional cars, and how those cars will be accommodated. Specific mitigation measures must be provided. Those mitigation measure should include measures to be taken by other outside parties, such as limiting Sr. Center classes or site rentals by R&P.

Recommendation:

- Add to the EIR the requirement to perform a Parking Study and a Traffic Study at the Senior Center, Teen Center, and on Gregory Lane to determine the mitigation measures required to accommodate the anticipated increased traffic and parking at those sites.

21 CONT

Appendix J, Page 34, Table 7, Project Trip Generation shows the current library averages 1500 cars per weekday, and 1270 on Saturdays. The DEIR does not mention where these cars will go, and how this number of cars might impact the temporary library location. It makes no projections as to the anticipated increase in cars at the Senior and Teen Centers.

There is no left turn lane from east-bound Gregory Lane into the Sr. Center. Traffic frequently backs up at this location. The signal light exiting the Sr. Center is triggered by demand. I have experienced traffic backed up on Gregory to Contra Costa Blvd., with only 3 to 4 cars passing at each signal light cycle. The traffic in this area is already adversely impacted during events at the Sr. Center.

22

Question:

- How will the increase in cars at the Senior and Teen centers affect traffic on Gregory Lane?

The popular Storytime is planned to be held at the Teen Center. The most popular day for Storytime is Saturday. During nice weather (April through October) the parking lot at the Teen Center is quite full from people using the park. In summer months the lot is very full due to the swimming pool.

23

Question:

- How many cars are expected for Storytime, and how will they be accommodated?

Appendix J, Page 42, Construction Assessment states "*The Pleasant Hill Senior Center typically has scheduled activities from 8 AM to 9 AM most days, with some later evening activities on Fridays. Activities on Saturday and Sunday are minimal*."

Comment:

This is not correct. The Sr. Center has a full calendar of activities Monday through Friday from 9AM to 1PM. Additionally, afternoons are filled with well attended classes. And on occasion the center is used until 9 PM. On weekends the Recreation & Parks District (R&P) rents the facility to the general public for various private events. This can involve a large number of people.

24

Question:

Has R&P agreed to cease rental, or limit rental to small groups, on Saturdays, while the temporary library is in operation?

Comment:

While this is not stated in the DEIR, one might argue since the temporary library is "temporary", it is not significant. But how do you define "temporary"? Caltrans defines a "temporary road closure" as no longer than two weeks. One would be hard pressed to define 18 months, and likely much longer, as temporary.

25

Section 6.9:Alternatives Considered but Rejected from Further Consideration

Alternative 6.91 – Full Historic Preservation
This alternative should not have been rejected. It is a viable alternative, and may in fact be the best alternative. The only reason given for rejection is it "*would not achieve the Civic Project Objective to provide a state-of-the-art library facility*". State of the Art can be defined as "very modern and using the most recent ideas and methods" A fully renovated building can accomplish this, even though it's appearance may be retro.

Questions:

- What are the reasons that an old building cannot be renovated to be state-of-the-art?
- What were the specific reasons this alternative was rejected?

26

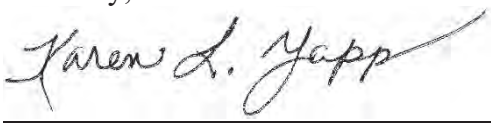
Including this alternative may result in eliminating the "significant impact" of the loss of the old library as a "cultural resource". (See **Section 3.4, page 3.4-23, Historic Resources**)

Recommendations:

- In order to fairly evaluate this alternative, it should be re-stated to include the 10 houses that can fit on the back part of the existing library site, plus the number of houses that could fit on the 1700 Oak Park lot in front of the ball fields.
- Include the Full Historic Preservation alternative, with suggested revisions, with the other considered alternatives.

Thank you for reviewing these questions, comments, and recommendations.

Sincerely,



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attachment:
Public Counsel Affordable Housing Law Alert.pdf

Affordable Housing Law Alert:
Assembly Bill 2135 Strengthens Priorities for Affordable Housing on Public Surplus Land

Last year saw significant changes to an important law for affordable housing developers and advocates. Assembly Bill 2135[1] —authored by Assemblymember Phil Ting (D – San Francisco), sponsored by the Non-Profit Housing Association of Northern California (NPH), and supported by Public Counsel—strengthens priorities for affordable housing in the state's Surplus Land Act.[2] The bill was signed into law last fall and became effective January 1, 2015.

Enacted in 1968, the Surplus Land Act requires local agencies—such as cities and transit agencies—to prioritize affordable housing, as well as parks and open space, when disposing of surplus land. Specifically, local agencies must provide a first right of refusal to entities that agree to use sites for affordable housing or parks and open space.[3] When local agencies dispose of surplus land, they are required to give notice to local public entities and organizations involved in affordable housing development. Once a preferred entity expresses interest, the parties must enter into good faith negotiations to determine a mutually satisfactory sales price or lease terms. Prior to AB 2135, if the parties did not agree to a price within 60 days, the local agency could then dispose of the land without further requirements.

Following AB 2135, the Surplus Land Act's system of prioritization for affordable housing has been significantly strengthened. Any entity proposing to use surplus land for the development of low or moderate income housing must make at least 25% of the units affordable to lower income households.[4] If multiple entities compete for a piece of land, priority is given to the project that proposes the greatest number of affordable units at the deepest level of affordability.[5] AB 2135 also extends the negotiating period between local agencies and purchasing or leasing entities from 60 days to 90 days.[6]

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[1] Assembly Bill No. 2135, 2014 Cal. Stat., ch. 677 (effective Jan. 1, 2015). AB 2135 amended sections 54220, 54223, 54225, 54226, and 54227 of, and added sections 54222.5 and 54223 to, the Government Code.
[2] Cal. Gov't Code § 54220 et seq.
[3] If an agency receives multiple offers, priority is generally given first to affordable housing, and then to parks and open space, unless the land is already being used for park and recreational purposes, or has been designated for that purpose in local planning. Cal. Gov't Code § 54227.
[4] Cal. Gov't Code § 54222.5.
[5] *Id.* § 54227(a).
[6] *Id.* § 54223.

If the local agency does not agree to price and terms with an entity given notice and the opportunity to purchase or lease under the Act, and the land is transferred for residential development of 10 or more units, then AB 2135 requires 15% of the housing units to be affordable to lower income households.[7] This requirement applies regardless of the entity developing the housing and continues to apply to successors in interest.[8]

AB 2135 also extends the affordable housing units' required term of affordability to 55 years.[9] It requires covenants or restrictions, which run with the land and may be enforced against any owner who violates them, to ensure that affordability requirements are maintained through changes of ownership.[10] The relevant provisions require housing to be affordable to lower income households, defined as households whose income does not exceed the income limits established by the U.S. Department of Housing and Urban Development pursuant to Section 8 programs, which is typically 80% of area median income.[11] Affordable rents generally cannot exceed 30% of the relevant income limit for lower, very low, and extremely low income households, respectively.[12]

The Act also now explicitly empowers local agencies to sell or lease surplus land for less than fair market value if the purpose of the transaction is affordable housing development. AB 2135 removed language stating that "nothing in [the Act] shall be interpreted to empower any local agency to sell or lease surplus land [at less than fair market value]," while maintaining language stating that the Act "shall not be interpreted to limit the power of any local agency to sell or lease surplus land at . . . less than fair market value."[13] It also added that any such sale or lease "shall not be construed as inconsistent with an agency's purpose."[14] Taken together, these revisions expressly empower agencies to offer surplus land at less than fair market value. AB 2135 also extended the Act's payment period for land sold for affordable housing, permitting the payment period to exceed a previous limit of 20 years.[15]

27
CONT

Finally, the revised Act has positive implications for transit oriented development. The Act now recognizes that transit ridership benefits from affordable housing, affirming research indicating that lower income households are more likely to use transit when living near a major transit station than higher income households.[16] The Act specifically declares that selling and leasing land at less than fair market value to facilitate the creation of affordable housing near transit is "consistent with the goals and objectives to achieve optimal

[7] Cal. Gov't Code § 54233.
[8] *Id.*
[9] *Id.*
[10] *Id.* § 54222.5.
[11] *See id.* §§ 54222.5, 54233; Cal. Health & Safety Code § 50079.5.
[12] *See* Cal. Gov't Code §§ 54222.5, 54233; Cal. Health & Safety Code § 50053.
[13] *See* Assembly Bill No. 2135, 2014 Cal. Stat., ch. 677; Cal. Gov't Code § 54226.
[14] *See id.*
[15] Cal. Gov't Code § 54225. Note that the payment period may not exceed the term of affordability. *Id.*
[16] *See id.* § 54220. *See, e.g.,* California Housing Partnership Corporation & TransForm, *Why Creating and Preserving Affordable Homes Near Transit is a Highly Effective Climate Protection Strategy* (May 2014).

transportation use."[17] Thus, local agencies interested in promoting transit ridership by facilitating the development of affordable housing near transit have clear authority in state law to pursue these practices.

AB 2135 has bolstered the Surplus Land Act as a tool for promoting affordable housing. Now attention must turn to implementation. Since the law became effective January 1, 2015, local agencies should ensure that policies comply with the provisions of the revised Act, and be sure to follow its requirements when disposing of surplus land. The Act's new provisions could also be instructive as a model for strategic disposition of public land, in general. This would extend the reach of this important tool for promoting the development of affordable housing.

In order to make sure that this law is properly followed and implemented, developers should call on cities, counties, and local agencies to adopt clear policies for land disposition that prioritize affordable housing, consistent with the state law. Affordable housing developers interested in taking advantage of the newly strengthened Act should learn how their local jurisdictions track surplus land and notify potential buyers, send letters to request notification when surplus land becomes available, monitor local plans for surplus land, and inquire into opportunities to purchase at a discount. This will help the Act to achieve its ultimate purpose of increasing affordable housing.

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CONT

For more information on AB 2135 and the revised Surplus Land Act, please feel free to contact Adam Cowing or Doug Smith in Public Counsel's Community Development Project.

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Public Counsel is the public interest law firm of the Los Angeles County and Beverly Hills Bar Associations and the Southern California affiliate of the Lawyers' Committee for Civil Rights Under Law. Established in 1970, Public Counsel is dedicated to advancing equal justice under law by delivering free legal and social services to indigent and underrepresented children, adults and families; ensuring that other community-based organizations serving this population have legal support; and mobilizing the pro bono resources of attorneys, law students and other professionals. Because affordable housing opportunities continue to be of critical importance to our client base, Public Counsel's Community Development Project works to ensure that Southern California jurisdictions adequately plan and provide for the development and preservation of affordable housing consistent with communities' needs. For more information, visit www.publiccounsel.org.

[17] Cal. Gov't Code § 54220(c).

Karen Yapp (YAPP)

Response to YAPP-1

The commenter summarizes stormwater drainage as described on page 2-35 in the Draft EIR. The commenter asks if the proposed 15-inch stormwater outfall would slowly release stormwater in a controlled manner or just restrict output due to the pipe size. The commenter also states that the low elevation in the northeast corner of the ball field would allow stormwater overflow and potentially increase stormwater flows into Grayson Creek. The commenter requests that paragraph 4 on page 2-35 of the Draft EIR be revised to address their concerns.

The proposed 15-inch storm drain outfall restricts output due to the pipe size. The timing of the release at the 15-inch outfall would also be controlled by the water level in the downstream channel against the proposed flap gate. The high tailwater in the channel will promote storage within the athletics fields and then the flap gate would release discharge after the channel has receded. Please refer to Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements for additional information.

Response to YAPP-2

The commenter re-states MM HYD-3 on page 3.8-32 of the Draft EIR. The commenter recommends that the Draft EIR revise Section 3.8, Hydrology and Water Quality, to describe that the stormwater basins are only mitigating the impact of raising the ground level at the Civic and Residential project sites.

The storm drainage improvements included in the Civic and Residential components would be designed to address and correct flooding that currently occurs on the Civic Project Site. Please refer to Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements.

Response to YAPP-3

The commenter re-states text from page 3.8-31 of the Draft EIR regarding storm drainage improvements on the Residential Project site. The commenter recommends that the storm drainage plans need to show the location of retention basins on the Residential Project Site and describe how they will function.

As shown in the Oak Park Properties Specific Plan (Appendix K), the bioretention basins would be along the Residential Project frontage (directly west of Monticello Avenue) and along Oak Park Boulevard. Please Refer to Master Response 2—Hydrology, Flooding, and Storm Drainage Improvements for detail regarding how the bioretention basins would function for the Residential Project.

Response to YAPP-4

The commenter asks how stormwater pollutants, such as trash and debris, would be addressed by the proposed plan's storm drainage improvements.

During construction, a SWPPP would ensure that BMPs, such as straw wattling and storm drain screens, are included to prevent pollutants from entering the storm drain system. During operation, the proposed bioretention basins would collect stormwater where pollutants, such as trash, would remain in the basin while runoff flows through the improved drainage lines. Pursuant to Pleasant Hill

Municipal Code, Section 15.05.050, all development projects must submit a stormwater control plan that meets the most recent version of the Contra Costa Clean Water Program Stormwater C.3 Guidebook. Section 15.05.080 establishes post-construction requirements that would require maintenance of stormwater management facilities. The continued maintenance of the stormwater bioretention basins by the City of Pleasant Hill would ensure significant additional stormwater pollutants would not enter Grayson Creek. In addition, Section 17.35.020 would require stormwater drainage systems provide protection for off-site properties from increased runoff created by development. The Civic and Residential Projects would be required to comply with the City of Pleasant Hill NPDES program and Clean Water Program, and all relevant provisions of the municipal code related to stormwater pollution, including the provision of appropriately sized bioretention areas for pre-treatment of stormwater in accordance with C.3 Guidelines.

Response to YAPP-5
The commenter asks how the bioretention basins would drain stormwater and if the basin will be covered, left open, and how they would prevent people or animals from falling in if left open.

The bioretention basins include an underdrain that will drain to the 8-inch outfall. The 8-inch storm drain alignment will have a flap gate upstream of the outfall to prevent backwater effects on the bioretention basins. The basins are open by design and the intention is to not have any standing water over 72 hours. During a regular rain event, a maximum of 12 inches of ponding of water is expected within the basins. The gradual slopes along the perimeter will avoid someone from directly falling into the basins at any given time. Similar basin designs have been constructed and maintained to treat water in the greater Bay Area and within the city for the past 15 years without any major incidents.

Response to YAPP-6
The commenter describes the time short-term noise measurements were taken as part of the Draft EIR and recommends new measurements be taken during Saturdays when the ball fields would be in use.

See Response to FPHC-18 in regards to the purpose and use of the noise measurements in the analysis and how baseline ambient noise conditions were analyzed in comparison to the established applicable noise performance thresholds.

While ambient noise measurements were conducted to document daytime ambient noise levels in the plan area, they were not used as part of the impact determination. Rather, the noise impact analysis was performed in response to the CEQA checklist question, “Would the project generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the plan area in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?” The analysis identified that the applicable noise performance standard established by the City for stationary noise sources is 50 dBA CNEL for receiving residential land uses.

However, as detailed in the response to comment FPHC-18, the analysis showed that noise from the proposed ball field activities would also not exceed existing background noise levels in the plan area (since ball field activities would not exceed the noise performance standard of 50 dBA CNEL as measured at receiving residential land uses). Therefore, the analysis correctly concludes that the

activities associated with the proposed ball fields would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the plan area in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, and the impact would be less than significant. Documentation of weekend ambient noise levels in the plan area was not required to reach this conclusion.

Response to YAPP-7
The commenter restates text from page 3.10-26 of the Draft EIR, the determination that two new ball fields would not significantly increase noise impacts because they would not result in a doubling of users. The commenter then asks (1) how the noise impacts during busy times (i.e. weekends) can be determined without existing conditions, (2) would the noise from the new ball fields have a greater impact on surrounding residential than the existing fields, and (3) how would the ball fields night use impact noise.

In regards to noise impacts from ball field activity during evening hours, see Response to BADE.2-2.

Response to YAPP-8
The commenter asks what the operational noise impacts from the proposed plan would have on biological resources during the day or night.

Noise impacts to biological resources are addressed on page 3.10-28 of the Draft EIR. The impacts were found to be less than significant with implementation of MM BIO-1a and MM BIO-1b (Civic Project and Residential Project), MM BIO-1c (Civic Project Only), MM BIO-2 (Civic Project Only), and MM NOI-1. No further analysis is required. Additionally, please refer to FPHC-56.

Response to YAPP-9
The commenter states the on page 3.10-9, Ambient Noise, of the Draft EIR the sentence that reads "and the noise measurement data sheets are contained in Appendix H," should refer to Appendix I.

This comment has been noted and the changes are included in Section 3: Errata. No further response is required.

Response to YAPP-10
The commenter re-states text from page 3.9-18 of the Draft EIR. The commenter does not agree that the Residential Project qualify for the proposed zoning of Multi-family Very Low Density (MRVL) under the Municipal Code. The commenter explains that of the proposed 34 dwelling units, only seven are proposed to be multi-family and there is no guarantee that they will be rented to an unrelated person.

The MRVL general plan designation allows for single-family residences and the Residential Project is within the allowable density.

As discussed under Impact LUP-1, the Civic Project and Residential Project would be compatible with the Pleasant Hill 2003 General Plan land use designations in the vicinity as well as the general development pattern of residential neighborhoods further south in the City of Walnut Creek and the educational uses to the north. Moreover, the proposed plan would be consistent with the Pleasant

Hill 2003 General Plan policies adopted for the purpose of avoiding or mitigating an environmental effect and would be consistent with the Pleasant Hill 2003 General Plan goals and policies relative to housing.[62]

The Residential Project site is zoned "R10" (Single-family—10,000-square-foot lots). The City would amend the zoning map and rezone the Residential Project site to a new Planned Unit District (PUD) to be consistent with the proposed plan. Rezoning the site would allow flexibility in zoning administration while ensuring compatibility among new land uses with the surrounding land uses and allow the Residential Project site to accommodate the proposed residences. By complying with the proposed plan, impacts related to consistency with Pleasant Hill Municipal Code ordinances adopted for the purpose of avoiding or mitigating an environmental effect would be less than significant.

Response to YAPP-11
The commenter restates text from Table 3.9-8, page 3.9-29 of the Draft EIR, Item 3A regarding the City's goal to facilitate affordable housing and the Draft EIR determination. The commenter states that the proposed Accessory Dwelling Units (ADUs) would not be sufficient to rent out to an average working person because of size, lack of parking and amenities, and no legal requirement ensuring the ADUs are rented to low-income adults. The commenter recommends that Residential Project include low to moderate housing for at least 25 percent of the dwelling units.

Seven of the 34 lots included in the Residential Project will incorporate ADUs into the design of the home. The size and design of the ADUs complies with State Housing Laws. Although the ADUs are designed to provide affordable rentals, the City cannot legally compel homeowners to rent the units. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

Response to YAPP-12
The commenter states that there is large demand for low to moderate income housing within the City of Pleasant Hill and provides several housing statistics from the real estate website Redfin. The commenter asserts that there is very limited housing available for people in the low to moderate income bracket and that the proposed plan does not address the low housing stock availability.

The commenter's comment is noted. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required

Response to YAPP-13
The commenter states that the proposed ADUs would not be sufficient to rent out to an average working person because of size, lack of parking and amenities, and no legal requirement ensuring the ADUs are rented to low-income adults. The commenter asks what measures will be taken to ensure the seven ADUs would be rented to low income residents.

See Response to YAPP-11.

[62] FirstCarbon Solutions (FCS). 2019. Oak Park Properties Specific Plan Draft EIR (prepared for the City of Pleasant Hill). Pages 3.9-18 through 3.9-31. August.

Response to YAPP-14
The commenter asks how the 34 homes as part of the Residential Project would achieve the goals of the Pleasant Hill 2003 General Plan related to providing housing for low to moderate income people.

See Response to YAPP-11. The Residential Project provides seven ADUs to meet the Pleasant Hill Housing Element goals to provide at least 20 percent of the units as inclusionary accessory dwelling units for occupancy by low-income households. Although the Residential Project includes seven ADUs, the Residential Project is not proposed as an affordable housing development.

Response to YAPP-15
The commenter asks what other housing options were considered for the Residential Project site.

The County evaluated a variety of housing options for the Oak Park Properties. The County retained the project Architect to conduct a study of retaining the library and developing housing on the remainder of the Residential Project site. Under this alternative, a maximum of 10 units would be able to be developed as the site was constrained by the library and the parking needed for the library. Even fewer units would be able to be developed on the Residential Project site when topographic and grading considerations are taken into consideration. Based on an evaluation of site constraints for the Residential Project site, the County determined that development of single-family dwelling units at a density of 10-12 dwelling units per acre (du/ac) would provide an economically feasible project and establish compatibility with the surrounding neighborhood. The County determined that preserving the library with the development of fewer than 10 units would not meet the basic project objectives to provide housing and would be economically infeasible given the technological site constraints and costs of preserving the library.

Response to YAPP-16
The commenter states the Draft EIR makes no mention of the California Housing Element Law that apply to the sale of publicly owned land. The commenter then references the Surplus Land Act of 1968 and Assembly Bill 2135 (AB 2135) of 2014. The commenter asks what agencies or developers have been notified of the availability of the plan area.

Please see response to YAPP-14. The modification to the Surplus Land Act that was enacted by the California State Legislature to which the commenter may be referring is AB 1486. The County will comply with all applicable laws at the time of transfer of the property. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required

Response to YAPP-17
The commenter asks how the County is complying with the Surplus Property Act in the sale of this property.

1700 Oak Park

The County sent a letter on October 30, 2006, to offer the property to an extensive list of the agencies, in compliance with Government Code Section 54222. One response, from the East Bay Regional Park District (EBRPD), was received. The response indicated the EBRPD had no interest in acquiring the property. On July 14, 2015, the County sent a letter to the Pleasant Hill Recreation and

Park District offering the property for sale under Government Code Section 54222. The Recreation and Park District responded on September 14, 2015, indicating an interest in purchasing the property.

1750 Oak Park

The property located at 1750 Oak Park Boulevard was declared surplus by the Board of Supervisors on April 18, 2017. No letters offering the property for sale under Government Code Section 54222 have been sent because the property is currently encumbered by an Option Agreement and Agreement to Settle Litigation between the County and the District. The County will comply with Government Code Section 54222 prior to disposing of the property to anyone other than the Recreation and Park District under the Option Agreement.

Response to YAPP-18

The commenter describes new California State laws signed by Governor Gavin Newsom and asks what measures have been taken to ensure the proposed plan complies with these new laws. The commenter recommends modifications to Section 3.11.2 of the Draft EIR to enumerate the requirements of the Surplus Land Act, AB 2135, AB 1255, and AB 1486 and their relation to the Residential Project.

See response to YAPP-14.

Response to YAPP-19

The commenter restates the County Librarian's statement regarding the temporary library site and the number of books that would be displaced because of the construction of the Civic and Residential Projects. The commenter recommends the analysis discuss the impact to discarding books from the library and the environmental impact of purchasing 60,000 new books for the new library.

The Draft EIR evaluates the impacts to the provision of library services in Section 3.15, Public Services. CEQA requires an analysis of physical effects on the environment associated with the development of a proposed project. In accordance with CEQA Guidelines Section 15131, CEQA does not require an analysis of changes to program operations. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

Response to YAPP-20

The commenter states that the Draft EIR did not discuss or analyze the full impacts on traffic and parking at the temporary library site. The commenter then restates text from page 3.14-63 of the Draft EIR, which discusses MM TRANS-1a. The commenter asks (1) what contractual obligations will the contractor have to monitor parking at the Senior or Teen Centers, (2) how monitoring the parking at the temporary library would be an appropriate mitigation as part of a construction contract, and (3) how this analysis complies with the requirements of an EIR.

The contractor will not be responsible for monitoring parking at the Senior and Teen Centers; that will be the responsibility of the Recreation and Park District. The impact statement and mitigation measure identifies that there is adequate space within the Senior Center to house the temporary library as well as Senior Center activities and acknowledges that there could be parking shortages

depending on the temporary library schedule and senior center activities. MM TRANS-1a does not include deferred analysis; rather it includes monitoring actual conditions and adjusting schedules to balance the temporary library and Senior Center operations.

Response to YAPP-21
The commenter recommends performing a parking study and traffic study at the Senior Center, Teen Center, and on Gregory Lane to determine the mitigation measures required to accommodate the anticipated increased traffic and parking at those sites. The commenter states that the parking lot is already too full. The commenter requests the reasoning for how the Senior Center would accommodate the extra cars and parking demands during the construction period.

Please refer to Master Response 3—Parking, for information related to parking during construction. Adjustments to library, Senior Center, and Teen Center operations to manage the parking demand will also manage the level of vehicle traffic into and out of parking facilities from Gregory Lane, minimizing temporary traffic increases on Gregory Lane and the surrounding area. Please also see Response to YAPP-22, which provides additional information related to the additional vehicle traffic that could be added to the area.

Response to YAPP-22
The commenter states project trip generation numbers from Appendix J and asks how the amount of automobile traffic would impact the temporary library site. The commenter states that traffic and queuing time at the left turn lane from eastbound Gregory Lane into the Senior Center frequently backs up and can extend back to Contra Costa Boulevard. The commenter asks how the increase in cars at the Senior and Teen Center would impact traffic on Gregory Lane.

The last City-conducted LOS analysis for Gregory Lane was done in 2008, and it was determined that the corridor (between Pleasant Hill Road and Contra Costa Boulevard) performed at a LOS C in the AM peak-hour and LOS C in the PM peak-hour. The average daily traffic volume collected in 2008 was 17,500 vehicles. The most recent traffic volume count collected along Gregory Lane was September 2019, and it was determined that the average daily trips (ADT) remained consistent over the past 10 years (ADT in 2019 is 17,450). As such, it can be assumed that the LOS for the Gregory Lane corridor (between Pleasant Hill Road and Contra Costa Boulevard) is consistent with that from 2008, especially because there has been no new major development in the area that would change the overall traffic pattern along the roadway. Given LOS C along the corridor, the City can conclude that Gregory Lane can adequately accommodate the additional traffic from the temporary library site.

Additionally, Storytime and other library activities within the Teen Center would be scheduled for times when other concurrent events are not happening to reduce overlapping parking and traffic demands on the street system.

Response to YAPP-23
The commenter states that the most popular day for the Storytime Program is on Saturday. The commenter explains that the Teen Center parking lot is full from people using the lot during April through October and during summer months due to people using the swimming pool. The commenter asks how many cars are expected to use the Teen Center parking lot during the Storytime Program.

Regarding the programming for the Storytime Program, County library staff notes that the current library programming at the existing library site does not include the Storytime Program on Saturdays.

As part of the temporary parking management plan, the schedule for Storytime events at the Teen Center will be established to minimize the potential for parking shortages in the area. As such, it is difficult to project the number of vehicles expected for Storytime. In addition to the parking available at the Teen Center, parking is also available at other public parking lots within walking distance of the Teen Center.

Response to YAPP-24
The commenter notes that the construction assessment on page 42 of Appendix J is incorrect. The commenter states that the Senior Center has a full calendar of activities on weekdays from 9:00 a.m. to 1:00 p.m., and in the afternoon, the parking lot fills up with cars for people attending classes at the Senior Center. This comment has been noted and the revisions with respect to timing for the classes included in Section 3: Errata.

The commenter notes that the Recreation and Park District rents the Senior Center to the public for events that can involve several people causing the parking lot to fill up. The commenter asks if the Recreation and Park District has agreed to cease rental of the Senior Center or limit rentals to small groups while the temporary library is in operation. The temporary library will occupy a space that is designed and currently used as the Senior Center Library. Therefore, the temporary library operations are within a space that was designated for this use. As with all buildings with multiple uses that the Recreation and Park District manages, the Recreation and Park District will schedule programs and events pursuant to all required regulations.

Response to YAPP-25
The commenter states that the temporary library should not be considered temporary because it would be open for 18 months.

This comment does not address the adequacy of the Draft EIR.

Response to YAPP-26
The commenter does not agree with the rejection of Alternative 6.91—Full Historic Preservation. The commenter asks what are the reasons the existing Pleasant Hill Library cannot be renovated and what are the specific reasons this alternative was rejected. The commenter suggests that the alternative should be revised to include full renovation of the existing library while including 10 homes on the northern most portion of the Residential Project site.

The County has identified the existing library as a facility that has been affected by extensive deferred maintenance. Attempting to rehabilitate the building to bring is up to current safety standards would be cost prohibitive.

Chapter 6, Alternatives, of the Draft EIR evaluated a reasonable range of feasible alternatives for the Oak Park Properties Specific Plan. As explained in the administrative record, due to the technological, physical and cost constraints associated with renovating and replacing the existing building, the County determined that the Full Preservation Alternative was infeasible and rejected it from further

consideration. The Partial Historic Preservation Alternative, described on page 6–22 of the Draft EIR, was identified as the only feasible alternative that would partially reduce the proposed plan's significant, unavoidable, impact to an historic resource. The recommended alternative design proposed by the commenter would be inconsistent with City development standards. The proposed alternative design is not functionally feasible because it would be constrained by the location of the residences; it would necessitate those residences being close to the creek, which would introduce new potential flooding impacts.

Response to YAPP-27
The commenter includes "Affordable Housing Law Alert: Assembly Bill 2135 Strengthens Priorities for Affordable Housing on Public Surplus Land" as a reference.

No further response is required.

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SECTION 3: ERRATA

The following are revisions to the Draft Environmental Impact Report (EIR) for the Oak Park Properties Specific Plan.

These revisions are minor modifications and clarifications to the document, and do not change the significance of any of the environmental issue conclusions within the Draft EIR. The revisions are listed by page number. All additions to the text are underlined (<u>underlined</u>) and all deletions from the text are stricken (~~stricken~~).

3.1 - Changes in Response to Specific Comments

Revisions to Exhibits

Exhibits 2-3, 2-4, 2-8, 2-13, 2-14, 3.5-1, 3.8-1, 3.14-1, 3.14-2, 3.14-3, 3.14-4, 3.14-5, 3.14-6, 3.14-7, 3.14-8, 3.14-9, 3.14-10, 3.14-11, 3.14-12, and 3.14-13.

These exhibits have been revised to include a north arrow and scale.

Executive Summary

Page ES-19, Table ES-1: Executive Summary Matrix

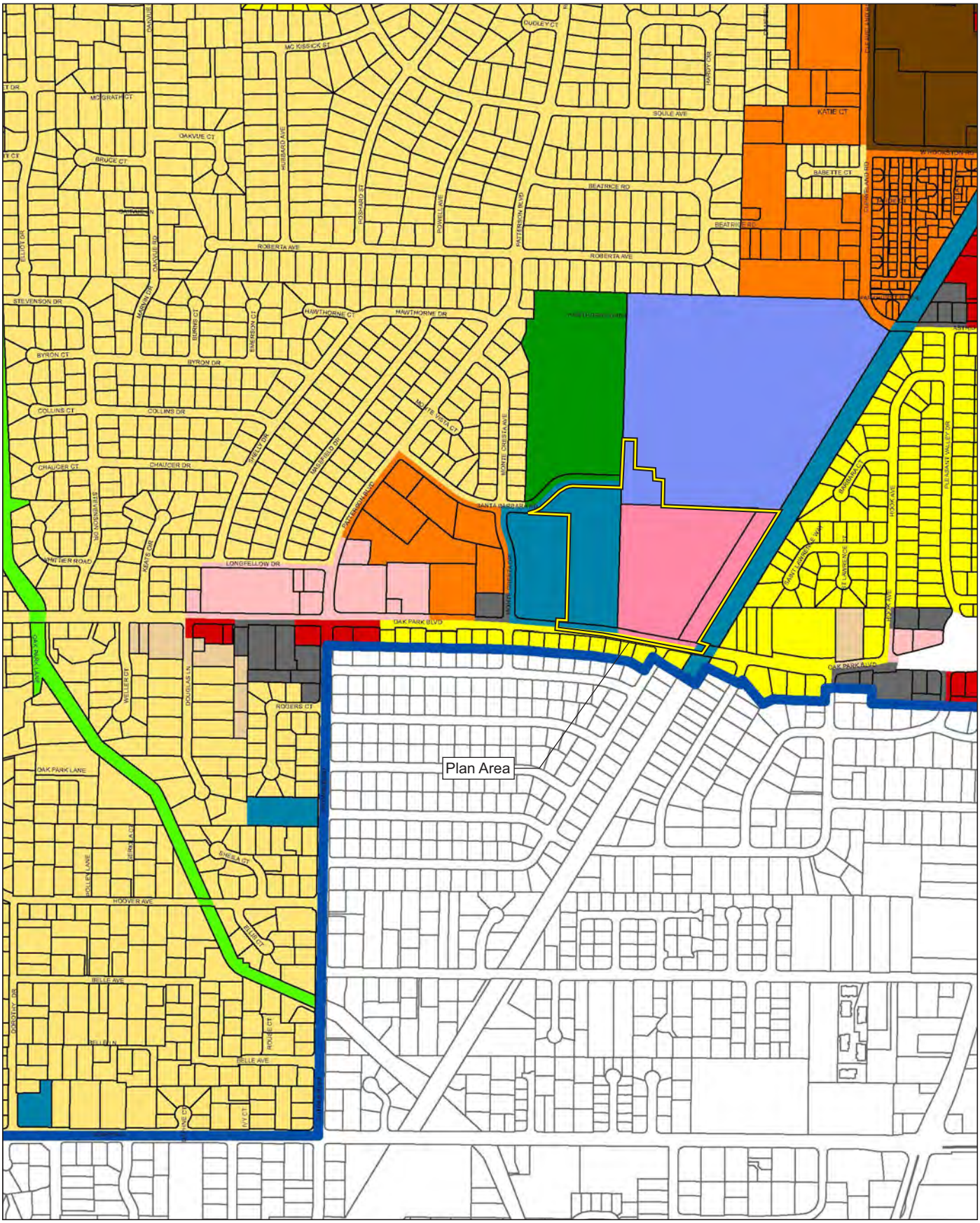
To correct typographical errors in the Draft EIR, the executive summary matrix has been revised:

Table ES-1: Executive Summary Matrix

Impacts	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact BIO-2: Development of the proposed Civic Project could have a substantial adverse effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.	Potentially Significant (Civic Project) No Impact (Residential Project)	Implement MM BIO-~~2~~1a, <u>MM BIO-1b, and MM BIO-1c</u> (Civic Project only) and MM NOI-1 (Civic Project only) and the following measures:	Less Than Significant with Mitigation (Civic Project) No Impact (Residential Project)
Impact GEO-6: The proposed plan could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	Potentially Significant (Civic Project and Residential Project)	**MM GEO-6: Paleontological Resources Monitoring During Construction** ***Civic Project and Residential Project:*** A paleontological monitor shall be present during all excavations that exceed 10 feet in depth or	**Impact GEO-6:** The proposed plan could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Table ES-1 (cont.): Executive Summary Matrix

Impacts	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		otherwise have the potential to impact previously undisturbed Pleistocene alluvium. In the event a fossil is discovered during construction for the proposed plan, excavations within 50 feet of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist in accordance with Society of Vertebrate Paleontology standards. The project sponsors for the Civic Project and Residential Project shall include a standard inadvertent discovery clause in every proposed plan-related construction contract to inform contractors of this requirement. If the find is determined to be significant and if avoidance is not feasible, the paleontologist shall design and implement a data recovery plan that is consistent with the Society of Vertebrate Paleontology standards. Any recovered fossil should be deposited in an appropriate repository, such as the UCMP, where it will be properly curated and made accessible for future studies.	
Cumulative Impact	~~Less Than Significant~~ Potentially Significant (Civic Project and Residential Project)	~~No mitigation is necessary.~~ Implement MM GEO-1 and MM GEO-6	Less Than Significant with Mitigation (Civic Project and Residential Project)



Source: City of Pleasant Hill General Plan Land Use Map.

FIRSTCARBON SOLUTIONS™

1,390 695 0 1,390 Feet

Exhibit 2-3
Existing General Plan Land Use Designations

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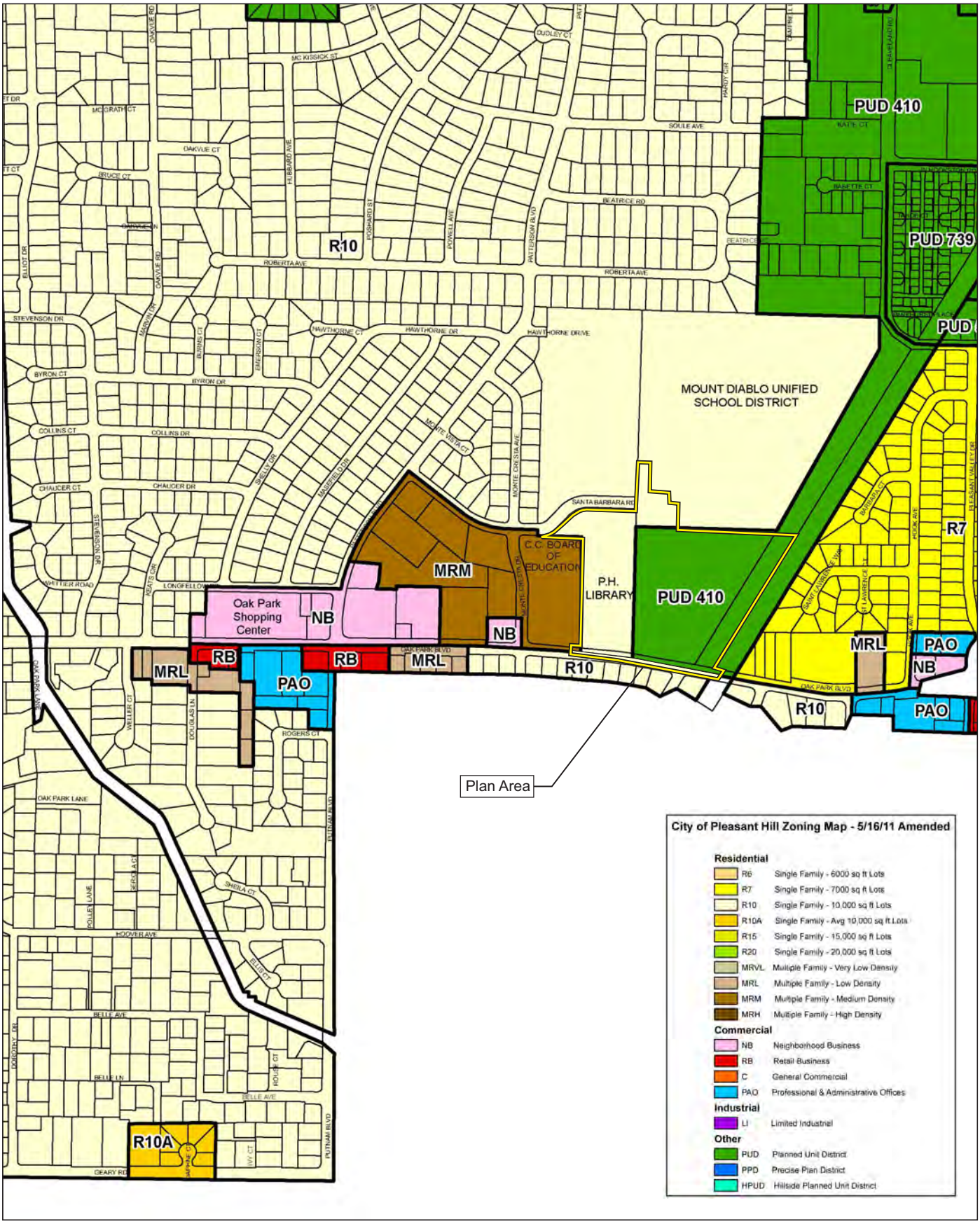

Source: City of Pleasant Hill General Plan Zoning Map.

FIRSTCARBON SOLUTIONS™

1470 735 0 1,470 Feet

Exhibit 2-4
Existing Zoning Code Designations

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Source: EINWILLERKUEHL Landscape Architecture.

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200 100 0 200 Feet

Exhibit 2-8
Conceptual Site Plans

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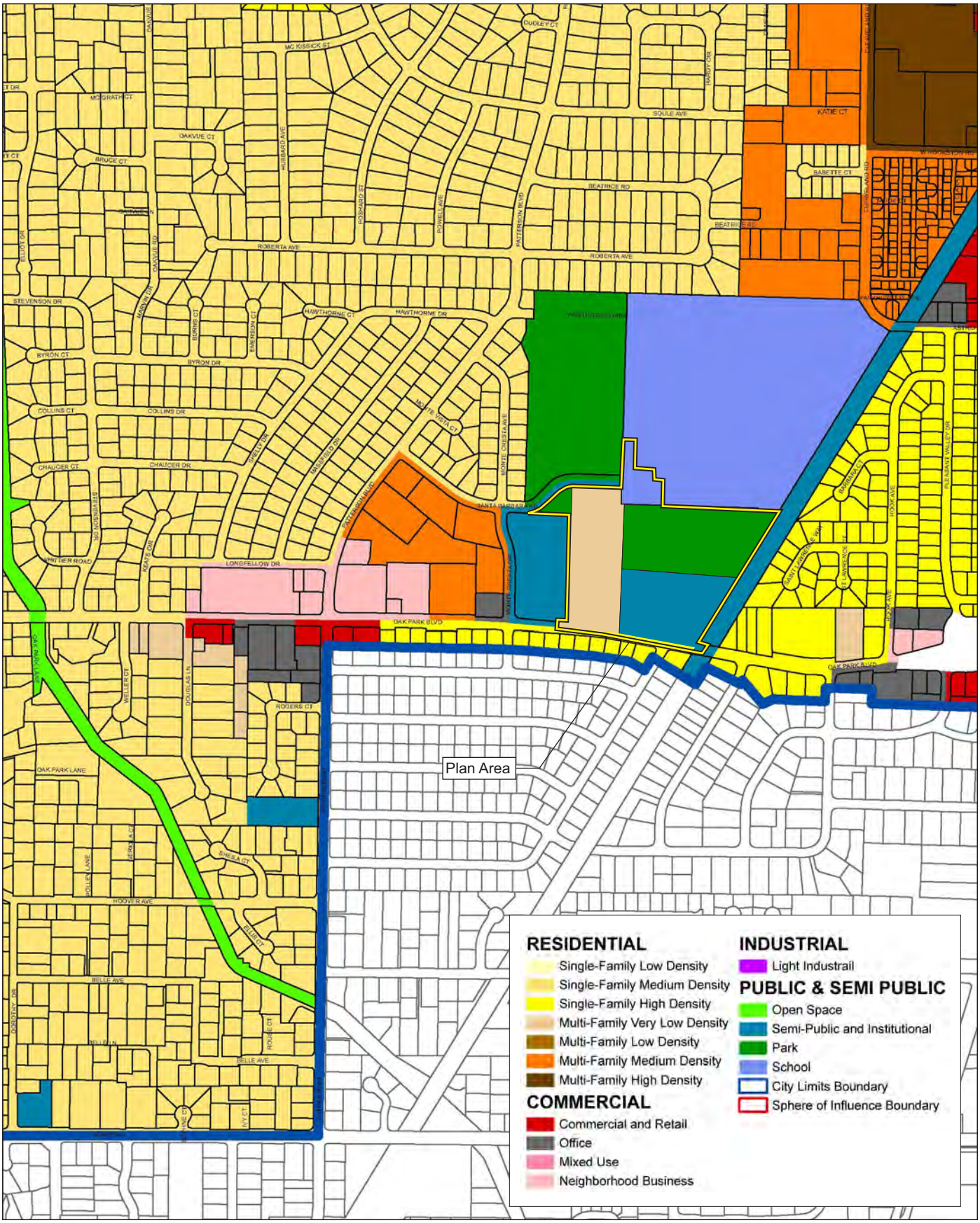

Source: Oak Park Properties Specific Plan, 2019.

FIRSTCARBON SOLUTIONS™

1,390 695 0 1,390 Feet

Exhibit 2-13
Proposed General Plan Land Use Designations

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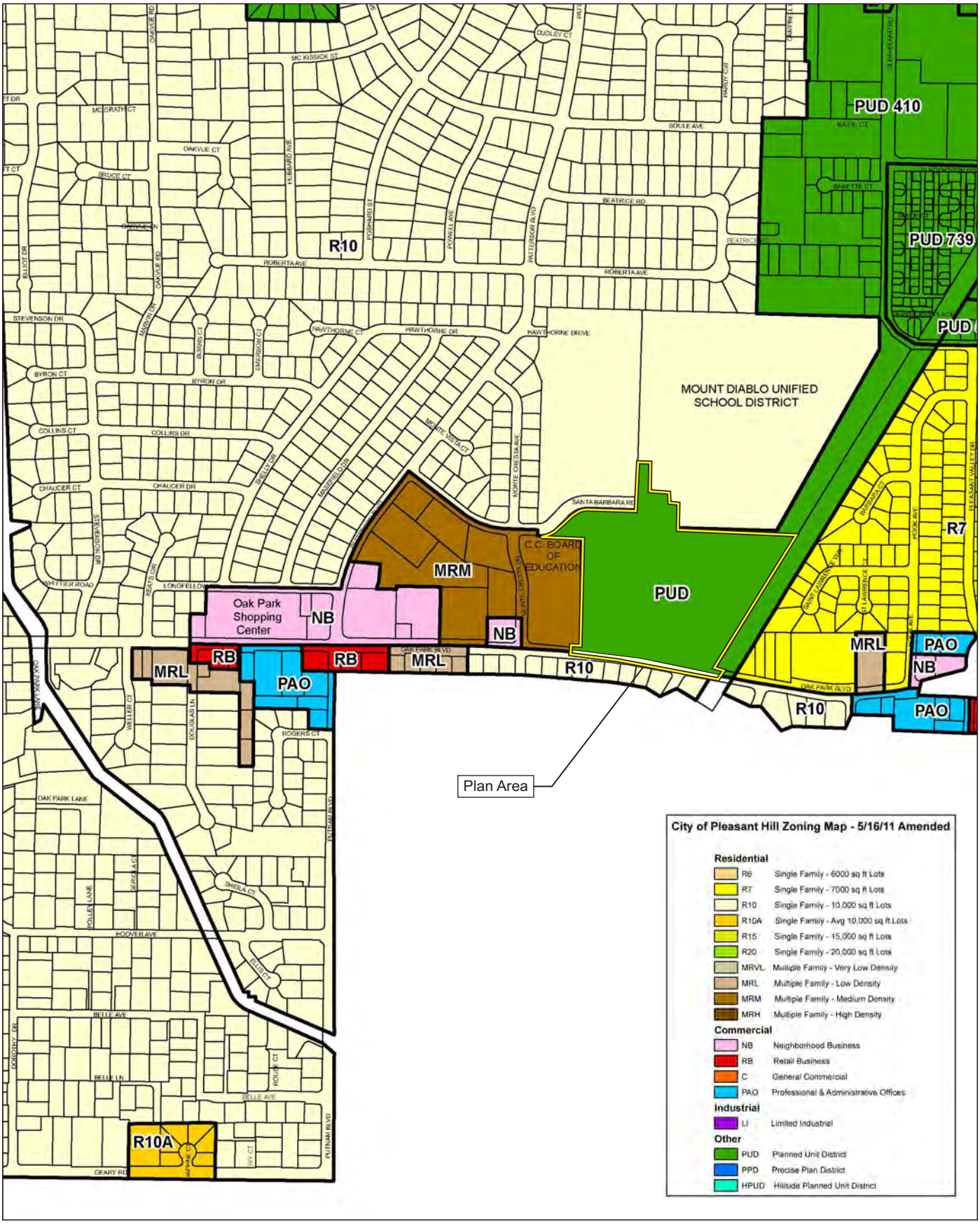

Source: Oak Park Properties Specific Plan, 2019.

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1470 735 0 1,470 Feet

Exhibit 2-14
Proposed Zoning Code Designations

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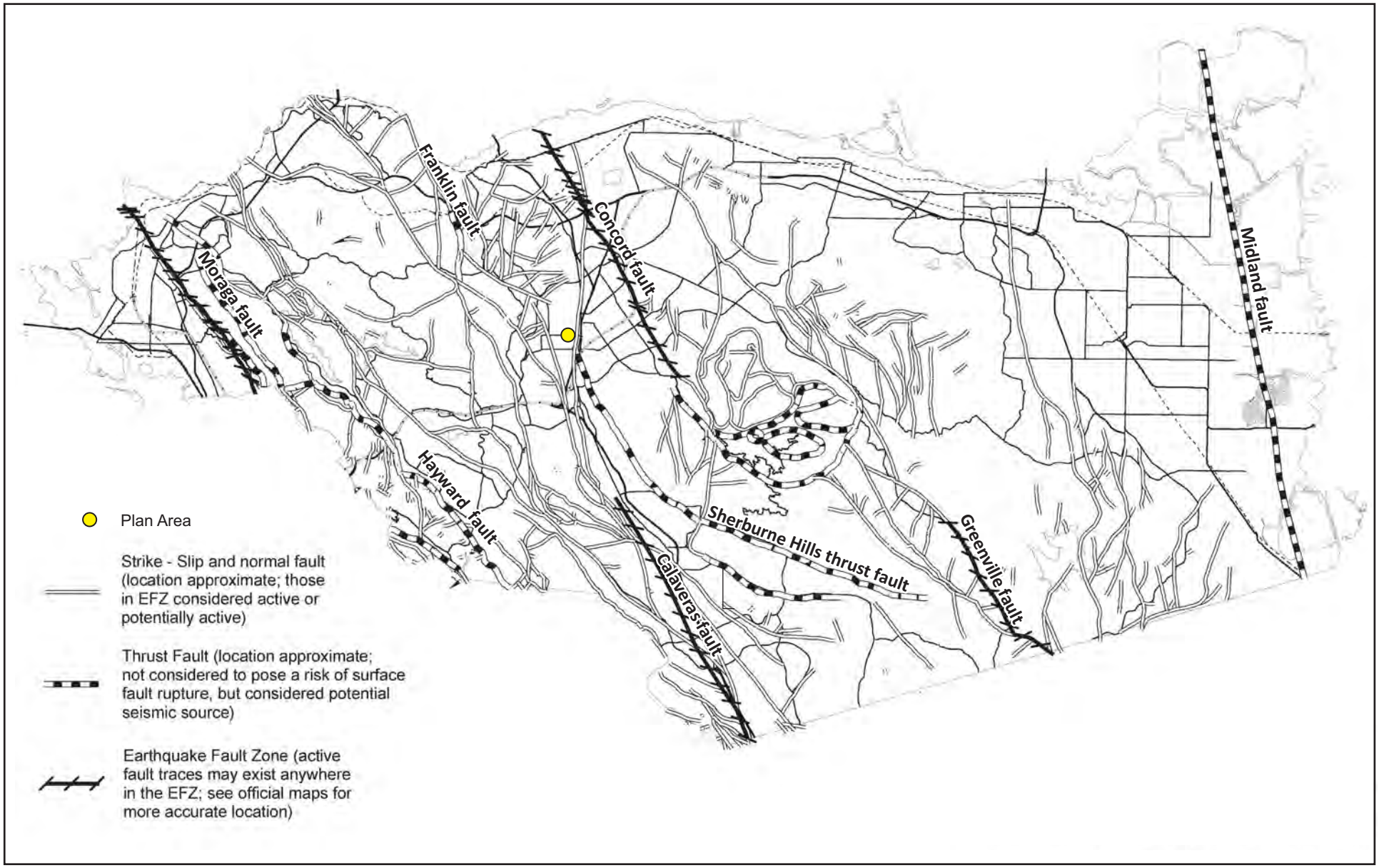

Source: U.S. Geological Survey (Graymer, Jones and Brabb, 1994; and Earthquake Fault Zone Maps (California Geological Survey)

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Exhibit 3.5-1
Regional Fault Map

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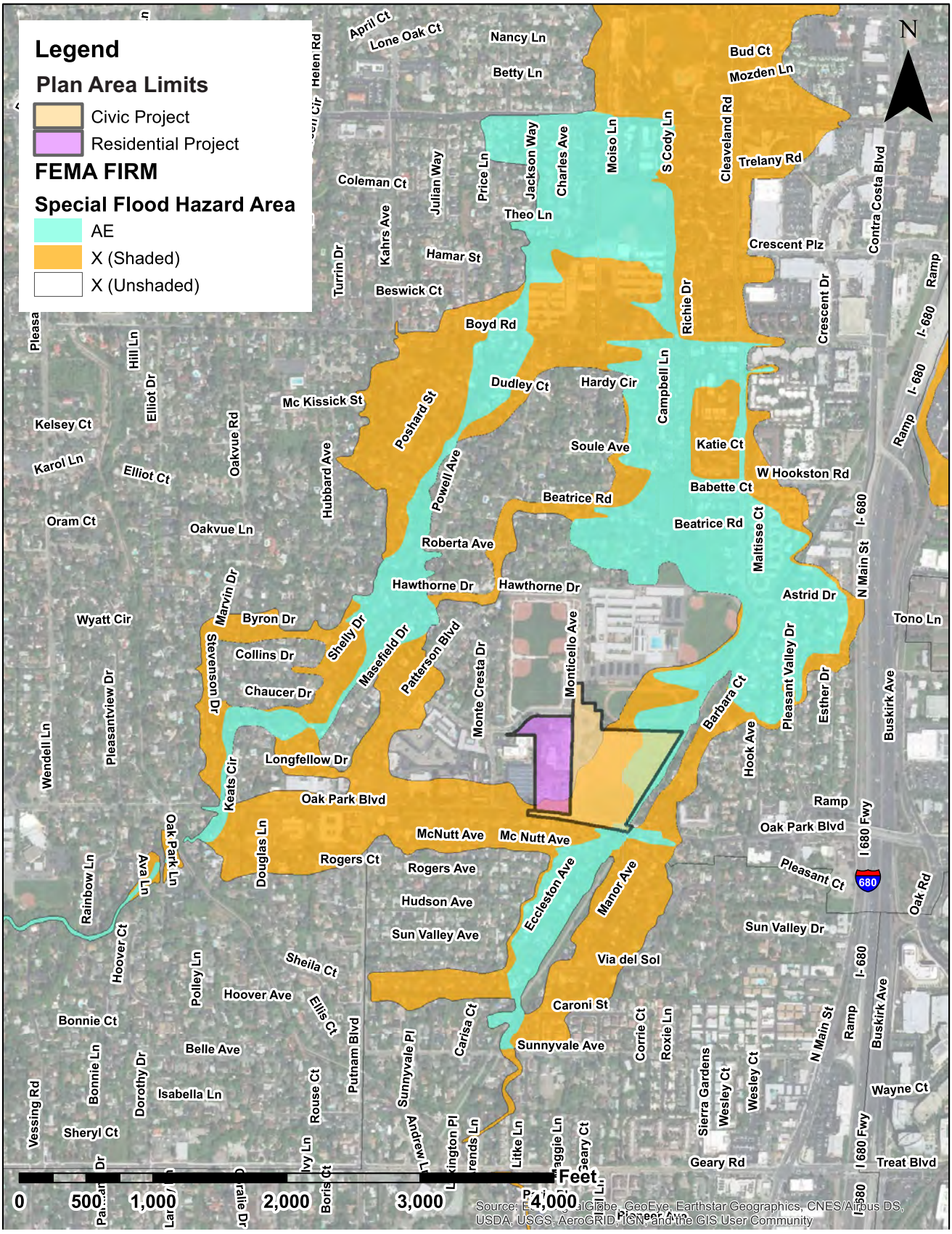

Source: WRECO, 2019.

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1,000 500 0 1,000 Feet

Exhibit 3.8-1
FEMA Special Flood Hazard Areas

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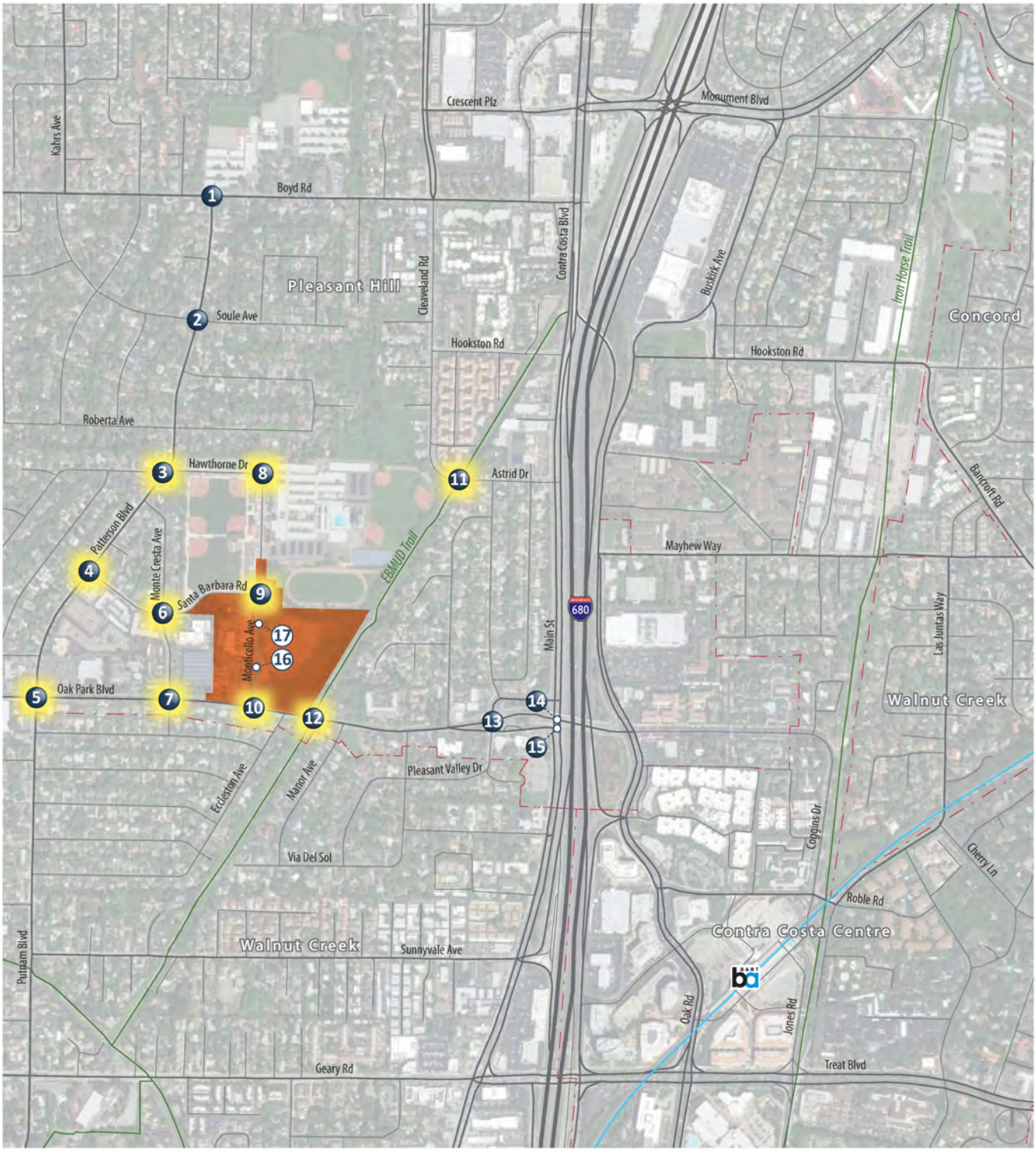

Source: FEHR + PEERS, April 2019.

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Exhibit 3.14-1
Study Area Intersection Location Map

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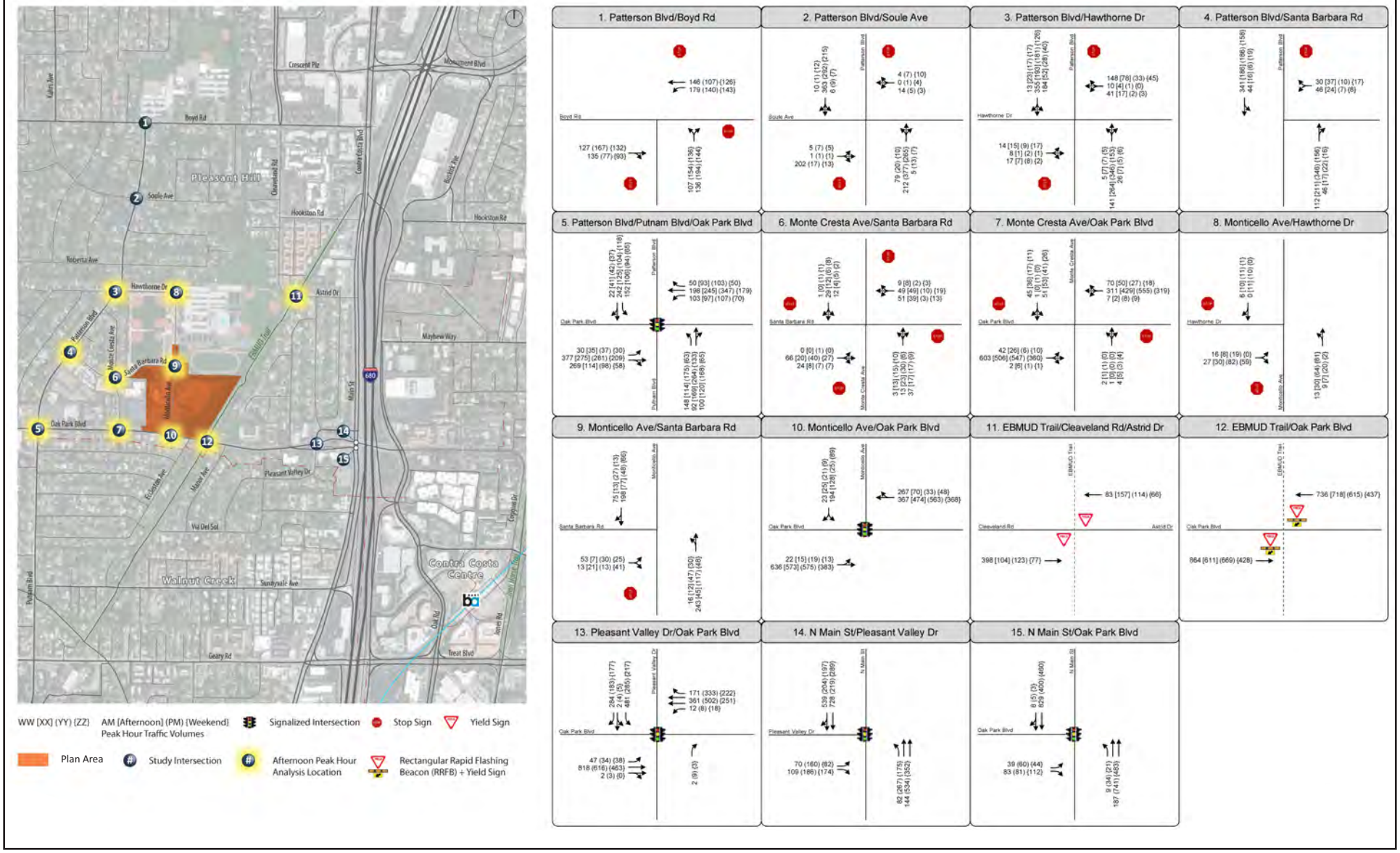

Source: FEHR + PEERS, April 2019.

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Exhibit 3.14-2
Existing Peak Hour Volumes

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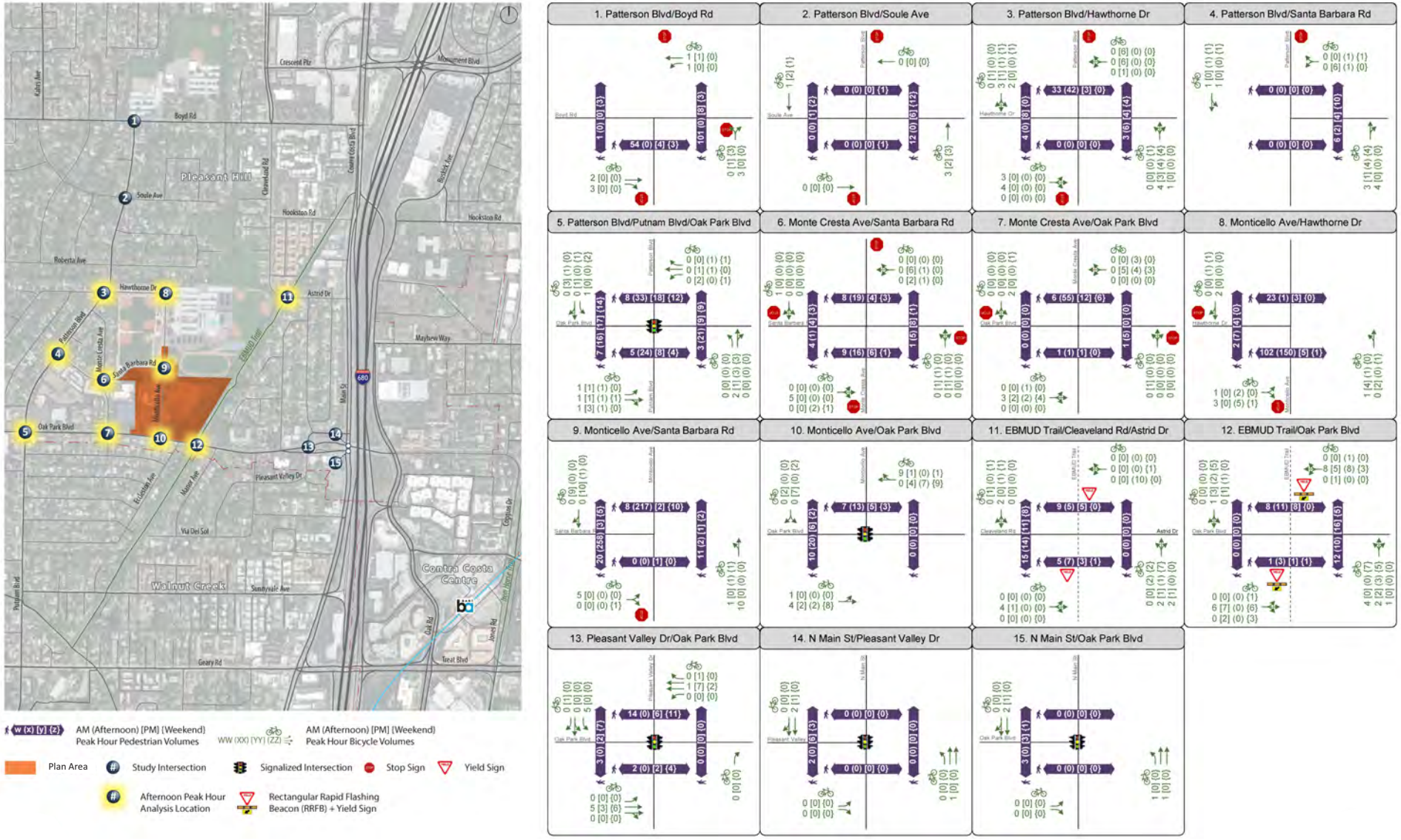

Source: FEHR + PEERS, April 2019.

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Exhibit 3.14-3
Existing Peak Hour Bicycle and Pedestrian Volumes

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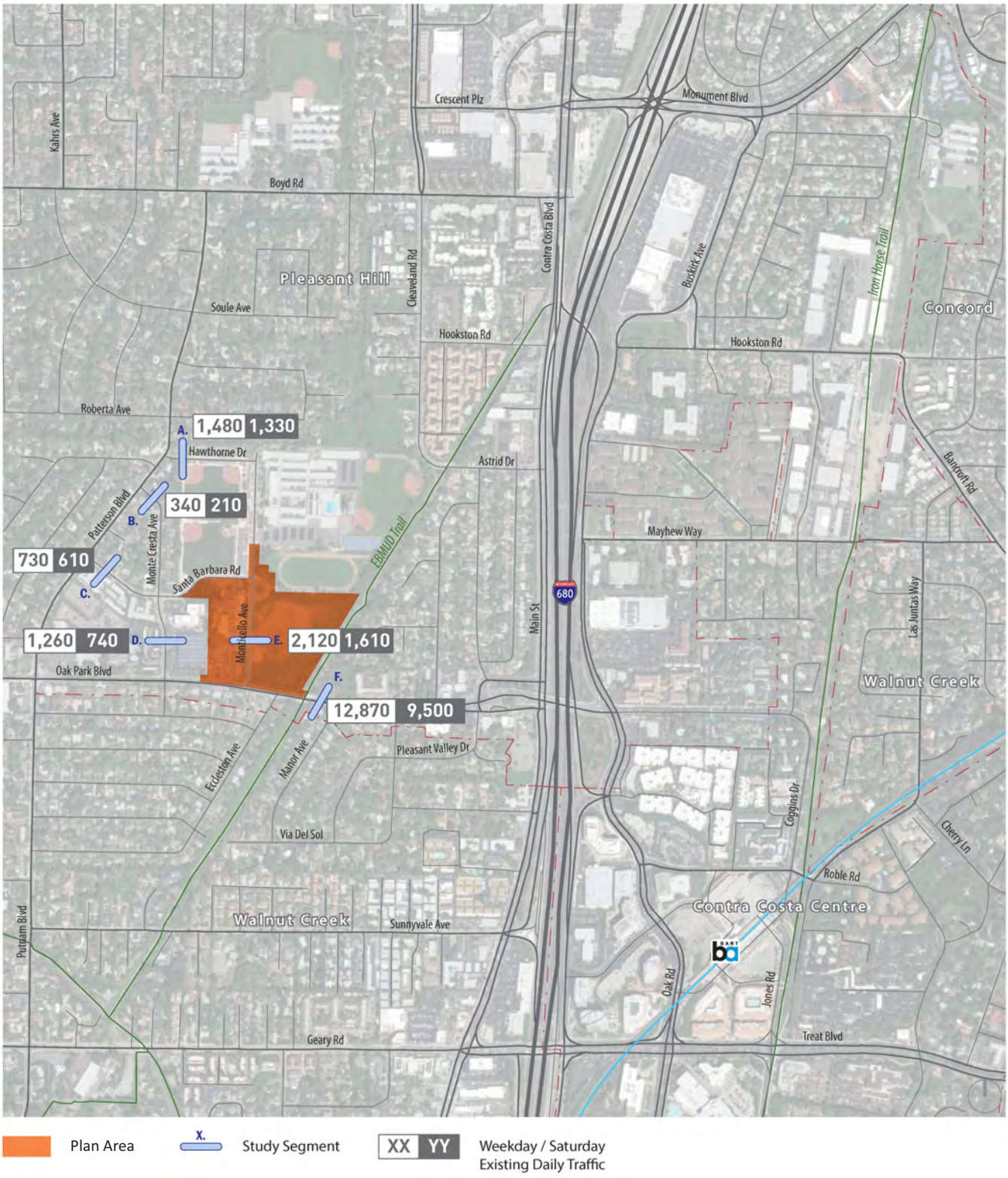

Source: FEHR + PEERS, April 2019.

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Exhibit 3.14-4
Existing Daily Roadway Segment Volumes

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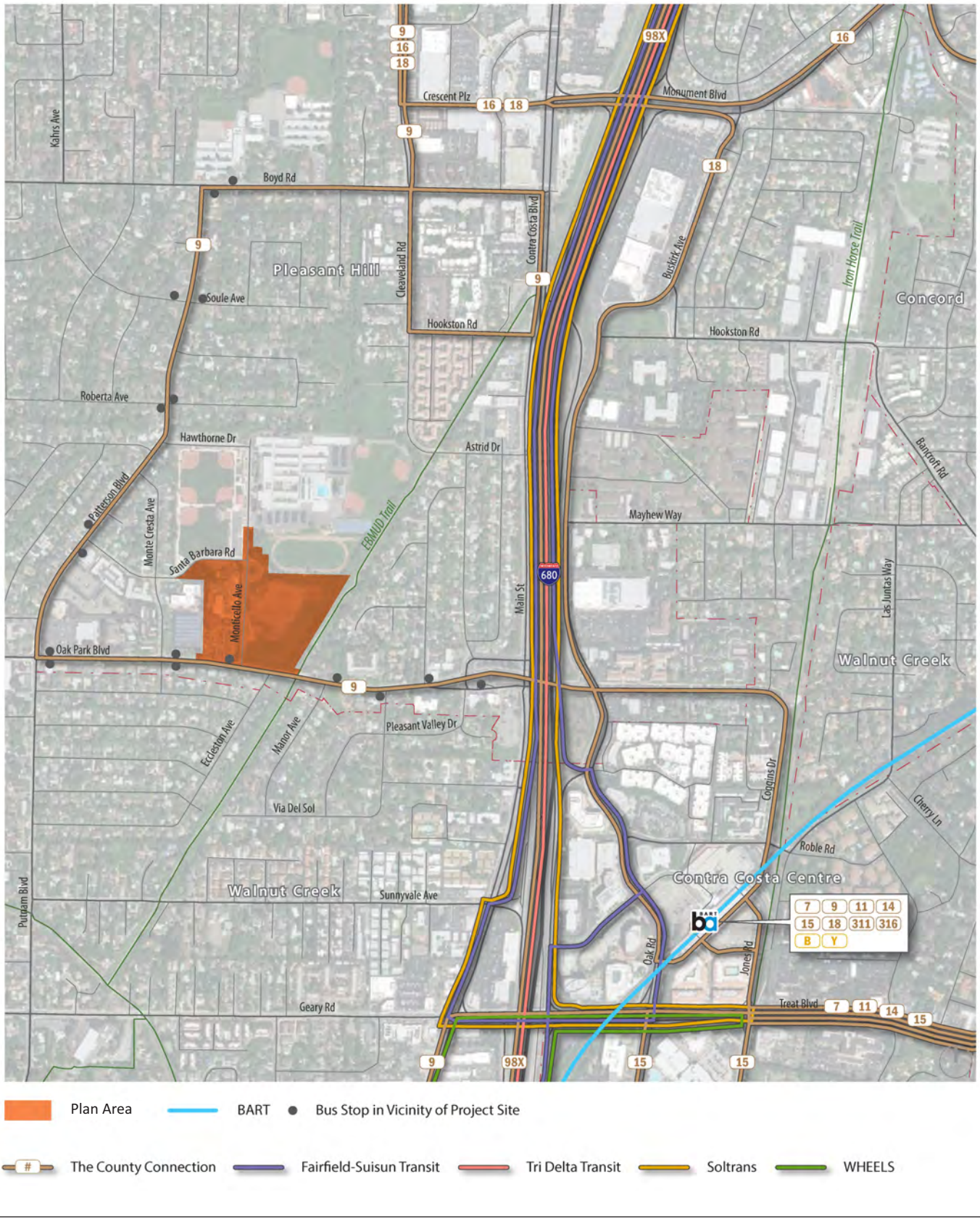

Source: FEHR + PEERS, April 2019.

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Exhibit 3.14-5
Existing Transit Facilities

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Source: FEHR + PEERS, April 2019.

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Exhibit 3.14-6
Existing Bicycle Facilities

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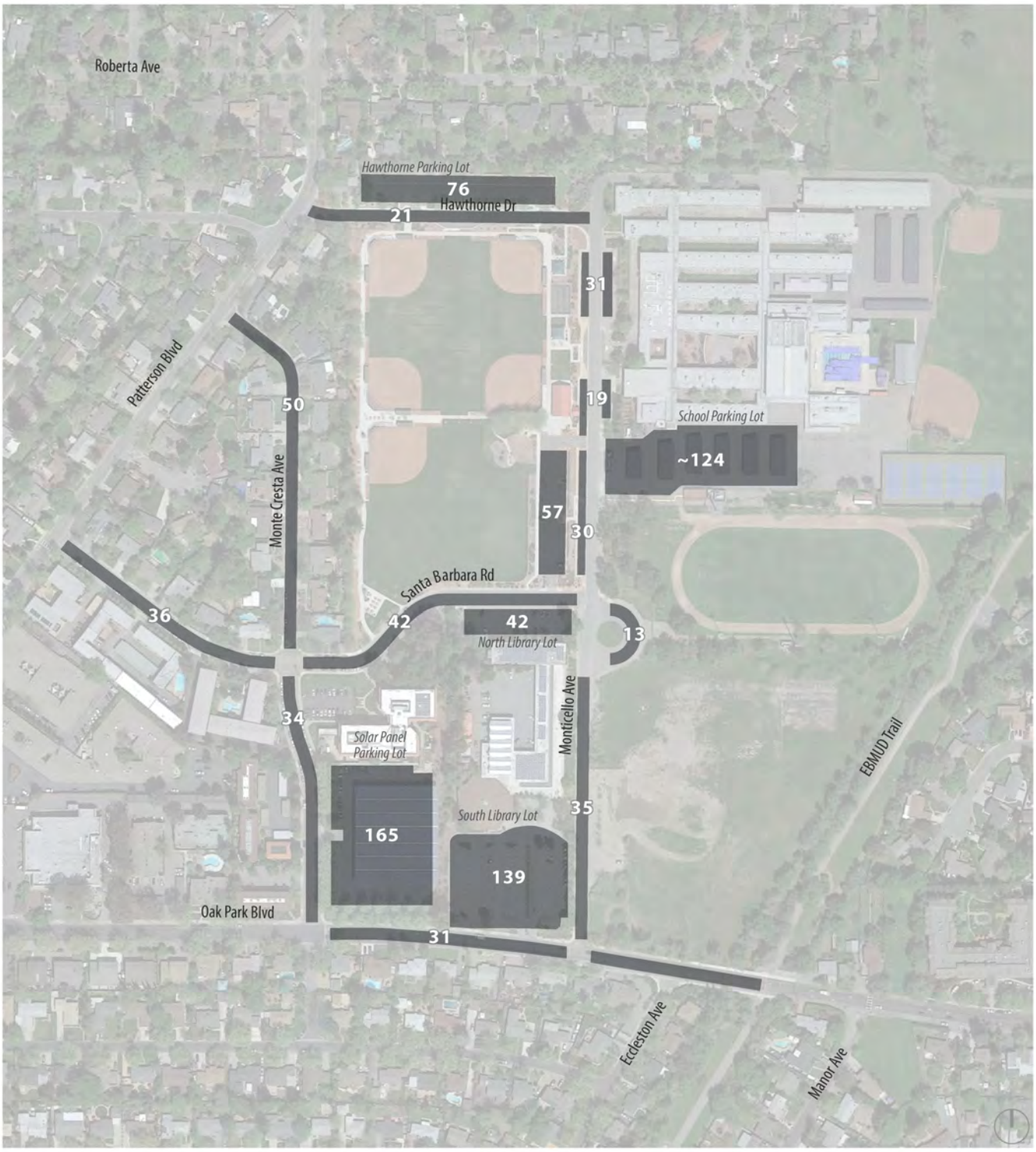

Source: FEHR + PEERS, April 2019.

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Exhibit 3.14-7
Parking Survey Locations

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Source: FEHR + PEERS, April 2019.

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Exhibit 3.14-8
Weekday Parking Occupancy

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Source: FEHR + PEERS, April 2019.

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Exhibit 3.14-9
Saturday Parking Occupancy

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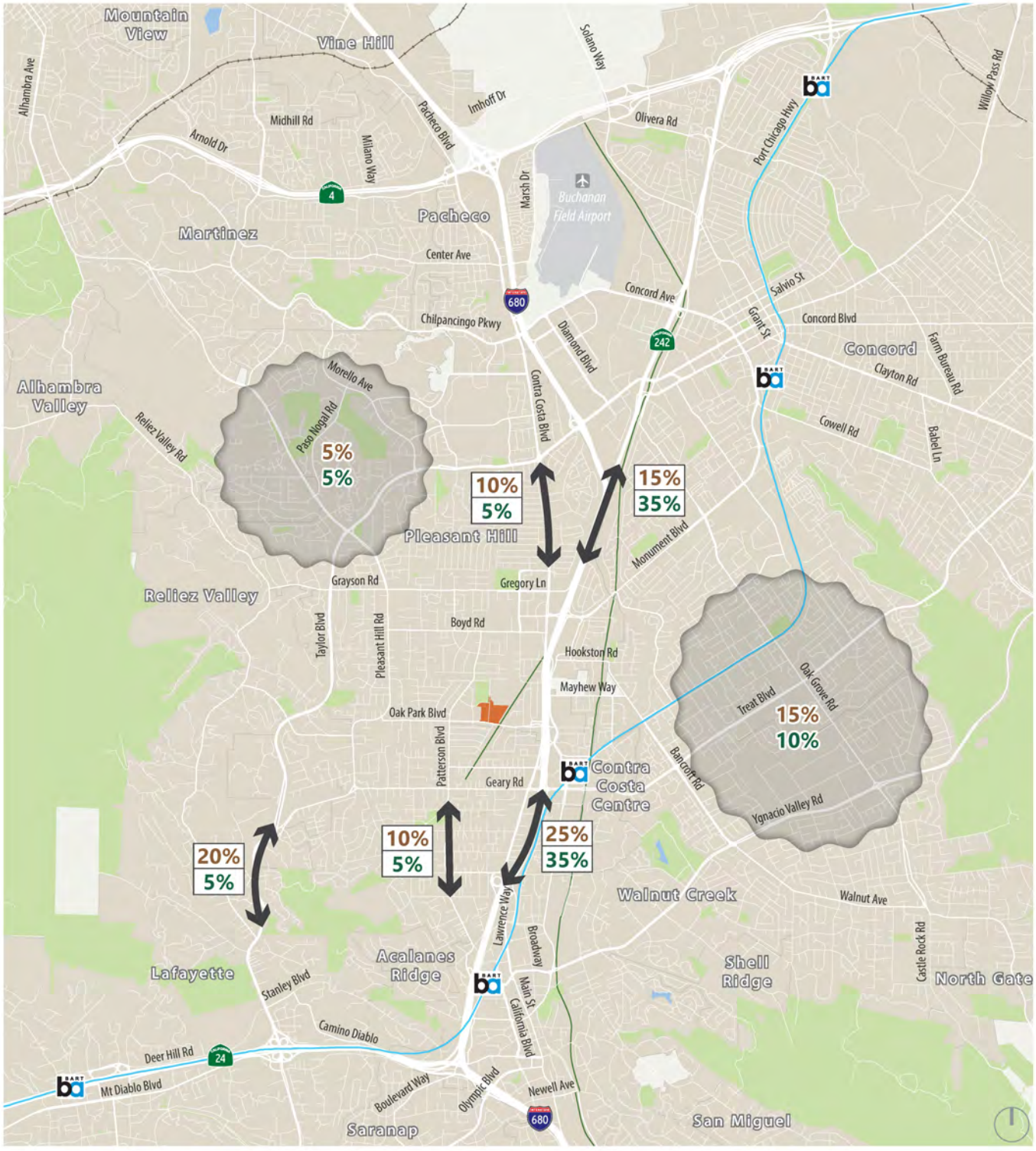

Source: FEHR + PEERS, April 2019.

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Exhibit 3.14-10
Proposed Plan Trip Distribution

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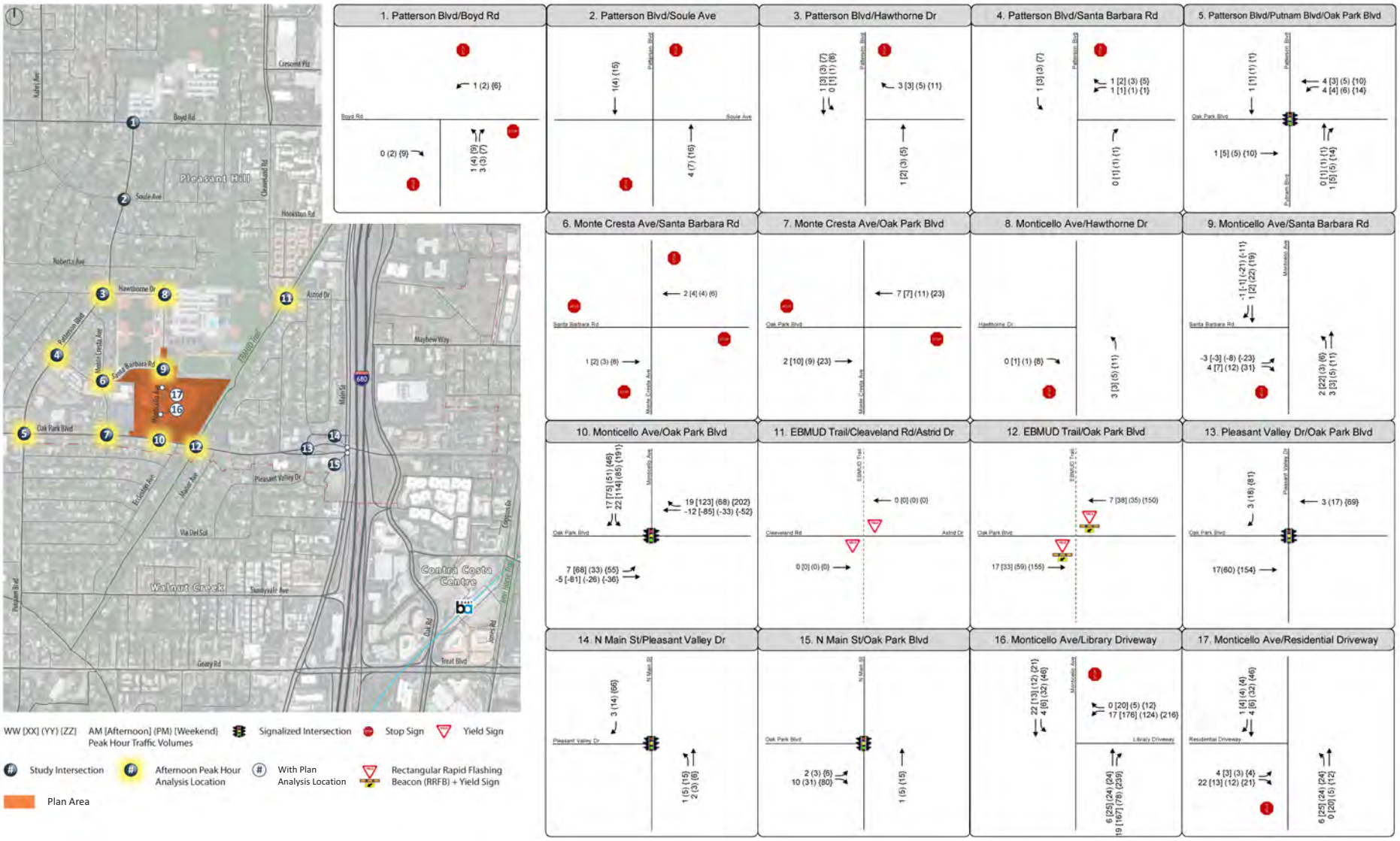

Source: FEHR + PEERS, April 2019.

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Exhibit 3.14-11
Proposed Plan Trip Assignment

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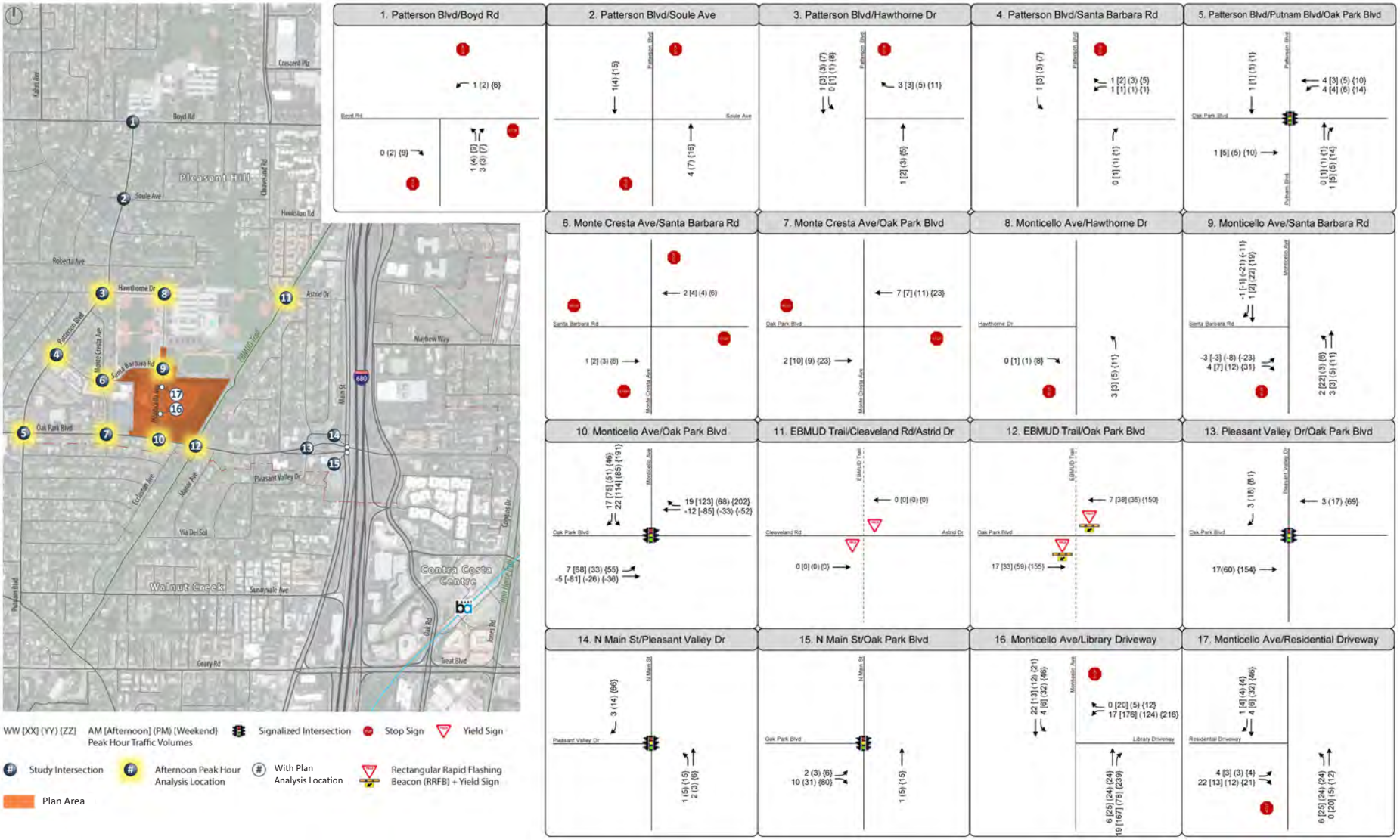

Source: FEHR + PEERS, April 2019.

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Exhibit 3.14-12
Existing Plus Plan Peak Hour Volumes

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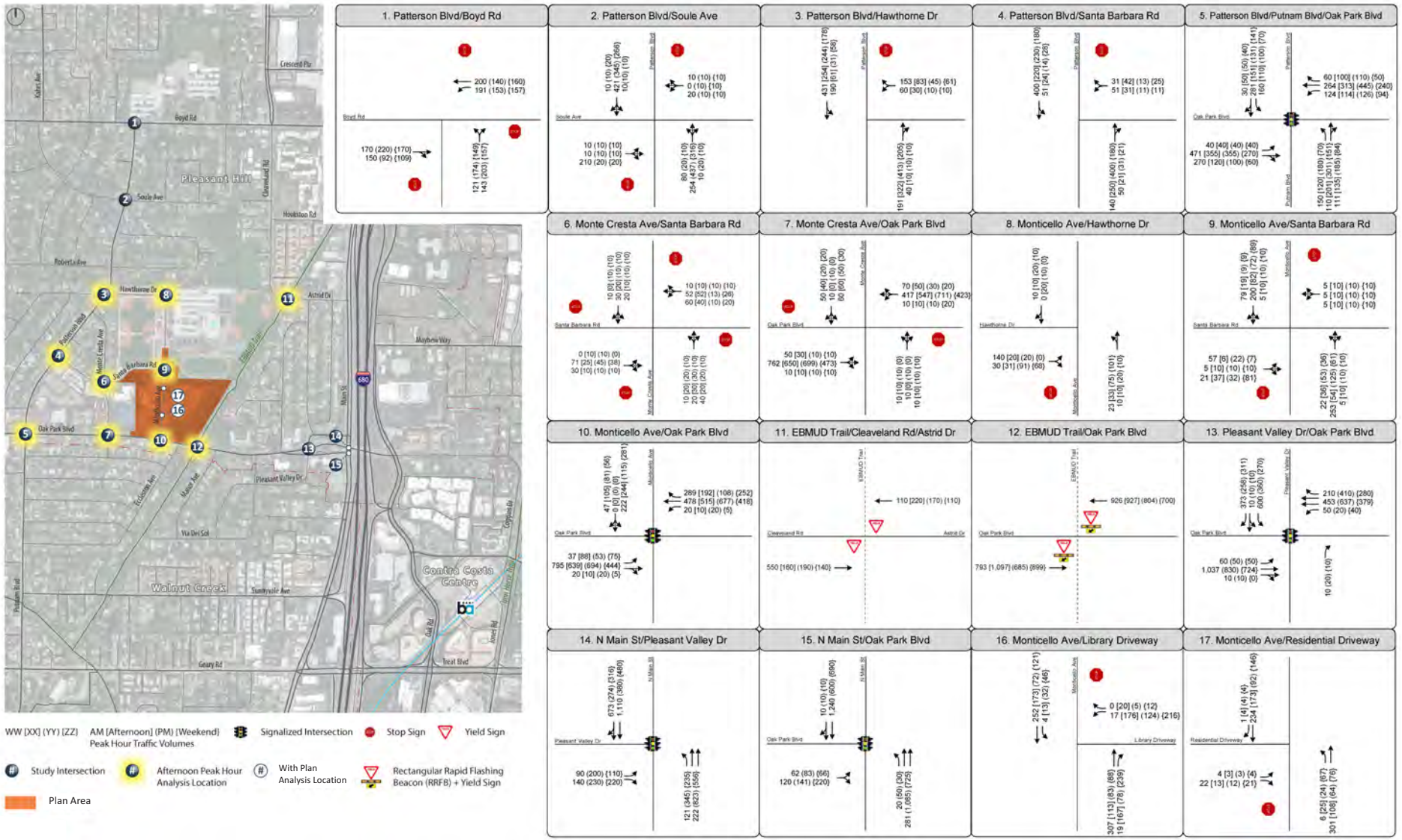

Source: FEHR + PEERS, April 2019.

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No Scale

Exhibit 3.14-13
Cumulative Plus Plan Peak Hour Traffic Volumes

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Introduction

Section 1.3.3—Notice of Preparation and Public Scoping Process

Table 1-1, Page 1-8

The date of Jack Prosek's submitted comment during the public scoping process has been updated.

Table 1-1: Summary of EIR Scoping Comments

Agency/Organization	Author	Date	Comment Summary	Coverage in DEIR
Individuals				
—	Jack Prosek (sent scoping comment via email on 11/21/2018 ~~12/12/2018~~ and made comment during scoping meeting)	11/21/2018 ~~12/12/2018~~	• Concerned with left turn traffic from Monticello, school traffic, and AM commute traffic on Oak Park Boulevard • Concerned about inadequate emergency access points into parking lot • Recommends project contains of 140 space parking lot	• Section 3.14, Transportation

Chapter 2—Project Descriptions

Page 2-32, Paragraph 5

To provide additional clarity, the following paragraph has been revised:

> Illuminated exterior signs would be provided for the library at the intersection of Oak Park Boulevard, and a decorative, low-level illuminated sign would be located near the entrance. The parking lot would include pole lights, while pedestrian paths would include a combination of pole lights and bollards. The southern face of the library would be illuminated with ground-mounted wall washing lights. Areas under canopies and overhangs would be illuminated with downlights mounted on the structure. A way-finding sign would be provided at the entrance to the library parking lot off Monticello Avenue. ~~Lighting would be provided along the pedestrian trail~~ Lit bollards would be provided along the southern portion of the pedestrian trail (from Oak Park Boulevard to just south of the library parking lot) ~~immediately west of the Grayson Creek Corridor~~ and would be shut off at 10:00 p.m. No signage is proposed along the Grayson Creek Corridor.

Section 3.1—Aesthetics

Page 3.1-2, Paragraph 2

In response to FPHC-29, the following paragraph has been revised:

> The Civic Project site is currently vacant. Scattered trees are located along Oak Park Boulevard, Monticello Avenue~~, and within the Grayson Creek Corridor~~. There is an unbroken

tree line along Grayson Creek. The remainder of the Civic Project site is predominantly open and covered with grasses and intermittent shrubs. A sidewalk runs the full length of Monticello Avenue on the western side. The eastern side of Monticello Avenue includes nominal and unmaintained landscaping areas, along with an informal dirt/gravel parking area. Overhead utility lines are located along both sides of Monticello Avenue.

Pages 3.1-30 and 3.1-31, Paragraph 5

To correct a typographical error in the Draft EIR, the following paragraph has been revised:

Civic Project

Light

The proposed athletic fields would be lighted by poles approximately 40 to 70 feet tall with a light level less than 50,000 candela, which is equivalent to high beam headlights of a car.[1] Light from these lighting poles could extend across Grayson Creek Corridor and onto the off-site EBMUD Trail and single-family homes to the east. However, Exhibit 3.1-6, photograph A, shows that these lights would be directed downward and toward the west, away from the EBMUD trail and adjacent single-family homes. The photometric plan for the proposed athletic fields was peer reviewed by an independent consultant, and adjustments were identified and implemented in the proposed design and operation (i.e. 10 p.m. ~~but~~ cut off) to ensure that lighting levels would not exceed City lighting standards.

Page 3.1-31, third full paragraph

To provide additional clarity, the following paragraph has been revised:

The proposed library would include exterior lighting that would create a new source of light compared to existing conditions (Exhibit 3.1-7, photograph D). As shown in Exhibit 3.1-7 photograph D, the only lights visible from Oak Park Boulevard would be directed onto the library's southern façade~~,~~ and sidewalks~~, and in the parking lot~~; parking lot lighting would be visible from this viewpoint. This property is currently adjacent to Oak Park Boulevard and residential homes across Oak Park Boulevard to the south, which contains light sources that illuminate the southern portion of the Civic Project property. Pursuant to Section 18.55.140 of the Municipal Code, the City requires certain screening, lighting, and landscaping features for parking areas. The proposed library parking lot would include lighting that would be required to limit off-site light spillage and would screen lighting with landscaping. As shown in Exhibit 3.1-7, photograph D, the parking lot would be screened by the library and associated trees and lighting would not spill onto the adjacent single-family homes. The photometric plan for the proposed library was peer reviewed by an independent consultant, and adjustments were identified and implemented in the proposed design to ensure that lighting levels demonstrate that the library lighting would not exceed City lighting standards. In addition, the Civic Project would adhere to Section 18.60.050 of the Pleasant Hill Municipal Code, which provides standards for signs. No signage is proposed along the pedestrian trail along Grayson Creek Corridor or the potential future bridge connecting the pedestrian trail to the EBMUD trail. ~~Lighting would be provided along the pedestrian trail~~ Lit

[1] Musco Lighting. 2018. Illumination Summary.

bollards would be provided along the southern portion of the pedestrian trail (from Oak Park Boulevard to just south of the library parking lot) ~~immediately west of the Grayson Creek Corridor~~ and would be shut off at 10:00 p.m.

Page 3.1-32, first full paragraph

To provide additional clarity, the following paragraph has been revised:

Oak Park Boulevard improvements would include 10 new streetlights along the northern segment of Oak Park Boulevard. As shown in Exhibit 3.1-7, photograph D, the only lights visible from Oak Park Boulevard would be directed onto the library's southern façade~~,~~ and sidewalks~~, and in the parking lot~~; parking lot lighting would be visible from this viewpoint. As described above, the new lighting fixtures would consist of 17-foot fluted structural grade aluminum poles with a 3-foot aluminum lighting roof and cage. The lighting system would draw 94 watts through a mounted LED source to provide 4,670 lumens.

Page 3.1-37, Mitigation Measures

To provide additional clarity, the following mitigation measure has been revised:

MM AES-4 Adhere to ~~Architectural~~ City's Design Review Process ~~and Standards~~

Civic Project and Residential Project: As part of the City's review process, the Civic Project and Residential Project shall each include the following features in its design review submittal:

- Structures facing a public street or neighboring property shall use minimally reflective glass, and other materials and colors used on the exterior of buildings and structures shall be selected with attention to minimizing reflective glare.

Section 3.3—Biological Resources

Page 3.3-33, Mitigation Measures

To correct a typographical error in the Draft EIR, the following mitigation measure has been revised:

Mitigation Measures

Implement MM BIO-~~2~~1a, MM BIO-1b, and MM BIO-1c (Civic Project only) and MM NOI-1 (Civic Project only) and the following measures:

Pages 3.3-39 and 3.3-40, Mitigation Measures

To correct a typographical error in the Draft EIR, the following mitigation measures have been revised:

MM BIO-5a Obtain Tree Removal Permits Prior to Construction

Civic Project and Residential Project: Any plan affecting trees should be reviewed by the ~~Consulting~~ Certified Arborist with regard to tree impacts.

These include, but are not limited to, improvement plans, utility and drainage plans, grading plans, landscape and irrigation plans and demolition plans.

MM BIO-5b Implement Tree Protection Treatments Prior to Construction

Civic Project and Residential Project:

- The Demolition Contractor shall meet with the ~~Consulting~~ Certified Arborist before beginning work to discuss work procedures and tree protection. Of specific concern is removal of existing chain-link fence in along the northeast and east property lines.
- Cap and abandon all existing underground utilities within the Tree Protection Zone in place. Removal of utility boxes by hand is acceptable but no trenching should be performed within the Tree Protection Zone in an effort to remove utilities, irrigation lines, etc.
- Fence trees to completely enclose the Tree Protection Zone prior to demolition, grubbing, or grading. Fences shall be 6-foot chain link or equivalent as approved by the City of Pleasant Hill. Fences are to remain until all construction is completed.
- Trees to be preserved may require pruning to provide construction clearance. Pruning of off-site trees should be performed with the property owner's permission. All pruning shall be completed by a Certified Arborist or Tree Worker. Pruning shall adhere to the latest edition of the ANSI Z133 and A300 standards as well as the *Best Management Practices—Tree Pruning* published by the International Society of Arboriculture.
- Structures and underground features to be removed within the Tree Protection Zone shall use the smallest equipment, and operate from outside the Tree Protection Zone. The Certified Arborist shall be on-site during all operations within the Tree Protection Zone to monitor demolition activity.

MM BIO-5c Implement Tree Protection Guidelines During Construction

Civic Project and Residential Project:

- Prior to beginning work, the contractors working in the vicinity of trees to be preserved are required to meet with the ~~Consulting~~ Certified Arborist at the site to review all work procedures, access routes, storage areas and tree protection measures.
- Fences have been erected to protect trees to be preserved. Fences define a specific Tree Protection Zone for each tree or group of trees. Fences are to remain until all site work has been completed. Fences may not be relocated or removed without permission of the ~~Consulting~~ Certified Arborist.

- Any excavation within the dripline or other work that is expected to encounter tree roots should be approved and monitored by the ~~Consulting~~ Certified Arborist. Roots shall be cut by manually digging a trench and cutting exposed roots with a sharp saw. The ~~Consulting~~ Certified Arborist will identify where root pruning is required.
- If injury should occur to any tree during construction, it should be evaluated as soon as possible by the ~~Consulting~~ Certified Arborist so that appropriate treatments can be applied.
- Prior to grading, pad preparation, excavation for foundations/footings/walls, trenching, trees may require root pruning outside the Tree Protection Zone by cutting all roots cleanly to the depth of the excavation. Roots shall be cut by manually digging a trench and cutting exposed roots with a sharp saw or other approved root pruning equipment. The ~~Consulting~~ Certified Arborist will identify where root pruning is required.
- All underground utilities, drain lines, or irrigation lines shall be routed outside the Tree Protection Zone. If lines must traverse through the protection area, they shall be tunneled or bored under the tree as directed by the ~~Consulting~~ Certified Arborist.
- No materials, equipment, spoil, waste, or washout water may be deposited, stored, or parked within the Tree Protection Zone (fenced area).
- Any additional tree pruning needed for clearance during construction must be performed by a Certified Arborist and not by construction personnel.

Section 3.5—Geology and Soils

Page 3.5-10, Paragraph 2

To correct a typographical error in the Draft EIR, the following paragraph has been revised:

> Compliance with the 2016 CBC requires that (with very limited exceptions) structure for human occupancy be ~~designated~~ designed and constructed to resist the effects of earthquake motions. The Seismic Design Category for a structure is determined in accordance with either California Building Code Section 1613—Earthquake Loads, or American Society of Civil Engineers Standard No. 7-05, Minimum Design Loads for Buildings and Other Structures. In brief, based on the engineering properties and soil-type of soils at a proposed site, the site is assigned a Site Class ranging from A to F. The Site Class is then combined with Spectral Response (ground acceleration induced by earthquake) information for the location to arrive at a Seismic Design Category ranging from A to D, of which D represents the most severe conditions. The classification of a specific site and related calculations must be site specific and determined by a qualified person.

Page 3.5-5

Exhibit 3.5-1, Regional Fault Map

To provide further clarity, the Earthquake Fault Zones (EFZ) are shown and named in Exhibit 3.5-1.

Page 3.5-21

To correctly reference mitigation that is included in related sections of the Draft EIR, the following text edits are made in Section 3.5.5 Cumulative Impacts:

Soil-related Hazards

Soil conditions associated with the proposed plan, such as differential settlement, expansive soils, and soil creep, are specific to the plan area and generally do not contribute to a cumulative effect. Some or all other cumulative projects may have similar conditions but they also would not contribute to a general geologic or soil cumulative effect. The proposed plan would be subject to all City of Pleasant Hill 2003 General Plan policies, City code policies, and the CBC reducing soil-related hazard impacts. Furthermore, the proposed plan would also be required to implement MM GEO-1, which would reduce soil-related hazards to below a level of significance. Other current and future development/redevelopment projects in the region would similarly be required to adhere to standards and practices that include stringent geologic and soil-related hazard mitigations. As such, the proposed plan, in conjunction with other projects, would not have a cumulatively significant impact associated with soil-related hazards.

Unique Geological Feature and Paleontological Resources

The geographic scope of the cumulative unique geologic resources and paleontological resources analysis is the plan area and its immediate vicinity. Geologic resources and paleontological resource impacts tend to be localized, because the integrity of any given resource depends on what occurs only in the immediate vicinity around that resource, such as disruption of soils.

Construction activities associated with development of cumulative projects in within the vicinity of the plan area may have the potential to encounter undiscovered geologic resources and paleontological resources. These cumulative projects would be required to mitigate for impacts through compliance with applicable federal and State laws governing geologic resources and paleontological resources, as well as MM GEO-6, which requires construction monitoring and, if required, data recovery, would reduce potential impacts to unique geologic resources and paleontological resources to below a level of significance. The likelihood that geologic resources and paleontological resources are present on the cumulative project sites is relatively low, given that the majority of soil disturbance associated with these projects will take place within Holocene soils too young to be fossiliferous. Although there is the possibility that previously undiscovered resources could be encountered by subsurface earthwork activities, the implementation of standard construction mitigation measures would ensure that undiscovered geologic and paleontological resources are not adversely affected by cumulative project-related construction activities, which would prevent the destruction or degradation of potentially

significant cultural resources in the vicinity of the plan area. Given the low potential for disruption and the comprehensiveness of mitigation measures that would apply to the cumulative projects in the vicinity, the proposed plan, in conjunction with other planned and approved projects, would result in a less than significant with mitigation cumulative impact related to unique geologic and paleontological resources.

Level of Cumulative Significance

Less Than Significant with Mitigation (Civic Project and Residential Project)

Section 3.8—Hydrology and Water Quality

Page 3.8-1, 3.8.1—Introduction

In response to EDMUD-5, the following bullet been revised:

- East Bay Municipal Utilities District (EMBUD) request that: EBMUD Policy 7.01 ~~procedure 710~~ is followed~~:~~ with respect to site assessment for drainage, grading, fencing, and construction access; EBMUD Policy 7.01 and Procedure 718 (including EBMUD's Procedure 718 Supplement) are required to be followed for any and all construction activities related to the potential future pedestrian bridge;

Page 3.8-34, Paragraph 2

To correct a typographical error in the Draft EIR, the following paragraph has been revised:

Both project sites are located within the Ygnacio Valley Groundwater Basin, and neither has potential for groundwater recharge due to poorly drained soils and shallow groundwater levels. In addition, the Contra Costa Water District (CCWD) would provide potable water to both project sites. The CCWD does not use groundwater as a water source, and as a result, neither the Civic Project nor the Residential Project would ~~not~~ conflict with or obstruct a sustainable groundwater management plan. Therefore, operational impacts related to water quality control plan or groundwater management plan consistency would be less than significant.

Page 3.8-34, Paragraph 3

In response to FC DISTRICT-7, the following paragraph has been revised:

Hydrology

Cumulative impacts related to hydrology and water quality typically occur within a defined watershed. All properties on the cumulative projects listed in Chapter 3, Environmental Impact Analysis, Table 3-1, Cumulative Projects, are located within the Walnut Creek Watershed which eventually drains into Suisun Bay and ultimately into the Pacific Ocean. All cumulative projects, including the Residential Project and Civic Project, would be required to comply with the CCCWP and Pleasant Hill 2003 General Plan policies, which prevent a project from increasing off-site surface water flow from existing conditions and ensure that projects adhere to BMPs during construction to prevent pollutants from being carried off-site. In addition, future developments within Drainage Area 46 (including the cumulative projects) would be subject to a drainage fee in accordance with Flood Control Ordinance

Number 2002-43 for DA 46. All building permits or subdivision maps filed in this area are subject to Flood Control Ordinance Number 2002-43. Effective January 1, 2019, the current fee in this drainage area is $0.82 per square foot of newly created impervious surface. The City should collect the fees during the development process prior to the issuance of building permits or the recordation of the final maps. These fees would contribute to funding the maintenance of drainage facilities within Drainage Area 46. The combination of these policies and BMPs would prevent significant cumulative impacts to hydrology. ~~Thus, there would be a less than significant cumulative impact related to hydrology.~~

Section 3.10—Noise

Page 3.10-9, Existing Noise Levels (Ambient Noise)

To correct a typographical error in the Draft EIR, the following impact statement has been revised:

Ambient Noise

The existing noise environment in the vicinity of the plan area was documented through a noise monitoring effort performed by FCS in July 2018. Noise monitoring locations are shown in Exhibit 3.10-1, and the noise measurement data sheets are contained in Appendix I ~~H~~. A total of three short-term noise measurements were taken.

Section 3.14—Transportation

In response to PROSEK.2-1 and YAPP-24, the following paragraph has been revised:

Page 3.14-52, Paragraph 3

The Pleasant Hill Senior Center typically has scheduled activities from ~~8:00 a.m. to 9:00 a.m.~~ 9:00 a.m. to 3:00 p.m. most days, with some later evening activities on Fridays. Activities on Saturday and Sunday are minimal. Parking for the Senior Center is shared with the Pleasant Hill Park, with a supply of approximately 140 shared spaces. Additional parking is available on the east side of Pleasant Hill Park, at the Teen Center, as well as on Cleaveland Road and Gregory Lane.

Section 3.15—Utilities

Page 3.15-32, Impact UTIL-3 (Impact Statement)

To correct a typographical error in the Draft EIR, the following impact statement has been revised:

Wastewater Treatment Capacity

Impact UTIL-3:	**The proposed plan would not result in a determination by the wastewater treatment provider which serves or may serve the plan area that it has ~~adequate~~ inadequate capacity to serve the proposed plan's projected demand in addition to the provider's existing commitments.**

Appendix D—Biological Resources Supporting Information

Page 5

In response to HARRIS-2, the following table been revised:

Table 2: Special-status Wildlife Species Potentially Occurring within the Project

Code Designations	
[1] **Federal Status: 2015 USFWS Listing**	[2] **State Status: 2015 CDFW Listing**
ESU = Evolutionary Significant Unit is a distinctive population. **FE** = Listed as endangered under the FESA. **FT** = Listed as threatened under the FESA. **FC** = Candidate for listing (threatened or endangered) under FESA. **FD** = Delisted in accordance with the FESA. **FPD** = Federally Proposed to be Delisted. **MBTA** = protected by the Migratory Bird Treaty Act **—** = Not federally listed	**SE** = Listed as endangered under the CESA. **ST** = Listed as threatened under the CESA. **SSC** = Species of Special Concern as identified by the CDFW. **FP** = Listed as fully protected under FGC. **CFG** = FGC =protected by FGC 3503.5 **CR** = Rare in California. **CT** = California Threatened. **—** = Not state listed
[3] **Habitat description**: Habitat description adapted from CNDDB (CDFW 2015a).	

Appendix J—Transportation Impact Assessment

In response to PROSEK.2-1 and YAPP-24, the following paragraph has been revised:

Page 42, Paragraph 3

Detailed information relating to the construction schedule during site development or a construction management plan was being developed at the time this analysis was prepared, although some preliminary information was available. Based on the preliminary information, the existing library would be taken out of service in the first phase of construction with a temporary, limited-service library planned at the Senior Center at 233 Gregory Lane. The Storytime program would be held at the Teen Center, located at 147 Gregory Lane, during the construction period; if that space is not available then it would be held at the Senior Center. The Pleasant Hill Senior Center typically has scheduled activities from ~~8:00 a.m. to 9:00 a.m.~~ 9:00 a.m. to 3:00 p.m. most days, with some later evening activities on Fridays. Activities on Saturday and Sunday are minimal. Parking for the Senior Center is shared with the Pleasant Hill Park. This parking facility can often experience limited parking supplies, particularly during the mid-day time period coinciding with activities at the Senior Center, and on weekends when parking demand from park activities is high. The addition of parking demand from temporary library uses could result in parking shortages in the Senior Center parking lot.

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