

**Summit Reservoir Replacement**  
**Response to Comments**  
**Final Environmental Impact Report**  
*State Clearinghouse #2010072060*



**East Bay Municipal Utility District**



**October 2011**



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# **CHAPTER 1**

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## **INTRODUCTION**

### **1.1 Purpose of the Final Environmental Impact Report**

This Response to Comments document (RTC) has been prepared to accompany the Draft Environmental Impact Report (EIR) for East Bay Municipal Utility District's (EBMUD) Summit Reservoir Replacement Project (the Project). The Draft EIR identified the environmental consequences associated with construction and operation of potential alternatives identified by EBMUD, and recommended mitigation measures to reduce significant and potentially significant impacts. The RTC has been prepared pursuant to the California Environmental Quality Act (CEQA) Guidelines. It responds to the comments on the Draft EIR and makes revisions to the Draft EIR, as necessary, in response to these comments. Together with the Draft EIR, this RTC document constitutes the Final EIR for the project.

The Final EIR is an informational document prepared by the lead agency that must be considered by decision-makers before approving or denying a proposed project. CEQA Guidelines Section 15132 specifies the following:

The Final EIR shall consist of:

- (a) The Draft EIR or a revision of the draft.
- (b) Comments and recommendations received on the Draft EIR, either verbatim or in summary.
- (c) A list of persons, organizations, and public agencies commenting on the Draft EIR.
- (d) The responses of the lead agency to significant environmental points raised in the review and consultation process.
- (e) Any other information added by the lead agency.

### **1.2 Environmental Review Process**

On May 20, 2011, EBMUD (lead agency) released the EBMUD Summit Reservoir Replacement Project Draft EIR for public review (State Clearinghouse No. 2010072060). The public review and comment period on the Draft EIR began on May 20, 2011, and closed on July 19, 2011. This RTC document has been prepared based on comments submitted as a result of the public review period.

The RTC document will be circulated for a 10-day final review period to the City of Berkeley Planning Department and Contra Costa County Planning Department, responsible agencies, and others who commented on the Draft EIR. Following this review and receipt of any further comments, the EBMUD Board of Directors will consider these

additional comments and any additional responses from staff prior to certification of the Final EIR.

The EBMUD Board of Directors anticipates certifying the Final EIR (a finding that the EIR complies with the requirements of CEQA) at a regularly scheduled EBMUD Board meeting on November 8, 2011. Following EIR certification and prior to Project approval, the Board shall make findings for each significant environmental impact that is supported by substantial evidence in the record and shall adopt the Mitigation Monitoring and Reporting Program (MMRP).

Based upon material contained in the RTC document and minor revisions to the Draft EIR provided in the Final EIR, recirculation of the EIR is not required under the CEQA Guidelines Section 15088.5 because no new significant information is added to the EIR, and under subsection (b) recirculation is not required where the new information added merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

### **1.3 Report Organization**

Chapter 2 of this document contains copies of comments received during the comment period and responses to those comments. Each comment letter is coded with the initials of the commenter or agency/organization acronym, and each comment within each letter is numbered in the margin. The responses to the comments follow each letter and are referenced alphanumerically by letter and comment number. For example, the first comment in the letter from the State Clearinghouse, Governor's Office of Planning and Research is SCH-1. Where a response includes a change to the text of the Draft EIR, a reference is made to Chapter 3, which contains revisions and clarifications made to the Draft EIR text.

Some issues were raised in numerous comments. As a result, master responses addressing these comments are included in Section 2.1 of this RTC document. The master responses are listed below:

- 2.1.1 Construction Traffic Impacts
- 2.1.2 Existing Traffic and Circulation Hazards
- 2.1.3 Parking
- 2.1.4 Public Transit
- 2.1.5 Bicycle Safety

The following is a list of all persons and organizations that submitted comments on the Draft EIR during the comment period:

**Letter Code                      Commenter**

**State Agencies**

SCH	Scott Morgan, Director, State Clearinghouse, Governor's Office of Planning and Research
CT	Gary Arnold, District Branch Chief, California Department of Transportation

**Cities and Local Agencies**

CCCPWD	Mario Consolacion, Senior Engineering Technician, Contra Costa County Public Works Department
EBRPD	Anne Rivoire, Senior Planner, Interagency Planning, East Bay Regional Park District
KFPD	Lance J. Maples, Fire Chief, Kensington Fire Protection District

**Individuals and Businesses**

CR	Charles Reichmann
DFSC	Diablo Fire Safe Council
EB	Eugenia Bailey
IG	Isabelle Gaston
JSAM	James Schinnerer and Ann Marks
KM	Kimberley Martinez
RCC	Robert C. Chioino
SO	Step One School
SOTH	Shepherd of the Hills Lutheran Church
SDPM	Summit Draft EIR Public Meeting





# Chapter 2

## COMMENTS AND RESPONSES

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### 2.1 Master Responses

Several community members submitted comments and expressed concerns about construction traffic impacts, existing traffic and circulation hazards, parking availability for construction workers, impacts on public transit (bus lines), and pedestrian and bicycle safety during construction.

These Master Responses respond in part or in whole to the following comments.

RCC-2-1	SOTH-4
RCC-2-2	SOTH-5
RCC-2-3	SOTH-6
SO-1 through SO-23	SDPM-1
SOTH-1	SDPM-4 through SDPM-8
SOTH-2	SDPM-11

#### 2.1.1 Master Response on Construction Traffic Impacts

##### Truck Routing Plan, Roadway Segments and Traffic Analysis

The truck routing plan or “haul route” was evaluated by EBMUD’s traffic engineering consultant (Fehr & Peers), as noted in Section 3.6 Transportation and Traffic, on pages 3-6.15 through 3-6.18 of the Draft EIR. Alternative truck routes were considered, but all other roads in the Project vicinity were found to be infeasible due to roadway geometry including steep grades, narrow widths, tight curves and other factors. Spruce Street was chosen because of the centerline striping, width and connections to designated truck routes in the Project vicinity. Spruce Street was also recommended by the City of Berkeley staff.

The entire truck haul route from I-80 to the Project site on Spruce Street was analyzed and divided into four segments (“roadway segments”) based on characteristics such as lane configuration, roadway width, and traffic volumes. (Refer to Figure 3.6-4, Draft EIR, page 3-6.16). Intersections on each roadway segment were selected for collection of traffic volume data, shown on Figure 3.6-2, Draft EIR, page 3-6.9. The average daily traffic and percentage of fluctuation per day were collected and used as a baseline to analyze the potential impacts of the estimated Project traffic. The existing daily traffic volumes are shown in Table 3.6-3 of the Draft EIR on page 3-6.8.

The “Roadway Segments” identified on page 3-6.2 of the Draft EIR describe the specific location where traffic count data was collected and do not describe the segment start and end points. The roadway segment titles are revised in Chapter 3 of this RTC document, to more accurately define the haul route segments as follows:

- A. University Avenue from I-80 to Shattuck Avenue
- B. Shattuck Avenue from University Avenue to Rose Street
- C. Spruce Street from Rose Street to Marin Avenue
- D. Spruce Street from Marin Avenue to the Project Site

The traffic count location on Spruce Street south of Alamo Avenue was chosen to collect representative traffic data for Segment D (Spruce Street between Marin Avenue and the Project site). Roadways are typically divided into segments between large arterial intersections where significant changes in traffic volume occur. Since there are no major intersections between Marin Avenue and Grizzly Peak Boulevard on Spruce Street, traffic volumes are not expected to vary substantially from the traffic counts collected near Alamo Avenue. Additionally, the traffic volumes collected at this location resulted in a finding of significant impact for the roadway segment; therefore, collecting additional traffic count data along this roadway segment is not necessary.

Estimates for truck trips and construction phase durations are listed in Table 3.6-5 on page 3-6.14 of the Draft EIR. The peak number of trucks expected for all construction phases are for short durations and generally associated with concrete deliveries. For instance, the peak 108 truck trips is associated with the reservoir roof construction. When concrete is poured for the reservoir roof, the rate of concrete trucks delivering concrete to the site would peak since wet concrete can only be handled for limited amounts of time before hardening. Although the entire reservoir roofing phase is expected to take 8 weeks, the peak period of truck trip activity associated with the concrete delivery would be concentrated over 1-2 days only. The remaining periods of reservoir roof construction would not experience the same peak truck traffic volume. A footnote is added to this table to clarify the peak traffic volume and duration in Chapter 3 of this RTC document.

### **Construction Traffic Mitigation Measures**

To mitigate impacts associated with increased truck traffic along Spruce Street and throughout the neighborhood during Project construction, a Traffic Management Plan will be prepared and implemented (Draft EIR, Mitigation Measure 3.6-1, pages 3-6.21 and 3-6.22). Flaggers will be located at the reservoir driveway entrance from Spruce Street during regular construction hours (Monday through Friday, 7 a.m. to 6 p.m.), and signage will be provided on Spruce Street warning motorists of construction work ahead. To further mitigate increased traffic caused by the Project construction, EBMUD will limit truck trips during the peak morning and evening commute hours (7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.) to the extent practicable (Draft EIR, Mitigation Measure 3.6-2, pages 3-6.27 and 3-6.28).

## **2.1.2 Master Response on Existing Traffic and Circulation Hazards**

With regard to traffic along Spruce Street and the existing “blind curve” near the Step One School as described in the school’s comment letter (see comment SO-8), flaggers will be used to control truck traffic at various points along the haul route, including the Spruce Street/Vassar Avenue and Spruce Street/Marin Avenue intersections, adjacent to the Step One School, and adjacent to the Cragmont Elementary School, respectively. Flaggers are people who direct traffic through a construction site or other temporary traffic control zone using signs or flags. Flaggers are trained in accordance with the Division of Occupational Safety and Health Guidelines and California Manual on Uniform Traffic Control Devices (MUTCD). The MUTCD defines parameters for flaggers within work zones that require where they stand in relation to the actual work area or road.

The sharp curve on Spruce Street between Michigan Avenue and Vassar Avenue limits sight distance. To mitigate the limited sight distance, a flagger stationed at the Spruce Street/Vassar Avenue intersection will provide guidance for pedestrians crossing the street as well as school drop-off and pick-up traffic, and Project-generated trucks. The Spruce Street/Vassar Avenue intersection flagger location was selected based on its proximity to the Step One School and its location near a curve in the road which limits sight distance. A flagger was not recommended at the Michigan Avenue/Spruce Street intersection because it is controlled by stop signs on all approaches and all vehicles on Spruce Street must stop at the intersection and yield to pedestrians. Additionally, “Stop Ahead” signs and pavement markings are provided on both the southbound and northbound directions of Spruce Street approaching the intersection. A flagger was not recommended at the Spruce Street/Alta Road intersection because it is on a straight section of Spruce Street with adequate sight distance for both vehicles on Spruce Street and pedestrians crossing Spruce Street.

As noted in Mitigation Measure 3.6-1, bullet 5, on page 3-6.21 of the Draft EIR, EBMUD will work with school personnel to determine appropriate times flaggers are needed. Flaggers will be provided to reduce potential traffic impacts created by Project construction only and will supplement pre-existing pedestrian/bicycle or other safety measures already approved by the City of Berkeley and currently implemented by the schools. Flaggers are not intended to replace crossing guards or other school personnel that currently assist with pick-up and drop-off activities. Flaggers at the schools will be present on all school days when the Project construction site is active.

Implementation of Mitigation Measure 3.6-1 is proposed to address traffic and circulation impacts related to and arising from Project construction. Once construction is completed, the traffic and circulation system on Spruce Street and other roadways near the Project site will revert to their existing conditions. The Project will not alter the existing design or operation of roadway or pedestrian facilities on Spruce Street or any other roads. The Project is not intended to change existing roadway design or conditions in the Project vicinity. The design, traffic circulation, pedestrian access and public

safety issues that commenters have mentioned on segment D of the haul route are existing conditions that would not be affected in the long term by the Project. The City of Berkeley has responsibility to develop and manage the roadway system within the Berkeley City Limits, and to the extent there are potential deficiencies related to the roadway design and pedestrian facilities along Spruce Street, they are the responsibility of the City of Berkeley.

### **2.1.3 Master Response on Parking**

EBMUD recognizes that parking by construction workers at the site may be a community concern. Parking for construction worker vehicles was therefore analyzed and addressed in the Draft EIR in Section 3.6 Transportation and Traffic, on page 3-6.25.

The parking capacities of each curb along Spruce Street and Grizzly Peak Boulevard in the immediate Project vicinity are shown in Figure 1. As shown, the parking capacity is 60 spaces on the east and west sides of Grizzly Peak Boulevard between Spruce Street and Plateau Drive. An additional 7 spaces were identified on the north side of Spruce Street, immediately along the Project site frontage, including 3 spaces west of the driveway along EBMUD property. The original parking capacity of 40 worker vehicles given on page 3-6.25 of the Draft EIR counted only the spaces along the west side of Grizzly Peak and the north side of Spruce immediately adjacent to the Project property fenceline (see Figure 1). Spaces in front of neighbors' homes beyond the Project site on Spruce Street and in front of or across from Step One School were not included in the Draft EIR parking capacities.

As noted on page S-1 of the Draft EIR, the Project site is approximately 17 acres and the existing reservoir covers nearly 7 acres. The steep topography, dense tree cover and areas required for stockpiling, staging, construction and demolition activities may limit the availability of onsite space for worker parking during the more intensive periods of construction, but not for the entire 2.5 year construction period. Parking on site would be allowed by EBMUD; however, this parking option would depend greatly on the contractor's staging and construction phasing on the Project site. It is estimated that a maximum of 32 worker vehicles may require parking for reservoir wall construction, as shown in Table 3.6-5 on page 3-6.14 of the Draft EIR. The other labor-intensive periods at the site are during demolition (21 to 23 worker vehicles estimated) and site restoration and landscaping (20 worker vehicles estimated).

FIGURE 1  
PARKING CAPACITY ADJACENT TO SUMMIT RESERVOIR



FEHR PEERS

The 32 spaces needed during this peak period can easily be accommodated on the east and west sides of Grizzly Peak Boulevard, which is open for parking during the work day without restrictions or permits, as confirmed by Contra Costa County Public Works Department (July, 2011). EBMUD and its traffic consultant have noted on many site visits over the

previous 2 years that there were few, if any, cars parked on Grizzly Peak Boulevard near the Project site during the weekdays. In contrast, commenters have noted that parking on Spruce Street is often taken by residents who live on Spruce Street and by the Step One School parents and teachers. There are, however, no restrictions or permits required for parking on Berkeley city streets in the Project vicinity during the day, as confirmed by City of Berkeley Public Works Department (July, 2011). By definition, anyone may park in legal spaces on public streets so long as local parking ordinances are followed.

All worker vehicle parking spaces required by the Project can be accommodated on Grizzly Peak Boulevard, where parking is readily available during the typical weekday. As such, EBMUD will encourage Project workers to park on Grizzly Peak Boulevard whenever feasible. Utilizing Grizzly Peak Boulevard would essentially remove any worker vehicle parking needs on Spruce Street. EBMUD will also encourage workers to carpool and use public transit to travel to the construction site especially during those periods when activity on the site is expected to be labor-intensive. Parking on site will also be encouraged by EBMUD whenever feasible. These measures would reduce the potential need for on-street parking, and no mitigation measures would be required.

#### **2.1.4 Master Response on Public Transit**

Refer to Section 3.6 Transportation and Traffic, Public Transit, pages 3-6.26 and 3-6.27 in the Draft EIR. Bus routes were identified and analyzed for the Project. Delays may occur when buses along the proposed haul route on Spruce Street travel behind construction trucks; hence the impact on transit would be significant and unavoidable during portions of the construction period even with mitigation measures. EBMUD would close the Spruce Street Overlook for the duration of construction for public safety. The Spruce Overlook closure would also impact the existing bus stop immediately adjacent to the Spruce Street access driveway into the Project site. As noted in Mitigation Measure 3.6-1 on pages 3-6.21 and 3-6.22, EBMUD will coordinate with AC Transit to find another location for the bus stop near the Project site driveway and the Spruce Street Overlook. No additional mitigation measures are required.

#### **2.1.5 Master Response on Bicycle Safety**

Refer to Section 3.6 Transportation and Traffic, Pedestrian/Bicycle Circulation, pages 3-6.11 and 3-6.12 in the Draft EIR; the Class III bicycle route on Spruce Street to Tilden Park is acknowledged. Mitigation Measure 3.6-1, bullet 2 on page 3-6.21 is clarified to state that notifications to truck drivers concerning the haul route will indicate that Rose and Spruce Streets are Class III bike routes and that caution should be exercised when using these roads, as shown in Chapter 3 of this RTC document.

Flaggers will also be included along the haul route as noted on Figure 3.6-4 on page 3-6.16 in the Draft EIR; flaggers will help manage traffic congestion along the haul route including vehicle and bicycle traffic.

Mitigation Measure 3.7-2b on page 3-7.16, Section 3.7 Air Quality of the Draft EIR, addresses falling debris from trucks on the roadway. Construction trucks are required to place tarps over loads and maintain freeboard (space) between the loaded material and the top of the truck container bin. Additionally, soil that falls off the tires and sides of construction trucks leaving the Project site is required to be removed from the driveway and roadway adjacent to the driveway on a daily or more frequently as needed basis. With implementation of these mitigation measures, bicycle traffic impacts would be less than significant, therefore no additional mitigation measures would be required.

**Comment Letter SCH**



Edmund G. Brown Jr.  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Ken Alex  
Director

July 20, 2011

Robyn Mutobe  
East Bay Municipal Utility District  
375 Eleventh Street, MS 701  
Oakland, CA 94607-4240

RECEIVED JUL 25 2011

Subject: Summit Reservoir Replacement Project  
SCH#: 2010072060

Dear Robyn Mutobe:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on July 19, 2011, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

SCH-1



## **2.2 State Clearinghouse**

SCH-1. As noted, the Draft EIR was circulated to 14 state agencies for review and one comment was forwarded from the California Department of Transportation (Caltrans) District 4.

**Comment Letter CT**

**DEPARTMENT OF TRANSPORTATION**

111 GRAND AVENUE  
P. O. BOX 23660  
OAKLAND, CA 94623-0660  
PHONE (510) 286-5541  
FAX (510) 286-5559  
TTY 711



*Flex your power!  
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July 5, 2011

ALA080156  
ALA-80-5.67  
SCH#2010072060

Ms. Robyn Mutobe  
East Bay Municipal Utilities District  
375 Eleventh Street, Mail Slot #701  
Oakland, CA 94607-4240

Dear Ms. Mutobe:

**Summit Reservoir Replacement Project – Draft Environmental Impact Report**

Thank you for including the California Department of Transportation (Department) in the environmental review process for the Summit Reservoir Replacement Project. The following comments are based on the Draft Environmental Impact Report.

***Transportation Permit***

Project work that requires movement of oversized or excessive load vehicles on state roadways requires a transportation permit that is issued by the Department. To apply, please see refer to the following website link for more information: <http://www.dot.ca.gov/hq/traffops/permits>.

Should you have any questions regarding this letter, please call Yatman Kwan of my staff at (510) 622-1670.

Sincerely,

GARY ARNOLD  
District Branch Chief  
Local Development - Intergovernmental Review

c: State Clearinghouse

CT-1

## **2.3 California Department of Transportation**

CT-1 EBMUD thanks the California Department of Transportation for reviewing and commenting on the Draft EIR.

As noted on pages 2-22 and 3-6.12 of the Draft EIR, EBMUD is aware that oversized and/or excessive load vehicle permits are required and that there are restrictions for those types of vehicles to be off state roads during peak commute hours. The Draft EIR analyzes and mitigates noise and traffic impacts on the environment associated with movements of these types of vehicles to or from the Project site. For clarity, Table 2-4 Permits and Authorizations in the Draft EIR, has been revised to show that transportation permits for movement of oversized and excessive load vehicles on state roadways are required from the California Department of Transportation. The revisions are shown in Chapter 3, Text Revisions in Response to Draft EIR Comments shown in Section 3.2.2 of this RTC document.

**Comment Letter CCCPWD**

**From:** Mario Consolacion [mailto:mcons@pw.cccounty.us]  
**Sent:** Tuesday, July 19, 2011 3:35 PM  
**To:** Summit Reservoir Replacement  
**Cc:** Teri Rie; Tim Jensen; Bob Hendry  
**Subject:** Draft Environmental Impact Report for the Summit Reservoir Replacement Project

REFERENCE FILES: 2003 (EBMUD); Work Log No. 2011-173

Dear Ms. Alie,

We have reviewed the Hydrology and Water Quality Section of the Draft Environmental Impact Report for the Summit Reservoir Replacement Project.

A portion of the property for the site of the Summit Reservoir is located in the unincorporated community of Kensington.

A Drainage Permit from Contra Costa County Public Works Department is required for activities that involve the alteration, construction or repair of any storm water drainage structure, facility or channel located in the unincorporated areas of Contra Costa County.

Please contact the County's Application and Permit Center at 651 Pine Street, 2<sup>nd</sup> Floor, North Wing, Martinez, CA 94553 or at (925) 335-1375 to determine the requirements for this permit application.

Thank you for allowing us to provide comments on the Draft EIR.

Mario Consolacion  
Senior Engineering Technician  
Contra Costa County Public Works Department  
Contra Costa County Flood Control and Water Conservation District  
(925) 313-2283

CCCPWD-1

## **2.4 Contra Costa County Public Works Department**

CCCPWD-1 EBMUD will coordinate with Contra Costa County Public Works Department on the drainage permit as required. Table 2-4 Permits and Authorizations on page 2-34 of the Draft EIR is revised to include the ministerial drainage permits required in both Contra Costa County and Alameda County; the revisions are shown in Chapter 3, Text Revisions in Response to Draft EIR Comments shown in Section 3.2.2 of this RTC document.

EBMUD thanks Contra Costa County Public Works Department for reviewing and commenting on the Draft EIR.

**Comment Letter EBRPD**

**From:** Anne Rivoire [mailto:arivoire@ebparks.org]  
**Sent:** Tuesday, June 28, 2011 3:42 PM  
**To:** Summit Reservoir Replacement  
**Subject:** Summit Reservoir Replacement project

Hello Ms. Alie,

EBRPD-1 [ We have some direct questions about drainage of the Summit Reservoir project that may be best addressed in the field. Can you connect me to the appropriate field engineer or other specialist to coordinate a meeting?

Thanks,  
Anne Rivoire



**Anne Rivoire**  
**Senior Planner** | Interagency Planning  
East Bay Regional Park District  
2950 Peralta Oaks Court, Oakland, CA 94605  
Tel: 510-544-2624 | Fax: 510-635-3478  
[arivoire@ebparks.org](mailto:arivoire@ebparks.org) | [www.ebparks.org](http://www.ebparks.org)

**STATEMENT OF CONFIDENTIALITY** | This electronic message and any files or attachments transmitted with it may be confidential, privileged, or proprietary information of the East Bay Regional Park District. The information is solely for the use of the individual or entity to which it was intended to be addressed. If the reader of this message is not the intended recipient, you are hereby notified that use, distribution, or copying of this e-mail is strictly prohibited. If you received this e-mail in error, please notify the sender immediately, destroy any copies, and delete it from your system.

 Please consider the environment before you print

## **2.5 East Bay Regional Parks District**

EBRPD-1 As discussed on pages 3-10.10 through 3-10.15 of the Draft EIR, drainage facilities and runoff in or into Tilden Park would not be impacted by the Project. The question regarding a pre-existing drainage issue was referred to the EBMUD Maintenance Department for further evaluation and coordination with Tilden Park staff.

As noted on pages 2-18 and 2-19 and with Figure 2-4 on page 2-15 of the Draft EIR, the existing drain invert would be lowered on the Project site and connected to a new manhole in Canon Drive; this connection point is several hundred feet west of the Tilden Park boundary. The existing drain pipe in Canon Drive which outfalls into Tilden Park would not be modified by the Project, hence there would be no impact on existing drainage facilities in Tilden Park associated with the Project.

As noted on pages 3.10-11 through 3.10-13 of the Draft EIR, the rate of runoff and drainage area characteristics both pre- and post-Project were analyzed and compared. The Project would result in a decrease in the peak stormwater discharges and would not increase the overall discharge volume because the Project would reduce the amount of impervious surface on site. Stormwater runoff was analyzed in Section 3.10, Hydrology/Water Quality, of the Draft EIR under Impact 3.10-3 on pages 3-10.10 through 3-10.13 and found to be less than significant, thus requiring no mitigation measures.

**Comment Letter KFPD**



RECEIVED JUN 09 2011

June 1, 2011

Gwendolyn A. Alie, Associate Planner  
EAST BAY MUNICIPAL UTILITY DISTRICT  
375 Eleventh Street, MS#701  
Oakland, CA 94607-4240

Re: Summit Reservoir Replacement Project, Draft EIR

Dear Ms. Alie,

KFPD-1

These comments and concerns are being submitted to bring to your attention several items related to fire protection as it would apply to the Summit Reservoir project.

Section 3.11 Hazards/Hazardous Materials does not address the fact that all of the community of Kensington is designated a Very High Fire Hazard Severity Zone (VHFHSZ) by Cal Fire other than the brief mention in 3.11-4.

I believe Section 3.11 should be amended to respond to the following:

KFPD-2

On page S-3, it is stated that the 37 MG existing reservoir will be replaced by a 3.5 MG tank with access to an additional 1.5 MG from Woods Reservoir. In light of the concern raised regarding the VHFHSZ and the adopted fire flows referenced in the 1998 Kensington Fire Protection District Water System Improvements Master Plan, the draft EIR should explain how much storage is dedicated for fire protection and if the adopted flows can still be achieved. The draft EIR should also cover how the storage levels will be managed and enforced.

The 3.5 MG figure is repeated again on pages 2-1 and 2-12 without referenced to the aforementioned concerns.

KFPD-3

On page 2-12, the 0.4 MG temporary tank is referenced also without addressing the aforementioned concerns.

KFPD-4

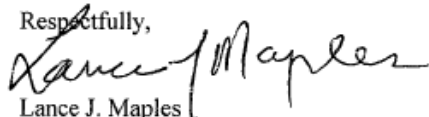
Page 2-14 points out that the I/O pipe from the pumping plant to Beloit Avenue will be increased to 16 inches. This change is not reflected in figure 2-4, page 2-15 which shows the identical I/O pipe as EBMUD drawing 1488 BS16 shows for the existing installation.

KFPD-5

Page S-24 references Contra Costa County Fire Protection District. This should be replaced with Kensington Fire Protection District.

Thank you for your consideration.

Respectfully,

  
Lance J. Maples  
Fire Chief



## **2.6 Kensington Fire Protection District**

KFPD-1 As noted and explained on page 3-11.10 and referenced in Impact and Mitigation Measure 3.11-4 of the Draft EIR, EBMUD addressed the fact that the community of Kensington is designated as a Very High Fire Hazard Severity Zone. Since the use of the Project site would remain unchanged after construction, (a drinking water storage and pumping facility) there is no increased risk of loss, injury or death involving wildland fires associated with the Project. Therefore, no additional mitigation measures are required.

KFPD-2 & 3 To address KFPD's concerns related to facility sizing and water availability for fire protection, the following detailed response is provided.

EBMUD followed engineering standard practices for sizing water distribution facilities (reservoir, pumping plants, flow control valves, and pipelines) for both temporary construction and the final site configuration. The final site configuration facilities were sized to accommodate future water demand projections as noted in the Draft EIR on page 2-12. EBMUD standard practices provide that 70 percent of the water stored within a tank be available for emergencies and fire protection; proportionally, up to 30 percent of the water stored in a tank is typically used to supply customers on a daily basis. Further, it is EBMUD's standard practice and policy to work with government agencies and communities within the EBMUD service area to support implementation of community-initiated fire flow improvements to the water distribution system where technically and operationally feasible. In this regard, EBMUD has worked extensively with the Kensington Fire Protection District.

The Project would build a new 3.5-million gallon (MG) tank and flow control valve which would allow access to 3.1 MG of water stored nearby at Woods Reservoir, for a total of 6.6 MG of water available based on storage volume only.

During the construction phase, a 0.4 MG temporary tank and temporary flow control valve would be installed and placed in service on site. The temporary flow control valve would provide access of up to 3.1 MG at Woods Reservoir. The total storage volume available would be 3.5 MG.

For both temporary construction and the final site configuration, EBMUD considered the discretionary recommendations and fire flows stated in the Kensington Fire Flow Improvements Study (EBMUD 1998):

- (a) 1500 gallons per minute (gpm) for 2 hours (storage need of 0.18 MG);
- (b) 4500 gpm for 20 minutes (storage need of 0.09 MG).

EBMUD concluded that the storage volumes needed to supply the fire flows within the Kensington Fire Flow Improvement Study can be met by the Project both during temporary construction and the final site configuration after the Project is completed.

Further, in an emergency, all fire departments within EBMUD's service area, including the KFPD, have a direct line to EBMUD Operations. If necessary, EBMUD could turn on pumps, if available, to provide additional water to the Summit Reservoir neighborhood as needed. The normal pumping capacity in the Summit Pressure Zone is 24.2 million gallons per day (mgd) (16,800 gpm).

The EBMUD water distribution system is actively managed 24 hours a day, 7 days a week. The Summit Reservoir is part of a much larger water distribution system that has hundreds of remote sensors which communicate with EBMUD operators in real-time, such that reservoir levels, pumps, valves and other facilities operating within the system can be monitored and controlled at all times. As previously stated, EBMUD also actively participates and coordinates with local agencies, emergency and fire protection districts to ensure that emergency response and public safety issues are satisfactorily addressed for all parties, to the extent feasible and practical.

KFPD-4 As noted on p. 2-14 of the Draft EIR and consistent with the goals of the Kensington Fire Flow Improvement Study, the Project would increase the diameter of the northern distribution pipeline toward Beloit Avenue from 12 to 16 inches (note: this is not the Summit inlet/outlet [I/O], as identified in the KFPD comment letter). Figure 2-4 shows the existing on-site pipelines and sizes for reference only; the new pipelines have not yet been designed. The title for Figure 2-4 and references to it in the text are revised in Chapter 3, Text Revisions in Response to Draft EIR Comments shown in Section 3.2.2 of the RTC Document to clarify that Figure 2-4 in fact depicts existing facilities.

KFPD-5      Comment noted. References to Contra Costa County Fire Protection District on page S-24 and in Mitigation Measure 3.11-4 on page 3-11.16 of the Draft EIR are revised to Kensington Fire Protection District in Chapter 3, Text Revisions in Response to Draft EIR Comments shown in Section 3.2.2 of the RTC Document.

**Comment Letter CR**

-----Original Message-----

From: Charles Reichmann [mailto:charles.reichmann@gmail.com]

Sent: Tuesday, July 19, 2011 3:35 PM

To: Summit Reservoir Replacement

Subject: Comment - visual impact

Dear Sir or Madam:

I write with respect to the possible negative effects posed by the Summit Reservoir Replacement Project on the visual character of the project site and views from the surrounding area.

CR-1

Specifically, I am unable to tell from the Draft Environmental Impact Report whether either the proposed 3.5 million gallon tank or any of the proposed structures or appurtenances will sit higher off the ground than the currently existing reservoir, structures and appurtenances. Any increase in height has the potential to degrade the visual character of the project site and have negative effects on the views from adjacent homes, streets and the Spruce St. Overlook.

Accordingly, I ask that EBMUD go on record with the precise height and elevation of the proposed tank and all associated structures and appurtenances and declare that none of what it proposes to build will be taller than what it proposes to replace.

CR-2

In the event EBMUD proposes to build a tank, structures and/or appurtenances higher than what currently exists, EBMUD must explain why further steps in mitigation are not required.

Very truly yours,

Charles Reichmann  
16 Yale Circle  
Kensington, CA 94708

## **2.7 Charles Reichmann**

CR-1 As noted in Section 3.2 Aesthetics /Visual Quality of the Draft EIR, EBMUD analyzed the aesthetic and visual quality impacts associated with construction and operation of the Project. EBMUD also hired licensed architecture and landscape architecture consultants to assist with site planning and assessment of aesthetics for the Project. The site planning process occurred over a 9 month period and included three community meetings from September 2009 through April 2010.

As noted in the last paragraph on page 3-2.8 of the Draft EIR, at the request of several homeowners, EBMUD and its consultant architect also visited the homes of several neighbors along Beloit Avenue and Vassar Avenue bordering the Project site to evaluate their potential views of the new Project site facilities. The planning phase design report for the Project was completed in June 2010 and is available for review. Section 3.2 in the Draft EIR references the conceptual Project drawings and technical data developed in this design report which is the basis for the Draft EIR visual quality analysis.

Refer to Figure 3.2-4 (page 3-2.7, Draft EIR) for profile/elevation views of the new tank and the proposed Project plan (Figure 3.2-3, page 3-2.5, Draft EIR). The dashed lines on Figure 3.2-4 show the existing reservoir basin and approximate ground profile along the section A-A and section B-B lines shown on the plan view. The new proposed tank and berm are also shown on Figure 3.2-4. The new tank bottom is shown at approximately elevation 780 feet (noted on page 2-16, Draft EIR). As shown pictorially, the new tank roof would be at approximately the same height as the existing reservoir roof.

The proposed 3.5 MG tank would have a nominal diameter of 140 feet (page 2-12, Draft EIR). The new tank would also be excavated by approximately 15 feet to have a lower bottom than the existing reservoir (page 2-16, Draft EIR). Chapter 2, Project Description, page 2-12 of the Draft EIR, is revised to include the nominal height of the new tank, approximately 40 feet from top of the foundation slab to the top of the tank roof. The nominal tank roof elevation would therefore be at approximately 824 feet; handrails would protrude above the main roof line by 42 inches (3.5 feet) to approximately elevation 827.5 feet.

Revisions to pages 2-12 and 2-16 clarifying the approximate tank height and elevation of the new tank roof and appurtenances are shown

in Chapter 3, Text Revisions of the RTC document. Requirements for freeboard (vertical clearance above the high water mark within the tank), drainage, and other structural requirements have changed since the existing wood roof was originally installed.

As a point of comparison, the existing reservoir roof is not flat; it consists of 3 tiers and includes 2 access structures (north and south), which are higher than the roof tiers. The highest of the three roof tiers is at approximately elevation 824 feet, the same nominal elevation proposed for the new tank. The top of the access structures (roofed hatches with entry doors) on the existing reservoir are at approximately elevation 829 feet. The new tank with hand rails would be approximately 1.5 feet lower than the top-most roof elevation on the existing reservoir. Final design would correspond to the approach outlined in the Draft EIR, unless unexpected field conditions dictate otherwise.

CR-2

As shown in the 3-dimensional (3D) scaled simulations Figures 3.2-6 through 3.2-9 on pages 3-2.18 through 3-2.21 and discussed in Impact 3.2-4 (pages 3-2.16 through 3-2.21 of the Draft EIR), the tank roof would be less visible from most public vantage points than the existing facility. This is because of the following design features: (1) the new tank would be partially buried and screened with a berm, (2) the new roof square footage for a 3.5 MG tank would be approximately 15,400 square feet, which would be 95 percent smaller than the existing roof (nearly 7 acres or 305,000 square feet), and (3) the new tank would be located across a landscaped basin, several hundred feet away from public vantage points. (Refer to pages 2-26 and 2-27 in the Draft EIR for description of heights of backfill used to berm and bury the new tank; refer to Figure 3.2-2 in the Draft EIR for public views into the Project site selected for analysis by EBMUD's architectural consultant.) Please note that appurtenances such as safety railings and vents were included in the architectural renderings and hence in the visual quality analysis performed for the Draft EIR.

In addition to structural design features for screening, strategically located trees and shrubs will be planted to further screen the tank and facilities from views into the site (refer to Impact 3.2-2 and Mitigation Measure 3.2-2 on pages 3-2.13 through 3-2.16 of the Draft EIR).

With the mitigation measures herein referenced and incorporated, all impacts on Visual Quality and Aesthetics were found to be less than significant, and therefore no additional mitigation measures would be required.

**Comment Letter DFSC**



July 19, 2011

Gwendolyn A. Alie, Associate Planner  
EAST BAY MUNICIPAL UTILITY DISTRICT  
375 Eleventh Street, MS#701  
Oakland, CA 94607-4240

Re: Summit Reservoir Replacement Project, Draft EIR

Dear Mrs. Alie,

DFSC-1 [ The Diablo Fire Safe Council would like to make the following comments in regards to the Fire Safety with the replanting of vegetation around the Summit Reservoir. As you know the project is located entirely within the Very High Fire Hazard Severity Zone (VHFHSZ) that triggers additional fire code restrictions in plant selection and spacing. As a result the project will require thoughtful vegetation plant selection and future vegetation maintenance and management.

DFSC-2 [ During the plant selection process, we are asking you to select plants that are fire resistant and sustainable.

DFSC-3 [ In the planting design phase we encourage you to carefully consider plant spacing, both vertical and horizontal as these are critical factors in fire promulgation. These considerations must be thought of in the long term as the plant life and growth may look entirely different in five, ten or twenty years from now and may create significant fire hazards putting the community in extreme fire danger.

DFSC-4 [ In addition, we express our support of the letter submitted by Fire Chief Maples (El Cerrito / Kensington Fire Department) dated June 1, 2011. We would also like to thank you for your proactive work in ensuring the water supply issues identified in this letter were promptly addressed.

Thank you for your consideration and planning to mitigation of these concerns.

Respectfully,

Michael J. Bond  
President, Board of Directors  
Diablo Fire Safe Council



## **2.8 Diablo Fire Safe Council**

DFSC-1 & DFSC-3 EBMUD is a member of the Diablo Fire Safe Council (DFSC) and a stakeholder in wildfire management in the East Bay; EBMUD also coordinated with the DFSC and the California Department of Forestry and Fire Protection to develop EBMUD's "Firescape: Landscaping to Reduce Fire Hazard" brochure [EBMUD, May 2003, 5th edition], which advocates defensible space concepts and other landscaping guidelines to help reduce fire hazards.

As noted in Section 3.11 Hazards/Hazardous Materials, page 3-11.10 of the Draft EIR, the Project site is within the Very High Fire Hazard Severity Zone per the California Department of Forestry and Fire Protection. Mitigation Measure 3.11-4 on pages 3-11.15 through 3-11.16 in the Draft EIR outlines the fire protection measures EBMUD will implement to mitigate the potential risks of fire due to Project construction. Also as noted in Mitigation Measure 3.2-2, bullet 3, on page 3-2.15 of the Draft EIR, EBMUD will continue to apply local City and County fire prevention vegetation management standards in its on-going site maintenance program at Summit Reservoir.

As discussed under Impact 3.2-2, on pages 3-2.14 and 3-2.15 of the Draft EIR, final paragraph, a Landscape Plan for the Project will be developed with a palette of native and drought-tolerant grasses, trees and shrubs. Refer also to page 3-4.29 of the Draft EIR which lists the species and types of plants consistent with the Project site and regional wildlife habitat which would be considered on site for protected trees that will be replaced. The plantings implemented for the Project landscape will be chosen and planted in specific locations to achieve many Project objectives, including but not limited to aesthetics, screening for the replacement reservoir and facilities, erosion control, security and public safety concerns, including fire protection and prevention.

The preliminary planting lists and planting guidelines (page 3-2.11 Draft EIR) given in the Project Design Report will consider plant spacing as given in the Kensington Fire Protection District Fire Hazard Reduction Program to which the DFSC refers, as well as City of Berkeley fire prevention/vegetation management standards. Once the final landscape plan is developed and the Project is designed, EBMUD will submit the landscape plans to local fire protection agencies (Kensington and Berkeley) for review and comment.

DFSC-2 Refer to Mitigation Measure 3.2-2, bullet 3, on page 3-2.15 of the Draft EIR. EBMUD will continue to apply local City and County fire prevention vegetation management standards in its ongoing landscape maintenance program for the Project site.

DFSC-4 Comment noted. EBMUD thanks the Diablo Fire Safe Council for taking the time to review and comment on the Project Draft EIR.

**Comment Letter EB**

**From:** eugina bailey [mailto:eugeniabailey@att.net]  
**Sent:** Monday, June 27, 2011 7:23 PM  
**To:** Blackwell, Michelle  
**Subject:** LANDSLIDE MITIGATION AT SUMMIT RESERVOIR

Hi Michelle,

EB-1 [ In follow up to the June 22 meeting, one subject that should have been discussed, but somehow was not, is what is being done to prevent landslides, especially along Beloit Avenue above the reservoir.

The reservoir was made into a concrete structure circa 1900, i believe, or well before houses were constructed along Beloit Avenue in the late 1930s. This concrete very likely helped stabilize the soils in between the reservoir and Beloit Avenue. Now this concrete is to be broken up and re-distributed on site. There is concern that without concrete support the likelihood of landsliding downhill might increased markedly.

EB-2 [ Please advise where in the EIR this is being addressed, or where other information can be found that addresses mitigation of a possible landslide. Your attention regarding this potentially very important matter is appreciated.

Sincerely,  
Eugenia Bailey  
524 Beloit Avenue  
Kensington, CA 94708

## **2.9 Eugenia Bailey**

EB-1 Refer to Chapter 2, Project Description of the Draft EIR, for the Project site plan, design and construction characteristics. Areas of grading are identified on pages 2-15 through 2-16 of the Draft EIR. Refer also to page 2-7 of the Draft EIR for the Summit Reservoir Site History. The reservoir was built in 1891 and lined with concrete in the early 1940s. As shown in Figure S-2 on page S-4 of the Draft EIR, the northern edge of the reservoir is more than 100 feet away from the northern property line and neighbors living on Beloit Avenue.

The purpose of the concrete liner in the reservoir is for water containment; it does not provide structural support for the slope up to Beloit Avenue or for the homes on Beloit Avenue. Therefore, removing the concrete lining would not impact the stability of the slope or residences along Beloit.

Refer to Figure 3.3-6 on page 3-3.11 in the Draft EIR which shows the approximate locations of the embankment slopes for the existing reservoir. All existing embankment slopes were found to be stable under static and earthquake loading conditions in EBMUD's previous studies.

EB-2 Potential impacts associated with Project grading and slope stability (both temporary and permanent) were analyzed in the Draft EIR, in Section 3.3 Geology/Soils. Slope stability is addressed in Mitigation Measure 3.3-1a; the construction contractor will be required to follow appropriate temporary and permanent slope inclinations as well as erosion control measures given in the Project's Geotechnical Report recommendations. Potential erosion of soils due to concrete lining removal in the reservoir basin is further addressed in Mitigation Measure 3.3-4. The construction contractor will be required to submit and comply with a Stormwater Pollution Prevention Plan to control erosion and runoff through implementation of hydro-mulching, straw bale installation and/or other standard erosion control measures. By implementing these mitigation measures, slope stability issues and erosion associated with the existing reservoir concrete lining removal would be less than significant and no further mitigation measures would be required.

**Comment Letter IG**

**From:** Isabelle Gaston [mailto:isabelle.gaston@gmail.com]

**Sent:** Thursday, June 23, 2011 1:29 PM

**To:** Blackwell, Michelle

**Subject:** question

Dear Michele,

IG-1 [ Can you tell me how much (approximately) the Summit Reservoir Replacement project will cost?

Thank you,  
Isabelle

548 Wildcat Canyon Rd  
Berkeley, Ca. 94708

## **2.10 Isabelle Gaston**

IG-1            The Project cost estimate was discussed in Chapter 2, Project Description, Section 2.5 Project Schedule and Cost, page 2-33 of the Draft EIR. The Project preliminary cost estimate range is \$22 to \$33 million. This estimate includes breaching and removal of the existing western dam embankment, removal and proper disposal of the contaminated caulking in the existing reservoir, demolition of the existing reservoir, new construction of the Summit Reservoir replacement tank, the Woods and Shasta Pumping Plant replacements, and new flow control valve, replacements of the on-site water distribution pipelines, and grading and landscaping for the 17-acre site. The costs include planning, design, construction, construction management, reservoir outage costs and contingencies. The cost estimate will be updated after the Project design is complete.

**Comment Letter JSAM**

**From:** James [mailto:jamesoutwest@yahoo.com]

**Sent:** Monday, June 20, 2011 12:41 PM

**To:** Blackwell, Michelle

**Subject:** Re: SUMMIT Reservoir Replacemnt Draft Environmental Impact Report is now available

Hello,

JSAM-1 I am wondering if you can answer or forward this to someone who could answer a question I have about the summit reservoir project. Our property backs on the North side of the reservoir (510 Beloit Ave) and we have in the past had a limited land use permit (to use some of the EBMUD property behind us for gardening) and I am wondering how the rebuilding of the reservoir will affect this. What about the new fencing that is being put in as part of the project? (fencing as I understand it is required to be around the limited land use area to separate it from the rest of the reservoir property). I am not sure if I can make the meeting Wednesday night and I am wondering if I even went if JSAM-2 they could answer these questions. I skimmed through the EIR and am otherwise happy with the proposed project but would like to know if something could be worked out surrounding the limited land use permit.

Sincerely,  
James Schinnerer  
Ann Marks

## **2.11 James Schinnerer and Ann Marks**

JSAM-1 As described in the Project Description on page 2-20 and analyzed in Section 3.2 Visual Quality/Aesthetics on page 3-2.14 of the Draft EIR, the perimeter property line fences would be replaced to address deterioration and age issues and to update the fencing to current security standards per EBMUD's Vulnerability Assessment Program.

As noted in Mitigation Measure 3.2-2, any facilities or other appurtenances and landscaping which encroach on EBMUD property will be removed and replaced or trimmed back to the property line to improve access and facilitate the new fence construction, as feasible. There are no current limited land use (gardening) permits for the Summit Reservoir site; therefore, impacts on limited land use permit holders were not considered in the Draft EIR analyses. As is EBMUD's standard practice during construction, EBMUD will coordinate fence replacement work with neighbors in advance of construction, including visual condition assessment of adjacent structures.

JSAM-2 EBMUD appreciates your support for the Project and thanks you for your time and effort in reviewing and commenting on the Draft EIR. Limited land use permits are discretionary and are renewed annually through the EBMUD Real Estate Department and in coordination with other EBMUD departments responsible for water distribution operations, site maintenance, and security. EBMUD may terminate limited land use permits at any time with 30 days notice to the permit holder. During construction, no limited land use permits would be allowed due to public safety and liability concerns related to an active construction site. Following Project construction, future limited land use permit applications for the Summit Reservoir site would be reviewed and subject to standard procedures but are unlikely to be approved due to new security standards and the fact that costs related to maintenance and inspection of the permitted use area would not be offset by any fees required for the permit. However, you may apply if you wish, to get a formal determination.

**Comment Letter KM**

-----Original Message-----

From: Kimberley Martinez [mailto:kmartinez9@sbcglobal.net]

Sent: Sunday, July 17, 2011 12:05 AM

To: Summit Reservoir Replacement

Subject: Draft EIR

- KM-1 [ Can you please send me the draft of the EIR via e-mail-- I cannot access it through the website...
- KM-2 [ I live directly adjacent to the reservoir grounds and am concerned about the potential noise from the pumping station.

Thank you,

K. Martinez

---

On Jul 18, 2011, at 10:11 AM, Summit Reservoir Replacement wrote:

Ms. Martinez,

I've attached a copy of the Draft EIR here, but it is 7 MB and your email service may reject a file this large.

Our administrative assistant will overnight a CD to you with the Draft EIR. The comment period ends at 4:30 pm tomorrow, Tues., July 19. If you would like to review the Draft EIR before then, please go to either the Berkeley public library on Kittredge, the Contra Costa Co. library in Kensington on Arlington, or the Kensington Fire Station to review a copy of the Draft EIR. Please see the website for the exact addresses of the Draft EIR viewing locations: <http://www.ebmud.com/about-ebmud/news/project-updates/summit-reservoir-replacement-project>

Your comment below is noted; EBMUD will respond in the formal Response to Comments document.

Regards,

Robyn M. Mutobe, P.E. | EBMUD Water Distribution Planning

---

From: Kimberley Martinez [mailto:kmartinez9@sbcglobal.net]

Sent: Monday, July 18, 2011 9:15 PM

To: Summit Reservoir Replacement

Subject: Re: Draft EIR

Importance: High

Thank you very much - the file came through email just fine.

Kim Martinez



## **2.12 Kim Martinez**

KM-1 The digital file of the Draft EIR was provided for review via email on July 18, 2011.

KM-2 Operational noise and vibration from the new pumping plants were considered and analyzed in the Draft EIR and discussed in Section 3.9 Noise and Vibration, pages 3-9.12 through 3-9.16. As noted on page 3-9.12 of the Draft EIR, some of the existing pumps are housed in an outdoor concrete-lined pit, and that pump noise is not presently attenuated (reduced) by any type of enclosure or shielding. Refer to Chapter 2 Project Description, Infrastructure Maintenance on pages 2-9 and 2-10 of the Draft EIR for the description, location and age of the existing pumps in the Woods and Shasta Pumping Plants.

For the replacement Pumping Plant, all of the new, more efficient pumps would be located in a new enclosed structure and are therefore expected to be less audible (quieter) than the existing pumping plant. EBMUD's current standards for new water distribution pumping plants require installation of vertical turbine pumps and piping designed to dampen vibration and reduce noise. Per EBMUD standard specifications, the Contractor will be required to provide a one year warranty for the pump assembly following installation. For these reasons, both noise and vibration would be considered less than significant with implementation of mitigation measures identified in the Draft EIR. Therefore, no additional mitigation measures would be required.

**Comment Letter RCC-1**

**From:** Robert C. Chioino [mailto:bob6810@yahoo.com]

**Sent:** Thursday, June 23, 2011 10:30 AM

**To:** Summit Reservoir Replacement

**Subject:** Long term vibration impacts

RCC-1-1 [ The existing pumps send vibrations to nearby houses. Most noticeable late at night. The new pumps should be set up to isolate any vibration and contain it to the EBMUD property.

Robert C Chioino  
435 Spruce Street

**2.13      Robert C. Chioino**

RCC-1-1      See Response KM-2.

**Comment Letter RCC-2**

**From:** Robert C. Chioino [mailto:bob6810@yahoo.com]  
**Sent:** Thursday, June 30, 2011 1:46 PM  
**To:** Summit Reservoir Replacement  
**Cc:** Katz, Andy  
**Subject:** Project impacts on parking

RCC-2-1 [ Spruce Street provides parking for residents and the Step One School. Parents use parking to deliver and pick up their children. Construction worker parking on Spruce Street would have a severe adverse impact on resident and school activities. The

RCC-2-2 [ contract should specify some on site parking. It is a big site and could be staged. ]  
Robert C Chioino  
435 Spruce

---

From: Andy Katz [mailto:andykatz@sonic.net]  
Sent: Saturday, July 02, 2011 3:02 PM  
To: BOB6810@YAHOO.COM  
Cc: Blackwell, Michelle  
Subject: Re: Project impacts on parking

Bob,

RCC-2-3 [ I agree that our project should be designed, and our construction bid request should minimize parking impacts on the neighborhood, particularly on Spruce Street. I've noticed that there is often an empty street on our block on Grizzly Peak. Also, the church may be able to lease parking for what cannot be accommodated on-site or on EBMUD-abutting Grizzly Peak. Although parking is no longer part of CEQA, I think EBMUD should address this with a plan that can be included in the RFP. Thanks for your comment.

Andy Katz

## **2.14      Robert C. Chioino**

RCC-2-1      See Master Response 2.1.3, Parking, and Figure 1.  
RCC-2-2, &  
RCC-2-3

**Comment Letter RCC-3**

**From:** Robert C. Chioino [mailto:bob6810@yahoo.com]

**Sent:** Tuesday, July 12, 2011 12:40 PM

**To:** Summit Reservoir Replacement

**Subject:** Mini park amenities

RCC-3-1 [The seating area, fountain, and dog water supply are heavily used and should be kept in operation if the space is not needed by the contractor. The mail box and trash can are also important. A creative fence concept could do this. If not, a temporary people fountain could be placed near the dog water supply along with a bench and all placed just outside the fence.]

RCC-3-2

Robert C Chioino  
435 Spruce

## **2.15 Robert C. Chioino**

RCC-3-1 As noted on page 3-6.22 in Mitigation Measure 3.6-1 of the Draft EIR, the Spruce Street Overlook which contains the seating area, fountain, trash can, postal box, and dog watering station will be closed for the duration of construction due to overriding public safety concerns, whether or not the construction contractor or EBMUD elects to use the space for construction staging. The Spruce Street driveway would be used for construction access to and from the site throughout the 2.5 year construction period. Allowing the public to gather or use benches, water fountains or the dog watering station in this location would create a public safety hazard and potential liability for EBMUD; hence, this area will be closed during the entire construction period. EBMUD will coordinate with the United States Postal Service (USPS) to temporarily close and/or relocate the blue postal mailbox during construction. Mitigation Measure 3.6-1 is revised in Chapter 3, Text Revisions of this RTC document to include temporary closure and/or replacement of the blue USPS mailbox.

RCC-3-2 To limit the potential for public safety hazards as noted above, EBMUD will not provide temporary fountains, benches or other amenities for use during the construction period immediately adjacent to or within the Spruce Street Overlook. Furthermore, given the construction activities planned for the Project site, the Spruce Street Overlook is unlikely to provide a “park-like” setting during construction.

See Chapter 3, Text Revisions, Section 3.2.1 in this RTC document for Draft EIR Summary, Chapter 2 Project Description, and Appendix C, Initial Study/Environmental Impact Checklist clarifications related to the closure of the Spruce Street Overlook due to overriding public safety concerns. The Appendix C, Initial Study, Recreation section was clarified to note that during the Spruce Street Overlook closure, residents who frequent the Overlook may use recreational facilities in Tilden Park, which is a few blocks away from the Project site. The Spruce Street Overlook is approximately 0.25 acre in area, whereas Tilden Park is a regional 2,079-acre recreational facility which can easily absorb increased usage for the Project construction duration. Also within a 1-mile radius of Summit Reservoir, there are 7 other parks, including Tilden and the Dorothy M. Bolte Park, and over 20 parks within a 2-mile radius of the Project site. For these reasons, there would be no impacts on recreation and no mitigation measures would be required.

**Comment Letter SO**



**STEP ONE  
SCHOOL**

Gwendolyn A. Alie  
Associate Planner  
East Bay Municipal Utilities District  
375 11<sup>th</sup> St.  
Oakland, CA 94607-4240

RECEIVED JUL 18 2011

July 15, 2011

499 Spruce  
Street

Berkeley  
California  
94708

**Comments of Step One School on Draft EIR: EBMUD's Summit Reservoir  
Replacement Project**

Dear Ms. Alie:

Phone  
510 527-9021

Fax  
510 527-9315

www.  
steponeschool.  
org

SO-1

We have reviewed the copy of the Draft Environmental Impact Report ("DEIR") the East Bay Municipal Utilities District ("EBMUD") provided Step One School ("Step One"). We write to express our concern as to the adequacy of the single measure EBMUD has proposed in mitigation of the "significant impact" EBMUD concedes added vehicular traffic generated by the Summit Reservoir Replacement Project (the "Project") will have on Step One.

SO-2

The DEIR is correct to identify Step One as what it terms a "Non-residential Sensitive Receptor." Located in a residential neighborhood only .15 miles from the Project worksite, more than 100 children between the ages of two and six come to Step One each weekday. Because Step One has no parking lot or dedicated drop-off zone, all of its students walk on Spruce St. each day. The children arrive at school between 8:00 and 9:30, and are picked up at various times beginning at 12:30, with the final pick up at 5:00. School is in session every month of the calendar year, with multi-week breaks only in August and December.

A Nonprofit  
Corporation

SO-3

In consultation with the City of Berkeley, EBMUD has determined that all of the substantial truck and heavy equipment traffic generated by the Project will be routed on Spruce St. Some of this truck traffic will pass Step One on the way to and from the worksite. Other trucks will go back and forth from Spruce St. onto Vassar Ave. directly across from Step One. All truck access to and egress from the worksite over the 2.5 years the Project is expected to run is anticipated to pass in front of Step One. Thus as many as 108 times each school day Project-related heavy trucks will pass directly in front of Step One -and within about thirty feet of its closest classroom. DEIR 3-6.13. In addition, it is expected that the Project will generate up to 64 on-site worker trips each day. *Id.* This increase in traffic will be significant: the DEIR predicts that traffic volumes on Spruce St. south of Alamo Ave. will rise on average by 3.2%, but by as much as 9.4% each day. DEIR 3-6.21. These increases far exceed the daily fluctuation in traffic volume set forth in the DEIR yet very likely understate the increase of traffic volume in front of Step One. This is because the

SO-4





study to which the DEIR cites, the EBMUD Summit Reservoir Project Technical Report: Traffic and Circulation (“Fehr & Peers Study”) did not survey (or EBMUD has chosen not to report) the traffic volumes on the portion of Spruce St. on which both Step One and the Project sit. The DEIR’s failure to provide traffic volumes on the northernmost .6 miles of Spruce St., that portion on which the increased traffic volumes will be greatest, renders it inadequate.

SO-4

Even though EBMUD appears not to have measured the actual amount of traffic that passes in front of Step One each day, the DEIR nonetheless concedes that the additional traffic would be significant under the California Environmental Quality Act (“CEQA”) and that mitigation is required. DEIR Impact 3-6.1. With respect to Step One, however, the DEIR proposes a single mitigation: the provision of a flagger “to minimize conflict between construction traffic and school traffic during drop-off and pickup times.” DEIR 3-6.18. As set forth below, Step One believes that the provision of a single flagger at only one of the three intersections Step One students routinely use to cross Spruce St. will be inadequate to mitigate the significant impact the Project-generated truck traffic will have on the operation of the school.

SO-5

The Fehr & Peers Study is inadequate in another respect: the DEIR’s “Parking Assessment” purports to count the number of parking spots on the portions of Spruce St. and Grizzly Park Blvd. adjacent to the Project site, and concludes that these 40 spots will “accommodate projected worker parking demand during all construction phases, which is projected to reach a maximum of 32 worker vehicles.” DEIR 3-6.25. 40 spots, if vacant, would indeed accommodate 32 cars. The Fehr & Peers Study, however, did not measure how many of those 40 spots are in use on a typical school day, and thus the DEIR’s conclusion that the Project’s “impacts on parking would be less than significant and that no mitigation measures would be required” is not supported on the record. *Id.* At the June 22, 2011 neighborhood meeting convened to discuss the DEIR, a neighbor stated that he lives in the house on Spruce St. closest to the Project and that “every day” the parking space in front of his house is used by the Step One community. This neighbor’s statement is consistent with the experience of Step One caregivers who each school day park on the northernmost portion of Spruce St., including that portion closest to the Project site. An aerial view of Spruce St. from Step One to the Project site can be seen in Figure 1. The Fehr & Peers Study’s failure to measure and assess the current use of the parking spaces closest to the Project site renders it inadequate.

SO-6

The DEIR further concedes the Project will implicate a second standard of significance pursuant to CEQA in that it would “[s]ubstantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses. . . .” DEIR Impact 3-6.3. Without any discussion or analysis of any specific design features relevant to Step One, the DEIR contends the provision of a single flagger as contemplated by Mitigation Measure 3-6.1 would also serve to reduce this impact to “less than significant.” DEIR 3-6.28. As set forth below, examination of the specific design features of the block of Spruce St. on which Step One is located compels the conclusion that the proposed mitigation is by itself inadequate to

SO-7

**Comment Letter SO**

SO-7 | address the significant hazard posed by EBMUD's trucks to the safety of the small children who come to Step One each school day.

\*\*\*\*\*

SO-8 | Step One is situated on a blind curve on Spruce St. Children on their way to and from school cross Spruce St. at crosswalks adjacent to three separate three-way intersections. Through traffic on Spruce St. is controlled by a stop sign only at the intersection of Spruce St. and Michigan Ave.; through traffic on Spruce St is not stopped at Vassar Ave. or at Alta Rd. An aerial view of the site with the three crosswalks marked can be seen in Figure 2. The DEIR proposes provision of a flagger at only one of the three crosswalks regularly used by the Step One community, that at the intersection of Spruce St. and Vassar Ave. No flagger or other safety measures are proposed for the Michigan Ave. or Alta Rd. crosswalks, and the DEIR gives no indication that any were considered. EBMUD evidently believes the Vassar Ave. crosswalk is more dangerous than the Michigan Ave. and Alta Rd. crosswalks, but has not indicated why. EBMUD needs to explain its reasoning on the record and show that it is supported empirically.

SO-9 | In addition, the DEIR states that at times trucks will be sent from Spruce St. onto Vassar Ave. and, as a result, traffic on Vassar Ave. will likely be reduced to a single lane and parking near the traffic control and construction areas restricted. DEIR 3-6.24. These actions will have a significant effect on Step One. A number of children who live in the neighborhood walk to school on Vassar Ave. Vassar Ave. is also a heavily used vehicular approach to Step One and many caregivers park on it both at pickup and drop-off times. Currently no crosswalk spans Vassar Ave., and it intersects Spruce St. at an awkward angle affording poor visibility in both directions. The Step One community is aware of numerous "near misses" in this area. One member of the Step One community was not so lucky: in 2007 a teacher leaving the school was struck and seriously injured by a car as she attempted to cross Vassar Ave. (Berkeley Police Department report #0727835.) Into this already hazardous environment EBMUD proposes to introduce its trucks.

SO-10 | Step One emphatically agrees that additional safety measures will be needed at the Vassar Ave. crosswalk and elsewhere, but sees provision of a single flagger as inadequate to mitigate the envisioned "significant impact" of increased vehicular traffic. Use of a flagger is but one of several steps that must be taken to prevent possible injury or death. Step One believes that the Project-generated traffic necessitates additional traffic control signage on Spruce St. and Vassar Ave. and a reduction of the speed limit during school hours, and that flaggers should also be provided for the Michigan Ave. crosswalk, a site not visible from the crosswalk at Vassar Ave., and at the Alta Rd. crosswalk.

SO-11 | The Step One Street Safety Committee ("Committee") is familiar with the existing hazards posed by situation of the school on a busy two-lane collector street. The Committee has scrutinized the DEIR and determined that the projected increase in

traffic will adversely affect the educational environment of Step One. The closest classroom is about thirty feet away from Spruce St., and the loud noise and increased exhaust threaten to disrupt the school over the 2.5 years the Project is scheduled to run. But the direct danger posed to the students of Step One by EBMUD's heavy trucks is the Committee's biggest concern. Large trucks have difficulty stopping with precision and are relatively difficult to maneuver on winding streets. Step One students are aged two to six and exercise judgment and gross motor skills commensurate with their years. The Committee finds (i) that the introduction of a large number of heavy trucks into the Step One community poses a significant danger to the young students, (ii) that EBMUD's proposed provision of a single flagger to address this significant impact is inadequate to provide reasonable assurance of student safety, and (iii) that EBMUD should adopt the following measures in mitigation:

SO-11

SO-12

**1. EBMUD Officials Should Meet With Step One.**

Step One has operated at the Spruce St. site since 1981 and has significant knowledge of and experience in addressing the safety issues a population of over 100 small children confronts. Step One is disappointed that at no time during the preparation of the DEIR did EBMUD reach out to or otherwise consult with what it recognizes is a "Non-residential Sensitive Receptor," located only .15 miles from the Project site. Step One is further disappointed that at the June 22, 2011 neighborhood meeting convened to discuss the DEIR, Gwendolyn Alie specifically declined its request to meet with EBMUD prior to its submission of these written comments. Nonetheless, Step One hopes to work co-operatively with EBMUD during the 2.5 year Project, and would like to begin meeting with the Project Manager as soon as practicable.

SO-13

**2. Truck Trips Should Not Coincide With Step One Drop-Off and Pickups.**

Care must be taken to schedule truck trips so as not to interfere with the pick up and drop-off of students. No Project trucks should pass in front of Step One between the hours of 8:00 and 9:30 AM, and EBMUD should consult with Step One as to an afternoon schedule that minimizes potential conflict.

SO-14

**3. Truck Traffic Should be Re-routed off of Spruce St.**

EBMUD can minimize the amount of traffic that passes in front of Step One by re-routing some of the truck traffic onto other streets. EBMUD should classify all trucks necessary for the Project by size, weight, and maneuverability, should determine which trucks need not take Spruce St. to the worksite and direct these onto an alternative truck route.

SO-15

**4. Caution Signs Should be Installed Both North and South of Step One.**

The added truck traffic will disrupt ordinary traffic patterns around the school. New signage will be needed to control traffic. The Committee recommends deployment of new school advance crossing assemblies on Spruce St. both north and south of Step One. Such assemblies should include internally illuminated message signs and radar speed signs displaying the

SO-16

**Comment Letter SO**

SO-16 true speeds of approaching vehicles.

SO-17 **5. Improve Safety on Vassar Ave.**  
EBMUD's introduction of truck traffic onto Vassar Ave. and the measures that will be needed to accommodate this traffic will have a significant impact on Step One. To mitigate this impact, a pedestrian crosswalk should be painted across Vassar Ave. and new signage and traffic calming beacons should be added.

SO-18 **6. Reduce Speed in School Zone to 15 MPH.**  
Because of the confusion likely to be caused by the marked increase in traffic, the Committee recommends that EBMUD work with the City of Berkeley to establish and post a reduced allowable maximum speed of fifteen miles per hour while school is in session.

SO-19 **7. Provide Flaggers at the Michigan Ave. and Alta Rd. Crosswalks.**  
The Michigan Ave. crosswalk is situated on a blind curve with minimal visibility. In addition to the flagger contemplated for the Vassar Ave. crosswalk, a flagger should be stationed at this intersection, and a third flagger placed at the Alta Rd. crosswalk. The DEIR's failure to define the precise role and responsibilities of its flaggers must be remedied. To the extent the flaggers' job description does not encompass the duties of school crossing guards, separate school crossing guards should be placed at each crosswalk. All flaggers and crossing guards must meet or exceed the standards set forth in the Manual on Uniform Traffic Control Devices (2009) (Section 7D.03 ff.).

SO-20 **8. Measure Traffic Volumes North of Alamo Ave.**  
EBMUD's failure to measure traffic volumes on the portion of Spruce on which Step One and the Project are sited renders the DEIR inadequate for the purpose of assessing the impact of the added vehicle trips. In order that safety decisions may be made with a true understanding of the likely impact, EBMUD must undertake measurement of traffic volumes on the northernmost portion of Spruce St.

SO-21 **9. On-Site Workers Should Park on the Project Site Grounds.**  
At pickup and drop-off times many Step One parents and caregivers park on Spruce St. north of the school. The DEIR failed to assess how many of the parking spaces adjacent to the Project site are in use on a typical school day. To remedy this inadequacy, EBMUD must measure the number of spots in use on Spruce St. and Grizzly Peak Blvd. during Step One pick up and drop-off times. In order to minimize potential conflict, on-site workers arriving by private car should be directed to park on the Project site or on adjacent streets, if any, which EBMUD determines through study do not already have high parking demand.

**10. Hire an Independent Traffic Safety Engineer.**

To the extent EBMUD declines to implement Step One's foregoing recommendations, it should hire an independent traffic safety engineer affiliated with the Institute for Traffic Engineering to assess circulation and traffic safety issues in the affected area and advise on appropriate steps in mitigation.

SO-22

The foregoing constitutes Step One's comments on the DEIR. Step One looks forward to working collaboratively with EBMUD to mitigate the "significant impact" the DEIR concedes the Project will have on the school. Step One hopes that through such collaboration appropriate steps in mitigation may be taken and the risk of injury or loss of life can be minimized to a less than significant level.

SO-23

Sincerely,



Sue Britson, M.A.  
Director, Step One School  
499 Spruce Street  
Berkeley, CA  
510.527.9021

Figure 1. Spruce St. from Step One to the Project site (see next page)

**Comment Letter SO**



Figure 2. Step One School aerial, including crosswalks



## **2.16 Step One School – Sue Britson, Director**

- SO-1 The Draft EIR analyzed, identified, and disclosed potential environmental impacts related to the Project, including potential impacts on Transportation and Traffic (Section 3.6 of the Draft EIR). See Master Responses 2.1.1 through 2.1.3.
- SO-2 Comment noted. This information was considered in the development of the analysis.
- SO-3 The truck trips (108) mentioned in the comment letter represents a peak for 1 to 2 days only over the entire construction period, while the new concrete tank roof is constructed (refer to Draft EIR, Table 3.6-5, page 3-6.14) since wet concrete must be placed continuously before the material hardens. A footnote is added to this table in Chapter 3 of this RTC document to clarify this point. At other times during the Project as shown in Table 3.6-5, the Project truck traffic would vary significantly by construction phase from a low of 2 daily truck trips to 70.
- SO-4 The entire haul route from the I-80 University Avenue interchange to the Project driveway was analyzed for traffic and transportation impacts in the Project Draft EIR. The “Roadway Segments” identified on page 3-6.2 of the Draft EIR describe the specific location where traffic count data was collected and do not describe the segment start and end points. The roadway segments are revised in Chapter 3 of this RTC document, to more accurately define the haul route segments as follows:
- A. University Avenue from I-80 to Shattuck Avenue
  - B. Shattuck Avenue from University Avenue to Rose Street
  - C. Spruce Street from Rose Street to Marin Avenue
  - D. Spruce Street from Marin Avenue to the Project Site

The traffic count location on Spruce Street south of Alamo Avenue was selected to collect representative traffic data for Segment D (Spruce Street between Marin Avenue and the Project site). Roadways are typically divided into segments between large arterial intersections where significant changes in traffic volume occur. Since there are no major intersections between Marin Avenue and Grizzly Peak Boulevard on Spruce Street, traffic volumes are not expected to vary substantially from the traffic counts collected near Alamo Avenue.

Additionally, the traffic volumes collected at this location resulted in a finding of significant impact for the roadway segment. Therefore, collecting and analyzing additional traffic count data along this roadway segment would not result in identification of new impacts or change the results of the Draft EIR.

SO-5 The Spruce Street/Vassar Avenue intersection flagger location was selected based on its proximity to the Step One School and its location near a curve on Spruce Street which limits sight distance. A flagger was not recommended at the Michigan Avenue/Spruce Street intersection because it is controlled by stop signs on all approaches and all vehicles on Spruce Street must stop at the intersection and yield to pedestrians. Additionally, "Stop Ahead" signs and pavement markings are provided on both the southbound and northbound directions of Spruce Street approaching the intersection.

A flagger was also not recommended at the Spruce Street/Alta Road intersection because it is on a straight section of Spruce Street with adequate sight distance for both vehicles on Spruce Street and pedestrians crossing Spruce Street. Therefore, no additional flaggers are needed along Spruce Street in the vicinity of Step One School.

The proposed mitigation measures in the Draft EIR are intended to help alleviate potential impacts caused by the Project only. The placement of flaggers at the Spruce Street/Vassar Avenue intersection is intended to supplement the existing pick-up and drop-off pedestrian and traffic safety plan that Step One School currently implements through its Step One Street Safety Committee. EBMUD has determined that additional mitigation measures beyond those proposed in the Draft EIR are neither feasible nor practical and would not reduce impacts to a less than significant level for the most traffic-intensive periods of construction as noted in Response SO-3 above. Mitigation Measure 3.6-1, bullet 5 on page 3-6.21 of the Draft EIR states that EBMUD will coordinate with the two schools along Spruce Street for scheduling of the flaggers.

See also Master Response 2.1.2, Existing Traffic and Circulation Hazards.

SO-6 See Master Response 2.1.3, Parking.



- SO-7 Existing roadway design is not an impact of the Project, as discussed in Master Response 2.1.2, Existing Traffic and Circulation Hazards. The Draft EIR acknowledges that the sharp curve on Spruce Street between Michigan Avenue and Vassar Avenue limits sight distance, and a flagger is proposed at the Spruce Street/Vassar Avenue intersection to provide guidance for pedestrians crossing the street as well as school drop-off and pick-up traffic, during the project construction period. See also Response SO-5. As noted under Impact 3.6-3 on page 3-6.28 of the Draft EIR, the flagger proposed at the Spruce Street/Vassar Avenue intersection would reduce the impact of the Project-related traffic with regard to the existing blind curve to a level which is less than significant; therefore no further mitigation would be required. Any roadway design improvement is the responsibility of the City of Berkeley.
- SO-8 See Responses SO-5 and SO-7.
- SO-9 Construction on Vassar Avenue is expected to last 10 days. This work would take place approximately 950 feet north of the Vassar Avenue/Spruce Street intersection and would only affect parking adjacent to that location. It is not expected to affect the parking supply further south near the Vassar Avenue/Spruce Street intersection, which is most frequently used by Step One School. As required by Measure 3.6-1 on page 3-6.22 of the Draft EIR, a traffic management plan will be developed to address traffic control on Vassar Avenue during this construction period to address pedestrian and traffic detours. This plan will be submitted to the City of Berkeley for review when EBMUD applies for an encroachment permit. Additional flaggers on Vassar Avenue will be used to control traffic when necessary. As determined on page 3-6.24 of the Draft EIR, the impacts on Vassar Avenue would be reduced to less than significant with implementation of Mitigation Measure 3.6-1 and no additional mitigation measures would be required.
- SO-10 See Responses SO-5 and SO-7.
- SO-11 The Draft EIR analyzed air quality and noise due to Project construction truck traffic under Sections 3.7 Air Quality and 3.9 Noise and Vibration, respectively.
- As noted on page 3-9.9 of the Draft EIR, Project truck traffic would vary from day to day and by construction phase, and the noise associated with trucks along the haul route is highly dependent on vehicle speed, load, and terrain, as well as the level of background noise already occurring at a particular receptor site. Truck traffic would be at its peak (108 truck trips) as shown in Table 3.6-5 on page 3-6.14 of the Draft EIR for 1 to 2 days when the new concrete tank roof is poured. Mitigation Measures

3.9-1a through 3.9-1e will be implemented to help reduce potential noise impacts, but even with mitigation measures implemented, some impacts would remain temporarily significant during portions of the construction period due to the proximity of receptors along the haul route, including Step One School.

Air quality was analyzed in the Draft EIR. Non-residential sensitive receptors including Step One School were identified and listed in Table 3.7-2 on page 3-7.6 of the Draft EIR. Mitigation Measures 3.7-2a and 3.7-2c require EBMUD and its contractor to implement diesel control measures and diesel particulate matter emissions control measures. With these mitigation measures implemented, air quality impacts would be less than significant.

SO-12            Comments noted.

SO-13            The Project team and EBMUD Community Affairs' current Project liaison maintain a contact database for the Project from planning through construction. As noted in Mitigation Measure 3.9-1d (page 3-9.11, Draft EIR), EBMUD will continue to coordinate with residents and other stakeholders in the community as the Project nears construction, and throughout construction.

All residents and community members interested in receiving regular Project email communications and updates should provide current contact information to the EBMUD Community Affairs office. The Project website can be found at [www.ebmud.com](http://www.ebmud.com), following links under Project Updates → Construction Projects -Planned → Summit. The Project website gives the contact information for EBMUD's Project liaison in Community Affairs. Project communications will include advance notifications of increased truck activity along Spruce and at the Project site.

Since the June 22, 2011, Draft EIR public meeting, EBMUD Project staff has contacted Step One School's Director to discuss the school's concerns and will continue to keep the school apprised of the Project schedule and potential Project impacts, before and during the construction period. Mitigation Measure 3.6-1 states that EBMUD will coordinate with the schools on Spruce Street to arrange the schedule for flaggers; this meeting will be convened 1 to 2 months prior to construction start and will include Project updates as necessary.

SO-14 The City of Berkeley Municipal Code allows construction activities between 7:00 a.m. and 7:00 p.m. (page 3-9.5 of the Draft EIR). Further, the State of California requires all “extra legal” trucks (e.g., oversized) to be off of local freeways between the hours of 7:00 a.m. and 9:00 a.m. per Section 502.2 of the Transportation Permits Manual (Caltrans 1995) (page 3-6.12 of the Draft EIR; see also Response CT-1.) EBMUD’s construction hours are proposed between 7:00 a.m. and 6:00 p.m. To mitigate increased traffic caused by the Project construction, EBMUD will limit truck trips during the peak morning and evening commute hours (7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.) to the extent practicable (refer to the Draft EIR, Mitigation Measure 3.6-2, pages 3-6.27 and 3-6.28).

However, any additional delay in start time or interruption of work hours that lengthen the work day, would result in a longer Project construction duration. As noted in Mitigation Measure 3.6-1, bullet 5, page 3-6.21 of the Draft EIR, EBMUD will coordinate with the schools to develop a schedule for the flaggers. No additional mitigation measures would be feasible or practical, nor would they reduce the impact to less than significant during the most traffic-intensive portions of the construction period. Also see Master Response 2.1.1, Construction Traffic Impacts.

SO-15 Other roads in the Project vicinity were investigated as alternative haul routes for the Project truck traffic and found to be infeasible due to roadway geometry including steep grades, narrow widths, tight curves and other factors. These factors create potential traffic/pedestrian safety issues for any vehicle, regardless of size, weight or maneuverability. Spruce Street was selected because of the centerline striping, width, signage, and connections to designated truck routes in the Project vicinity. Therefore, no additional investigation is needed. Also see Master Response 2.1.1, Construction Traffic Impacts.

SO-16 Many of the improvements suggested in the comment are intended to respond to existing deficiencies, and not to impacts of the Project. The City of Berkeley, not EBMUD, has the responsibility to install and maintain crossing assemblies and traffic-regulating devices on Spruce Street, north and south of Step One. Also see Master Response 2.1.2, Existing Traffic and Circulation Hazards.

EBMUD will install a radar speed sign in the southbound (downhill) direction of Spruce Street, between Alta Road and Vassar Avenue. The sign will inform drivers of their speed as they approach Step One School. The sign will be in place for the duration of project construction.

EBMUD will also install a fixed sign at the Project site driveway exit to alert project construction workers and truck drivers to the presence of schools along Spruce Street, namely Step One and Cragmont Elementary, and to remind drivers to exercise caution since children are present at these locations. The sign will be in place for the duration of project construction.

SO-17 The improvement suggested in the comment is in response to existing deficiencies, and not Project impacts. The City of Berkeley has the responsibility to paint a pedestrian crosswalk across Vassar Avenue and add signage and traffic calming beacons. As part of this Draft EIR Response to Comments, EBMUD's traffic engineering consultants coordinated with the City of Berkeley Traffic Engineering staff to discuss some of the community's suggestions for traffic calming and pedestrian safety.

The City previously studied painting a crosswalk across Vassar Avenue at Spruce Street. Currently there is no curb ramp on the southwest corner of the intersection and existing driveways limit possible locations for installation. If a crosswalk was placed further north on Vassar Avenue, there would not be adequate sight distance for Spruce Street traffic, creating an unsafe condition when vehicles turn from Spruce Street onto Vassar Avenue. Also see Master Response 2.1.2, Existing Traffic and Circulation Hazards.

SO-18 The City of Berkeley has the responsibility to change the speed limit on City streets since the Berkeley Police Department is responsible for enforcement. Currently the City does not have any locations adjacent to schools with a reduced speed limit of 15 mph.

SO-19 See Responses SO-5 and SO-7.

SO-20 See Response SO-4.

SO-21 See Master Response 2.1.3, Parking.

SO-22 EBMUD retained the services of Fehr & Peers, a transportation engineering and planning consulting firm with over 25 years of experience in the Bay Area, to evaluate potential traffic and transportation impacts due to the Project construction. Fehr & Peers employs numerous Registered Civil Engineers and Traffic Engineers. The Draft EIR analyzed, identified, and disclosed

potential environmental impacts related to the Project, including potential impacts on Transportation and Traffic (Section 3.6 of the Draft EIR).

SO-23      See Response SO-13.

# Shepherd of the Hills Lutheran Church

401 Grizzly Peak Boulevard, Berkeley, CA 94708

Phone (510) 524-8281

Gwendolyn A. Alie, Associate Planner  
East Bay Municipal Utility District  
375 Eleventh Street (Mail Slot 701)  
Oakland, CA 94607-4240  
summiteir@ebmud.com

Dear. Ms. Alie

The purpose of this letter is to comment on the *Summit Reservoir Replacement Project Draft Environmental Impact Report* (Draft EIR). Comments on the Draft EIR are due by July 19<sup>th</sup>, 2011.

Shepherd of the Hills (SOTH) Lutheran Church is located at 401 Grizzly Peak Boulevard. The East Bay Municipal Utility District's (EBMUD) Summit Reservoir is across the Grizzly Peak Boulevard/Spruce Street intersection from the church. The reservoir site occupies 17 acres and is bordered by Spruce Street, Grizzly Peak Boulevard, Beloit Avenue and Vassar Avenue. EBMUD is proposing the Summit Reservoir Replacement Project and recently published the Draft EIR (available for review at ebmud.com, under "construction projects").

SOTH-1

## Project Characteristics

**Project Purpose.** The purpose of the Project is to remove PCB contaminants present in caulking used in construction of the existing reservoir's liner, improve water quality by improving reservoir operations, and correct problems related to aging infrastructure, among other things.

**Project Description.** As part of the project, EBMUD proposes to demolish the existing Summit Reservoir, demolish two pumping plants at the site, construct a new building to house replacement pumps and a new flow control valve, construct a new 3.5 million gallon (MG) concrete tank reservoir that would be partially buried, construct a new pipeline, and replace other onsite pipelines and drainage facilities. Following completion of construction, EBMUD would re-grade and landscape the site with drought-tolerant trees, grasses and shrubs and create a public walkway along the eastern boundary of the site.

**Construction Phasing, Schedule, and Construction Hours.** The project is expected to begin as early as 2013 and take approximately 2.5 years. On-site construction hours would be 7:00 a.m. to 6:00 p.m. Monday through Friday except during critical water outages and special activities like concrete pouring. Noise from activities generating high levels of noise such as concrete break-up and crushing, will be limited to 8:00 a.m. to 4:00 p.m. Monday through Friday.

**Truck Traffic Routing; Truck Volumes.** Consistent with EBMUD discussions with the City of Berkeley, the recommended route for trucks traveling to and from the site is University and Shattuck Avenues, and Rose and Spruce Streets, with flaggers at the Rose/Shattuck and Rose/Spruce intersections, near

Cragmont Elementary School at Marin, and near Step One. Truck trip volumes would vary by construction phase; the maximum number of daily truck trips would occur during construction of the reservoir roof (108 truck trips per day for 8 weeks).

SOTH-1

**Comments**

The purpose of the Draft EIR is in part to disclose potential impacts of the project on the community and to facilitate public input into project planning. The Draft EIR (pp. S-5 to S-26) presents a summary of impacts and measures to mitigate those impacts. Members of the Shepherd of the Hills congregation attended a community meeting held by EBMUD at the church on June 22<sup>nd</sup>. Below are our comments based on our review of the Draft EIR and information at the public meeting:

SOTH-2

**Noise, Notification.** The church is a gathering place for the community, but because most church activities occur on the weekends and in the evening, and construction is not expected to occur on weekends except in special circumstances, construction noise is not expected to disrupt most church activities. However, weekday, daytime activities by the pastor, music director and others would likely be disrupted by noise. In addition, the Mt. Cross summer camp as well as unscheduled church functions could be substantially disrupted by noise, truck traffic, and displacement on on-street parking by construction workers. We understand that EBMUD will designate a contact person to respond to construction-related issues including noise and to take steps to resolve complaints. On a case-by-case basis, EBMUD will propose noise abatement techniques for certain receptors, in response to monitored noise impacts. We request to be included on Ms. Michelle Blackwell's email distribution list to receive up-to-date project information. For planning purposes, we request to be notified as far in advance as practical of periods of heavy construction (e.g., noisy activities such as concrete crushing and phases involving greater numbers of trucks). Please notify SOTH if any of the above characteristics of the project change; in particular, the overall schedule, duration, phasing, and traffic routing. We will notify Ms. Blackwell of special events at SOTH as well.

**Vibration.** Please confirm that no impacts from groundborne vibration are expected to occur at the church.

SOTH-3

**Parking.** SOTH is concerned about the loss of on-street parking due to construction workers (up to 64 construction worker vehicle trips would occur daily). Please indicate whether any on-street parking would be displaced by staging activities at any point during construction. Please include in the construction specifications a condition requiring that the contractor not store equipment or materials on public streets; given the size of the reservoir site it would seem that ample room is available on site. Please consider requiring that the contractor implement a shuttle system requiring that workers park at a designated location off-site and be shuttled to the site. Please contact SOTH regarding parking issues.

SOTH-4

**Bike Safety.** We are also concerned about the bicycle and vehicle safety in the area given the number of large trucks that will be traveling to and from the site for over 2 years and the fact that the Spruce Overlook, a meeting place for cyclists, will be closed during construction. Please indicate steps EBMUD will take or require the contractor to take to ensure that the presence of the trucks on the haul route and entering and exiting the site does not result in an increase in accidents involving cyclists or vehicles.

SOTH-5

## **Comment Letter SOTH**

SOTH-6

**Traffic Safety.** The intersection of Grizzly Peak, Spruce, and Wildcat is complicated and has poor line of sight in some directions. Trucks moving into and out of the site have a high potential to disrupt the flow of traffic, as do workers arriving at and departing from the site en masse at the start and end of the work day. We request that flaggers be posted at the site for periods of truck activity and worker vehicle arrival and departure to reduce disruption of traffic flow through this intersection.

SOTH-7

**Litter and Debris.** Please include in the construction specifications requirements that the contractor remove litter and debris around the site and on roads to and from the site regularly.

SOTH-8

**Contact SOTH.** Please place Buildings & Grounds Chair, Gary Andersen, email: [glandersen@lbl.gov](mailto:glandersen@lbl.gov) and Council President Carol Starr, email: [cstarr836@yahoo.com](mailto:cstarr836@yahoo.com) on Ms. Michelle Blackwell's email distribution list to receive up-to-date project information. Also, please contact Gary Andersen or Carol Starr if you have any questions or concerns. You may also contact Pastor Mary Rowe at Shepherd of the Hills, phone (510) 524-8281 for immediate concerns.

Thank you for your consideration,

Gary Andersen  
Chair, Buildings & Grounds

Carol Starr  
Council President



## **2.17 Shepherd of the Hills Lutheran Church - Gary Anderson**

SOTH-1 EBMUD generally concurs with the Project summary restated in the comment letter, with the following exceptions:

- (1) Under “Truck Traffic Routing; Truck Volumes”: Refer to Figure 3.6-4, page 3-6.16 of the Draft EIR which shows the truck haul route and the locations requiring flaggers. In addition to the locations listed in the Shepherd of Hills Lutheran Church letter, EBMUD will also place flaggers at the Project site driveway on Spruce Street to assist with trucks entering and exiting the Project site.
- (2) Under “Truck Traffic Routing; Truck Volumes”: EBMUD is revising Table 3.6-5 and placing a new footnote for the 108 trucks and peak truck traffic related to Reservoir Roofing; the revisions are shown in Chapter 3 of this RTC document. Note that while the roofing construction phase is estimated for 8 weeks total, the 108 peak trucks are expected for only 1-2 days during the entire concrete pouring operation period. See 2.1.1 Master Response on Construction Traffic Impacts.

SOTH-2 Shepherd of the Hills (SOTH) is included on EBMUD’s mail and email distribution lists; EBMUD’s Community Affairs representative currently assigned for the Project is the primary liaison for all project phases. As noted in Mitigation Measures 3.9-1b and 3.9-1d on page 3-9.11 of the Draft EIR, the EBMUD Community Affairs representative will communicate with those on the distribution list near the construction right-of-way and along the haul route at least 2 weeks in advance of construction.

Also Mitigation Measure 3.9-1a, bullet 2, and Mitigation Measure 3.9-2, bullet 4, in the Draft EIR state the hours of operation for extremely noisy and vibratory equipment will be limited between 8 a.m. and 4 p.m. EBMUD appreciates advance notice from SOTH of special daytime events and will coordinate with SOTH to the extent practicable to lessen potential impacts between these to-be-scheduled church activities and Project construction.

SOTH-3 The Draft EIR studied potential vibration impacts of the Project for all construction activities and included mitigation measures which establish thresholds for vibration. Vibration will be limited to less than 0.5 inch/second peak particle velocity at 55 feet from the vibratory equipment (pages 3-9.13 and 3-9.14, Draft EIR). To ensure that ground

borne vibration will remain below this threshold, vibration monitoring will be conducted at the Project site during periods of construction when vibratory equipment will be operated (Mitigation Measure 3.9-2 on pages 3-9.14 and 3-9.15, Draft EIR). With this mitigation measure, ground borne vibration would be less than significant, and no further mitigation measures would be required.

SOTH-4 See 2.1.3 Master Response on Parking and Figure 1.

Encroachment permits from local agencies would be required for pipeline connection work in the public right-of-ways (see Chapter 3 of this RTC document, revisions associated with Section 2.4.2 of the Project Description.) As noted in the Draft EIR Project Description on page 2-23, the Project site would be used as the primary staging area to the extent feasible for the duration of the Project construction.

SOTH-5 See 2.1.5 Master Response on Bicycle Safety.

SOTH-6 See 2.1.1 Master Response on Construction Traffic Impacts. See also the SOTH-1 Response item (1). Flaggers will be posted at the Project site driveway during construction to control trucks entering and exiting the Project site, which should also help minimize disruptions to traffic flow through the Grizzly Peak, Spruce and Wildcat intersection.

SOTH-7 Refer to Mitigation Measure 3.2-1 on page 3-2.13 in the Draft EIR for litter and debris removal requirements to be implemented by the Project construction contractor. Refer also to Mitigation Measure 3.7-2b, bullets 4, 5, 10, 12 and 13 on page 3-7.16 in the Draft EIR for requirements related to sweeping and removing mud and dirt or other debris from roadways and paved access areas to and from the Project site. Mitigation Measure 3.7-2b also includes requirements to tarp and wet the loads of all trucks carrying soil and other loose materials from the Project site.

SOTH-8 Community contact information, including SOTH's, is held by the Project team and EBMUD's Community Affairs representative for the Project; Community Affairs will continue to communicate with SOTH throughout all Project phases.

## **2.18 Summit Draft EIR Public Meeting (June 22, 2011, Shepherd of the Hills Lutheran Church, Berkeley)**

SDPM-1 Will AC Transit bus service along Spruce be impacted? What will happen to the bus stop at the Spruce Street Overlook? Will the bus stop on Beloit be affected?

See 2.1.4 Master Response on Public Transit. The Recommended Truck Routing Plan for construction vehicles is shown in Figure 3.6-4 on page 3-6.16 of the Draft EIR. Beloit Avenue is not included in the truck haul route; therefore, no impact on the bus stop on Beloit Avenue is expected and no further mitigation measures would be required.

SDPM-2 Where will water come from during construction? Will fire flow needs be met during construction?

Refer to Chapter 2 Project Description, Reservoir Outage Requirements, pages 2-32 and 2-33 in the Draft EIR, which notes that a temporary tank and temporary flow control valve would be installed on site during construction. These facilities would be in operation throughout construction along with the existing Woods and Shasta Pumping Plants. The temporary flow control valve would be available to provide emergency and fire flows from Woods Reservoir during construction.

For fire flows during construction, see Responses KFPD-2 and KFPD-3.

SDPM-3 Concern about aesthetics from a resident living on Beloit.

Aesthetics and visual quality were analyzed in Section 3.2 of the Draft EIR and found to be less than significant with mitigation measures. The community was engaged through three public meetings during the site planning phase/process. At the request of homeowners, EBMUD also visited several residents along Beloit and Vassar Avenues to evaluate neighbors' views into the site, the results of which are discussed on page 3-2.8 of the Draft EIR. As noted in Mitigation Measure 3.2-2, a Landscape Plan will be prepared for the site. Existing perimeter trees would continue to screen the site.

SDPM-4 What is the proposed workforce size and where will the construction workers park?

See 2.1.3 Master Response on Parking.

- SDPM-5      What is the peak daily truck traffic for the Project?
- See 2.1.1 Master Response on Construction Traffic Impacts.
- SDPM-6      Concern that turning movements are difficult to negotiate at the Rose/Spruce intersection.
- See 2.1.1 Master Response on Construction Traffic Impacts.
- SDPM-7      What are flaggers? Is there a formula for flaggers?
- See 2.1.2 Master Response on Existing Traffic and Circulation Hazards.
- SDPM-8      Draft EIR notes that there are potentially 30 parking spaces on Spruce, but this does not address actual availability. Where did this estimate of parking spaces come from?
- See 2.1.3 Master Response on Parking.
- SDPM-9      Construction is proposed over a 2.5 year period, 5 days a week 7 a.m. to 6 p.m. which is a long timeframe. Notification helps residents prepare, particularly when there's intense construction activity at the site. Is there a schedule outlining the stages of construction and when certain equipment will be used?
- Refer to Table 2-2 on page 2-21 in Chapter 2 Project Description of the Draft EIR; the table shows the anticipated construction activities, the types of equipment anticipated during each construction phase, and the estimated duration of each phase of construction. In conjunction with Section 3.9 Noise and Vibration in the Draft EIR, Table 3.9-3 Construction Equipment Maximum Combined Noise Levels (page 3-9.8, Draft EIR) and discussion on page 3-9.7 through 3-9.12 of the Draft EIR, the public can anticipate when peak noise may occur at the site.
- As noted in Mitigation Measure 3.9-1b on page 3-9.11, EBMUD and/or its construction contractor(s) will notify all property owners and tenants within 300 feet of the edge of the construction right-of-way and along the haul route at least 2 weeks in advance of construction. Property owners and tenants will be notified by first class mail and signage placed at the site.
- SDPM-10      "Grid power will be used where feasible" – please explain. Noise from diesel-generated equipment is the concern.
- Refer Mitigation Measure 3.7-2c, bullet 1, on page 3-7.17 in Section 3.7 Air Quality of the Draft EIR, which requires EBMUD to utilize grid

power where feasible. As noted on page 2-2 of the Draft EIR, the existing Woods and Shasta Pumping Plants would remain in operation throughout the Project construction, until the new pumping plants are constructed and in service. The existing pumping plants would require temporary electrical power from PG&E which EBMUD would coordinate prior to construction (refer to page 2-24 Draft EIR). The temporary electrical power service would be sized such that small additional electrical loads such as those needed for the Project trailers or other stationary equipment may be serviced, rather than necessitating the use of diesel powered generators, to prevent associated noise, air quality and greenhouse gas emission impacts. There are temporary pieces of equipment which would require diesel generators due to their distance from the power source and their loads, but to the extent feasible, EBMUD would use electrical power. No additional mitigation measures beyond those proposed in the Draft EIR would be necessary for noise associated with diesel generator use.

SDPM-11 Bicycle safety is a concern along Spruce Street since hundreds of bikers use it daily to go to Tilden Park. Also falling debris from trucks are hazards to bicyclists.

See 2.1.5 Master Response on Bicycle Safety.

SDPM-12 Diablo Fire Safe Council and RE: Chief Lance Maples' June 1 letter. What about maintaining a safe fire environment – vegetation?

See Responses KFPD-1 and DFSC-1 through DFSC-3.

SDPM-13 What lessons have been learned from the Berryman Project?

The Berryman Reservoir Project is a separate EBMUD project under construction in Berkeley, and it is not specifically analyzed in the Summit Draft EIR. Construction issues related to noise, traffic and other environmental impacts are specific to the Berryman project site and were analyzed in the Berryman Draft EIR. Project specific characteristics including topography, vegetation, distance to neighbors, proximity to parks, and roadway features play a large role in determining environmental impacts for each individual project.

At the Summit Reservoir site, steep slopes on the western side of the Project site, dense, mature perimeter trees and the pre-existing features of roadways in the Summit Reservoir project vicinity were included in the Draft EIR analyses. For example, topography and dense vegetation along the perimeter are expected to help attenuate (reduce) noise and vibration impacts as well as help mitigate visual impacts on neighbors during construction as well as following construction. The pre-existing

condition of the narrow and winding roadways leading to the Summit Reservoir site (conditions typical of hillside developments) was also considered in the analysis, the proposed construction haul route, and proposed mitigation measures for the Draft EIR.

SDPM-14 Contact during construction?

As noted on Mitigation Measure 3.9-1d on page 3-9.11 of the Draft EIR, EBMUD will designate a Community Affairs contact for responding to construction-related issues, including noise. Contact information for the EBMUD Community Affairs liaison assigned to the Project (email address and direct telephone number) will be posted at the construction site and on all advanced notifications.

SDPM-15 Where will tree removal occur?

Refer to descriptions on page 2-27 of the Draft EIR, Project Description, for areas of tree removal. Refer also to Figure S-2 on page S-4 of the Draft EIR showing the Project site plan. There are more than 800 trees on the Summit Reservoir site, most of which were planted by EBMUD over the past 90 years and are in varying conditions of health. Of the 800 trees on site, 140 to 150 trees on the western and southwestern embankments would be removed to make space for construction of the new Project facilities and to breach and re-grade the existing western dam embankment. All of the trees slated for removal for the Project are interior to the site, and in general, perimeter trees adjacent to the property line fence would remain for screening. Of the 140 to 150 trees preliminarily identified for removal for Project construction, only 18 are oak trees which are “protected” by the City of Berkeley or Contra Costa County tree ordinances. Refer to Mitigation Measure 3.4-4 on pages 3-4.28 and 3-4.29 of the Draft EIR, which outlines how protected trees that are to be removed would be replaced on site consistent with local agency policies.

As noted in Mitigation Measure 3.2-2, bullet 1, on page 3-2.15 of the Draft EIR, a landscape plan will be prepared during design and a tree assessment and detailed planting plan will be provided for the Project. Refer also to pages 3-4.28 and 3-4.29 which describe local tree policies and address the tree removal and replacement plantings on site will be consistent with the Project Landscape Plan and the California Native Plant Society recommendations which identify acceptable native and drought-tolerant shrubs, grasses and trees which can be planted in the new landscape. New trees and shrubs will be planted for screening and balanced with other Project objectives including security, public safety and fire prevention and vegetation management policies.

SDPM-16 Will bird sculptures be reused?

Yes. Refer to Figure S-2 on page S-4 of the Draft EIR which shows the Project site plan. In the southern portion of the re-contoured basin the bird sculptures are shown as small white dots. The river rock on the existing reservoir roof would also be re-used on site to create the gray organically-shaped gravel feature also shown in Figure S-2. Refer also to the description of all recycled materials in pages 2-25 and 2-26 of the Project Description in the Draft EIR.

SDPM-17 Will the height of the new tank be the same as the existing?

See Response CR-1.

SDPM-18 Why was a steel tank used at Berryman and a concrete tank at Summit?

Refer to pages 3-3.13 and 3-3.14 in the Geology/Soils section of the Draft EIR for a description of the seismicity of the site and its proximity to known active faults in the region. The Berryman Reservoir site has a known, active fault on the site; in contrast, the Summit Reservoir site does not have a known, active fault on site. The Hayward fault is approximately ½ mile west of the Project site.

Due to the unique presence of the fault on the east side of the Berryman site, EBMUD is constructing a welded steel tank based on ease of repair of the material under possible fault-related differential settlements. The new Berryman tank is not partially buried due to corrosion concerns related to the interaction of dirt and steel. This above ground tank also improves the ability for staff to inspect the facility after a major seismic event.

For the Summit Project, EBMUD chose a concrete tank which can be partially buried which aids in visual screening.

SDPM-19 Concerns about noise caused by demolition, specifically recycling the concrete and crushing it on site. Will this be the loudest operation? How long will it take?

See Response SDPM-9 also for Project construction phases, durations and pieces of equipment expected during in each construction phase. The concrete recycling on site is one of the loudest operations anticipated. Footnote 3 on page 2-21 of Table 2-2 in the Draft EIR shows that the recycling/concrete grinding operation would likely occur at the end of demolition for approximately 2-4 days because this specialty equipment is very expensive to rent and keep on site without operating at high rates of productivity.

SDPM-20      What will happen to the Grizzly Peak Path?

A new walking path would be constructed as part of the Project, per community requests. The new path along Grizzly Peak would take advantage of an existing paved maintenance roadway which encircles the existing reservoir by re-using a large portion of the existing roadway. The Grizzly Peak Path would be constructed as part of the Project as described on page 2-17 of the Draft EIR and shown in Figure S-2 on page S-4. Mitigation Measure 3.2-2, bullet 5, on page 3-2.15 of the Draft EIR also describes the new path in detail. Figure 3.2-7 on page 3-2.19 of the Draft EIR shows a 3D simulated view from the new path west, toward the new tank. The property fence would be moved west approximately 15 feet into the site to allow the public to access the new path from the existing Grizzly Peak Boulevard sidewalk.

SDPM-21      Runoff/Drains to Canon, less flow than existing?

See Response EBRPD-1.

SDPM-22      Pre-construction survey for homes near site?

Refer to Mitigation Measure 3.9-1a, bullet 3 on page 3-9.10 and Mitigation Measure 3.9-2, last bullet on page 3-9.15 of the Draft EIR, which requires EBMUD and its contractor to coordinate with the homeowners immediately adjacent to EBMUD right-of-ways where construction is expected, including performing pre-construction surveys. Pre-construction surveys for other properties are at EBMUD's discretion and will be considered as needed by the EBMUD Construction Manager, the Contractor's Construction Manager, the Community Affairs representative, and in coordination with EBMUD Risk Management staff. As noted in Mitigation Measure 3.9-1a and Mitigation Measure 3.9-2, noise and vibration monitoring will be conducted at the Project site boundaries to ensure that limits set in the Draft EIR are not exceeded.



# Chapter 3

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## Text Revisions

### 3.1 Introduction

The following revisions have been made to the Draft EIR. These corrections include: minor corrections made by the EIR authors to improve writing clarity and consistency; corrections, additions, or clarifications requested by a specific comment; or staff initiated text changes to update information presented in the Draft EIR. The text revisions are organized by the chapter and page number that appear in the Draft EIR. Strikethrough text (~~striketrough~~) presented in this section indicates that text has been deleted from the Draft EIR. Text that has been added to the Draft EIR is presented as underlined.

### 3.2 Text Revisions

#### 3.2.1 Staff Initiated Additions to the Draft EIR

##### Summary

Section S.3, Project Description, page S-3, paragraph 3. Text is revised as follows:

Initial construction activities would involve placement of a temporary tank and relocation of utilities, followed by the removal and disposal of reservoir liner caulking materials which contain polychlorinated biphenyls (PCB), site excavation, and demolition of the existing open-cut reservoir. Once demolition activities are completed, construction would involve building one cylindrical 3.5-MG partially buried concrete tank, two pumping plants and a flow control valve housed in one structure, and associated appurtenances for the new tank and pumping plants. Finally, the site would be re-graded and landscaped. The existing pump house structure was retrofitted in 1998, so while equipment would be removed once the new pumping plant is in service, the old pump house structure may remain for other future maintenance uses. Access and parking for the existing pump house would remain in place for future maintenance use. During construction, all large construction equipment and haul trucks would use the Spruce Street entrance for ingress and egress to and from the site. The Spruce Street Overlook would be closed during construction to prevent potential public safety hazards related to construction traffic and related activities along Spruce Street.

Section S.4, Table S-1, pages S-25 and S-26, Cumulative Impacts, Significance After Mitigation column. Text is revised as follows to clarify that no mitigation measures are required for Impacts C-6, C-7, C-8 and C-10:

**TABLE S-1**  
**Summit Reservoir Replacement Project**  
**Summary of Impacts and Mitigation Measures**

ENVIRONMENTAL IMPACT	MITIGATION MEASURES	SIGNIFICANCE AFTER MITIGATION
<b>CUMULATIVE IMPACTS</b>		
<b>Air Quality Impact C-6:</b> No cumulative air quality impacts from construction emissions.	<b>None Required.</b>	<del>Less than Significant.</del>
<b>Greenhouse Gas Emissions Impact C-7:</b> No cumulative greenhouse gas emissions impacts.	<b>None Required.</b>	<del>Less than Significant.</del>
<b>Noise and Vibration Impact C-8:</b> Less than significant cumulative noise and vibration impacts.	<b>None Required.</b>	<del>Less than Significant.</del>
<b>Hydrology and Water Quality Impact C-9:</b> No contribution to cumulative increase in water quality impacts.	<b>None Required.</b>	
<b>Hazards/Hazardous Materials Impact C-10:</b> Less than significant cumulative impacts on hazards/hazardous materials.	<b>None Required.</b>	<del>Less than Significant.</del>

**Chapter 2 Project Description**

Section 2.4.2, Construction Characteristics, Connections to Existing Distribution Pipelines and Existing Drainage, page 2-27 and 2-28, paragraphs 1 through 3 (new). Text is revised as follows to clarify pipeline connections in public right-of-ways and the associated encroachment permits required:

Connections to existing distribution pipes would be made as described in the Design Characteristics section and would involve trenching and backfill operations. The entire I/O would be replaced to the point where it connects to the Summit Pressure Zone water distribution system in Vassar Avenue. An encroachment permit from the City of Berkeley would be required to perform this pipeline connection work in Vassar Avenue. On site, the new I/O pipe would be placed via trenching and backfill operations in a new 10-foot wide gravel maintenance road that crosses the western side of the site. Hand digging and open

trench construction would be used to remove and replace the existing I/O pipeline and drain line along the 8-foot EBMUD right-of-way connecting the reservoir site to Vassar Avenue. During this phase of construction, temporary bypass pipes would also be installed to maintain service.

The existing reservoir drain near the southeast corner of the basin would be lowered approximately 3 to 5 feet from the existing drain. A new 16-inch diameter drain pipe would be connected to an existing manhole on Canon Drive, east of the Project site, using trenchless construction techniques. EBMUD owns the property between Grizzly Peak Boulevard and Canon Drive, and the temporary construction pit used for receiving the new drain pipe and establishing a new manhole and connection to the existing drain line in Canon would be situated in this area and partially in the public roadway on Canon Drive. The temporary pit would be approximately 10 feet wide by 10 feet long and 5 to 10 feet deep. Encroachment permits would be necessary from Contra Costa County since construction access in the public roadway would be needed to build the new manhole.

Other water distribution pipelines on site (see Figure 2-4) would be replaced to the point where they connect to the Arlington and Shasta Pressure Zones either on site, or in the public right-of-way on Spruce Street (sidewalk or roadway) immediately adjacent to the Project site. An encroachment permit from the City of Berkeley would be required to perform any pipeline connection work in the public right-of-way on Spruce Street.

Section 2.4.2, Construction Characteristics, Construction Equipment and Worker Transportation, page 2-29, paragraph 3. Text is revised as follows:

The construction contractor would provide a haul route (shown in Chapter 3, Section 3.6 Transportation and Traffic on Figure 3.6-4) to all trucks serving the site during the construction period. The haul route would indicate that Rose Street and Spruce Street are Class III bike routes, and to exercise caution when using these roads. All large construction equipment and haul trucks would use the Spruce Street entrance for egress to and from the site. The Spruce Street Overlook would be closed during construction to prevent potential public safety hazards related to construction traffic and activities along Spruce Street. Beloit Avenue is not included in the haul route and would only be used by worker vehicles for site access.

## Chapter 3 Environmental Setting, Impacts and Mitigation Measures

### Section 3.6 Transportation and Traffic

Table 3.6-5, page 3-6.14, is revised with a new footnote (4) to clarify that peak truck traffic is expected for only 1 to 2 days while new concrete tank roof is constructed.

**TABLE 3.6-5**  
**Construction Schedule and Trip Generation Estimates**  
**(Includes Trips To and From the Project Site)**

Construction Phase	Duration (weeks)	Daily Trips		Hourly <sup>1</sup> Trips	
		Trucks <sup>2</sup>	Workers	Trucks <sup>2</sup>	Workers <sup>3</sup>
<b>Mobilization</b>	1	8	4	1	2
<b>Temporary Tank</b>					
Temporary Tank Excavation	3	0	10	0	5
Temporary Tank Construction	14	64	10	9	5
Drain Reservoir	4	6	4	1	2
<b>Demolition</b>					
Remove Liner Caulking	5	6	46	1	23
Demolish Roofing Materials	3	38	46	5	23
Remove Concrete Columns and Footings	10	20	46	3	23
Remove Concrete Liner	7	0	42	0	21
<b>Installation</b>					
Excavation and Grading	8	0	20	0	10
Pumping Plant Foundation	4	14	20	2	10
Reservoir Foundation	6	70	30	10	15
Reservoir Walls	16	24	64	3	32
Reservoir Roofing	8	108 <sup>4</sup>	24	15	12
Reservoir Wrapping	2	16	16	2	8
Valve Pit Piping	8	58	16	8	8
Field Testing and Startup	8	2	12	0	6
Backfilling and Berming	8	0	20	0	10
Site Restoration and Landscaping	8	66	40	9	20
Demobilization	1	8	8	1	4

*1 Hourly trips refer to the number of trips expected to occur during the a.m. and p.m. peak hours.*

*2 Truck trips are over 7 hours multiplied by 2-trips (in/out), rounded.*

*3 Worker trips are over 2 hours multiplied by 2-trips (in/out), rounded*

*4 Truck trips are at a maximum over 1-2 days only while concrete to construct tank roof is poured.*

### Appendix C. Initial Study/Environmental Impact Checklist

Page C-14 of the Initial Study Environmental Impact Checklist, XV. Recreation XVa., text is revised as follows, to reflect closure of the Spruce Street Overlook due to public safety concerns.

XV. RECREATION  Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

### DISCUSSION

**XVa. No Impact.** The project would not generate or attract additional populations, as would be associated with residential, commercial or industrial uses; ~~therefore it would not affect demand for recreational facilities.~~ However, since the Spruce Street Overlook would be closed during construction as a public safety measure, there is a potential for residents who frequent the Overlook to use adjacent recreational facilities including Tilden Park which is a few blocks (about 0.25 mile) from the Project site. The Spruce Street Overlook is approximately 0.25 acre in area. Tilden Park is a regional, 2079-acre recreational facility which can easily absorb increased usage for the Project construction period. Additionally, the area within a 2-mile radius of Summit Reservoir is "park-rich"; there are 7 parks within 1 mile of the site, including Tilden Park and the Dorothy M. Bolte Park 3 blocks away on Spruce Street, and more than 20 parks within 2 miles of the Project site. Therefore, there would be no impact on recreational use associated with the Project construction.

**XVb. No Impact.** There are existing, publicly accessible overlook areas at two locations along the reservoir site perimeter (on Spruce Street and at the northeast end of the property along Grizzly Peak Boulevard.). A new landscaped pedestrian path is proposed along Grizzly Peak Boulevard, inboard of the existing public sidewalk. However, no increase to recreational facilities is proposed by the project therefore no increase in

the number of pedestrians that walk the site or adverse effect to the environment is anticipated.

### 3.2.2 Text Revisions in Response to Draft EIR Comments

#### Table of Contents

List of Figures, page ii, Figure 2-4, title revised as follows:

2-4 ~~Project~~ Existing Water Distribution and Drainage Lines ..... 2-15

#### Draft EIR Summary

Section S.4, Table S-1, pages S-11 and S-12, Measure 3.6-1, bullet 2 and new bullet 7. Text is revised as follows to clarify that notifications to truck drivers concerning the haul route will indicate Rose and Spruce Streets are Class III bike routes and that Beloit Avenue Project site driveway will be used by worker vehicles only. A new bullet 7 is added to include coordination with the United States Postal Service (USPS) to temporarily close and/or relocate an existing mailbox near the Project driveway for public safety during construction:

- A haul route, based on the route shown on Figure 3.6-4, ~~that~~ will be provided to all trucks serving the site during the construction period. Notifications to truck drivers concerning the haul route will indicate that Rose Street and Spruce Street are Class III bike routes, and to exercise caution when using these roads. Beloit Avenue is not included in the haul route, and the Project site access driveway off Beloit Avenue may only be used by worker vehicles.
- EBMUD will coordinate with the United States Postal Service (USPS) to temporarily close and/or relocate an existing postal mailbox adjacent to the Project driveway during construction due to overriding public safety concerns.

Section S.4, Table S-1, page S-24, Measure 3.11-4, last bullet. Text is revised as follows to specify Kensington Fire Protection District requirements:

- Compliance with the referenced sections of the PRC requirements, and any additional requirements imposed by the ~~Contra Costa County~~ Kensington Fire Protection District or the Berkeley Fire District.

#### Chapter 2 Project Description

Section 2.4.1, Design Characteristics, Summit Reservoir Replacement, page 2-12, paragraph 1. Text is revised as follows to clarify the estimated height of the new replacement tank.

The water storage needed at the site is approximately 5 MG based on projected future demands per the EBMUD 2040 Demand Study completed in February 2009. EBMUD determined that this storage requirement would be achieved by building a 3.5-MG tank (approximately 140 feet in diameter and approximately 40 feet in height) at the Project site supplemented with approximately 1.5-MG storage at the existing Woods Reservoir, which is located approximately 1 mile southeast of the Project site. Woods Reservoir is an existing steel tank in the adjacent Arlington Pressure Zone with excess water storage. As such, it represents an existing opportunity for cost-effective water storage for the Summit Pressure Zone. Access to the water in Woods Reservoir would be through a new, permanent flow control valve which would be constructed as part of the Project and located in the new pump house. The valve would allow for remote opening and closing based on customer demands, and it would provide access to additional water supply during an emergency. No improvements are proposed for Woods Reservoir as part of this Project.

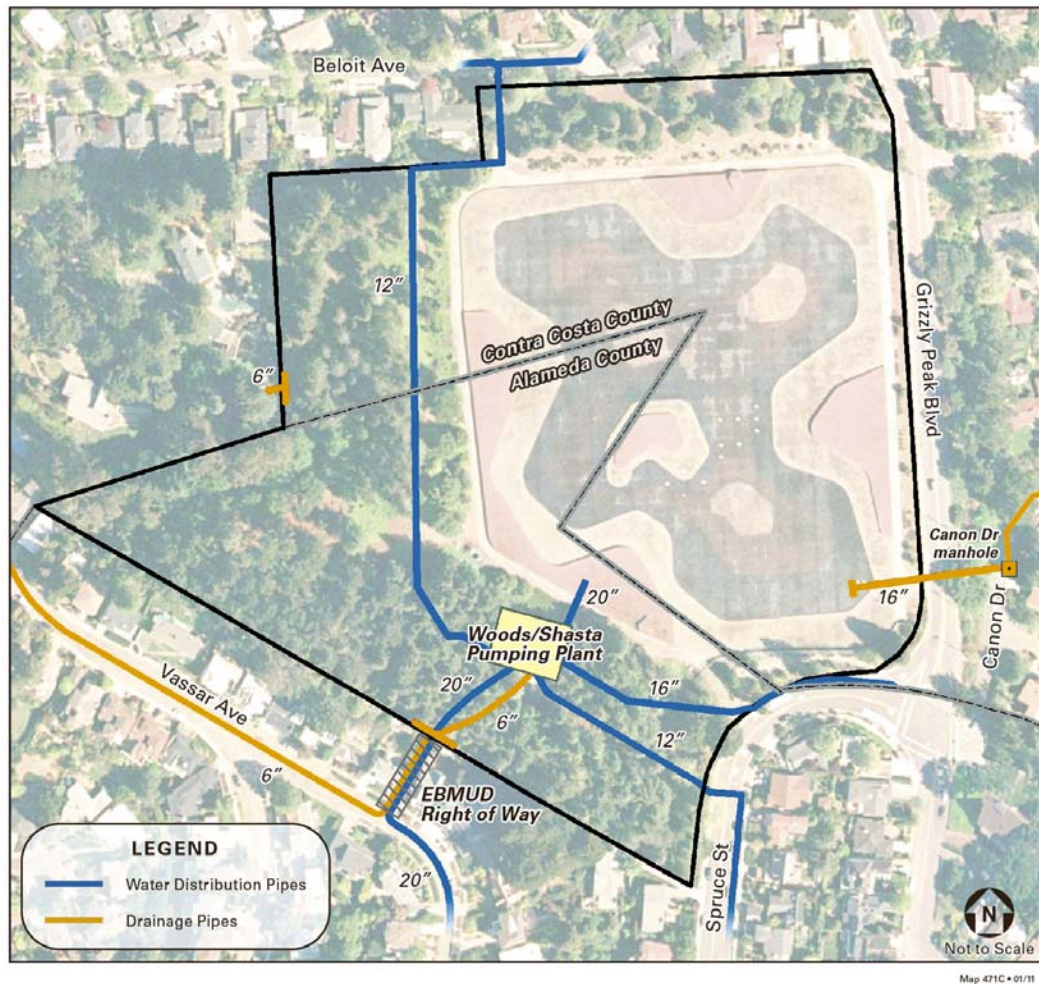
Section 2.4.1, Design Characteristics, Distribution Pipelines, page 2-14, paragraph 2. Text is revised as follows to clarify the existing features are shown in Figure 2-4 and to clarify connections to existing pipelines in public right-of-ways.

Other on-site distribution pipelines (~~Figure 2-4~~) from the new Woods and Shasta Pumping Plants to the Arlington and Shasta Pressure Zones would also be replaced with new steel pipes on site. Most of the existing new pipes (~~Figure 2-4~~) would be replaced with pipes of the same diameter as the existing pipes. One distribution pipeline which runs north from the pumping plant toward Beloit Avenue would be replaced with a slightly larger 16-inch diameter pipe, consistent with the goals of the Kensington Fire Flow Improvements Project (EBMUD 1998). Connections to the existing system would be made on site or in the street or sidewalk (public right-of-way) immediately adjacent to the Project site, and most of the existing piping on site would be abandoned in place and filled with concrete, or removed if it lies above the new finished grade.

Section 2.4.1, Design Characteristics, Site Grading, Breaching the Dam, and Berming, page 2-16, paragraph 4. Text is revised as follows to clarify the estimated height and elevation of the new replacement tank roof and appurtenances.

The new tank foundation would require excavation below the existing reservoir bottom by approximately 15 feet. The new tank would be approximately 40 feet tall from the top of the tank foundation slab to the top of the tank roof. The nominal tank roof elevation would therefore be at approximately 824 feet; handrails would protrude above the main roof line by 42 inches (3.5 feet) to approximately elevation 827.5 feet. The new tank roof including appurtenances would be approximately 1.5 feet lower in elevation than the existing tank roof elevation and appurtenances. Once the tank walls and roof are constructed and the prestressing of the tank walls is complete, requisite

testing of the structure would be performed. After testing the tank structure, the tank would be backfilled to a minimum of 10 feet on the west side. In addition, it would be partially buried near the top of the tank to approximately 30 to 35 feet along the east side, as part of the berm and final grading. Because the tank must be field-tested following construction and prior to backfilling, there would be temporary stockpiling of embankment soils and other fill materials on site until the new tank could be backfilled.



Source: EBMUD 2011

**Project Existing Site Water Distribution and Drainage Lines  
Figure 2-4**

Section 2.6, Approvals or Authorizations Required for This Project, Table 2-4 Permits and Authorizations, page 2-34. Text is revised to include the California Department of Transportation (Caltrans) permit for movement of oversized or excessive load vehicles on state roadways (see line item 5) and ministerial drainage permits from Contra Costa County and Alameda County (see line items 6 and 7) related to any construction, improvements or modifications to storm drain systems on the Project site.



**TABLE 2-4**  
**Permits and Authorizations**

<b>Agency or Other Party</b>	<b>Permits and Authorizations Required</b>	<b>Activities Subject to Regulations</b>
Regional Water Quality Control Board (San Francisco Bay[RWQCB])	Storm Water Pollution Prevention Permit	Required for construction on sites of 10,000 square feet or more.
California Air Resources Board (CARB)	Registration of portable engines not related to motor vehicles	Portable engines above 50 hp (e.g., air compressors and generators) are required to have a current registration with CARB.
Division of Safety of Dams (DSOD)	Review and approval of plans for modifying the dam embankment, lowering the embankment height, and draining the existing reservoir.	The Summit Reservoir and its embankments are currently under DSOD jurisdiction.
California Department of Fish and Game (CDFG) and U.S. Fish and Wildlife Service (USFWS)	Determine mitigations for nesting special species birds, roosting monarch butterflies and bat species, if necessary.	Coordinate mitigation measures in conjunction with qualified wildlife biologist.
<u>California Department of Transportation</u>	<u>Transportation permit for movement of oversized or excessive load vehicles on State roadways.</u>	<u>Movement of construction equipment on State roadways</u>
<u>Alameda County</u>	<u>Local drainage permit (ministerial)</u>	<u>Alteration, construction or repair of storm drains in Alameda County.</u>
<u>Contra Costa County</u>	<u>Local drainage permit (ministerial)</u>	<u>Alteration, construction or repair of storm drains in unincorporated Contra Costa County.</u>
City of Berkeley	Local encroachment permit (ministerial)	Construction access within city street/sidewalk.
Contra Costa County	Local encroachment permit (ministerial)	Construction access within Contra Costa County easements.
Private homeowners on Vassar Avenue	Temporary construction access or easement agreement on private property	Construction access within private property to access EBMUD right-of-way to Vassar Avenue.

Source: EBMUD 2009, revised 2011

## Chapter 3 Environmental Setting, Impacts and Mitigation Measures

### Section 3.6 Transportation and Traffic

The Roadway Segments identified on page 3-6.2 of the Draft EIR do not describe the segment start and end points. Text is revised as follows:

#### *Roadway Segments*

- A. ~~University Avenue, West of Sacramento Street~~ University Avenue from I-80 to Shattuck Avenue
- B. ~~Shattuck Avenue, North of Virginia Street~~ Shattuck Avenue from University Avenue to Rose Street
- C. ~~Spruce Street, South of Keith Avenue~~ Spruce Street from Rose Street to Marin Avenue
- D. ~~Spruce Street, South of Alamo Avenue~~ Spruce Street from Marin Avenue to the Project Site

Mitigation Measure 3.6-1, bullet 2, page 3-6.21, text is revised to clarify that notifications to truck drivers concerning the haul route will indicate Rose and Spruce Streets are Class III bike routes and that Beloit Avenue Project site driveway will be used by worker vehicles only. A new bullet is added to include coordination with the United States Postal Service (USPS) to temporarily close and/or relocate an existing mailbox near the Project driveway for public safety during construction:

**Measure 3.6-1:** EBMUD construction contract documents will require preparation and implementation of a Traffic Management Plan, which will include the following elements:

- The work hours for each phase of Project construction, the process for notifying residents of construction activity, and the means for people to report construction-related problems.
- A haul route, based on the route shown on Figure 3.6-4, ~~that~~ will be provided to all trucks serving the site during the construction period. Notifications to truck drivers concerning the haul route will indicate that Rose Street and Spruce Street are Class III bike routes, and to exercise caution when using these roads. Beloit Avenue is not included in the haul route, and the Project site access driveway off Beloit Avenue may only be used by worker vehicles.
- Flaggers at the site entrance to assist with trucks entering and exiting the site. Priority should be given to trucks entering the site to minimize traffic queues on Spruce Street and the Spruce Street/Grizzly Peak Boulevard intersection.

- Flaggers at the Spruce Street/Rose Street intersection and the Shattuck Avenue/Rose Street intersection to improve traffic safety during peak hours (7:00 to 9:00 a.m., 4:00 to 6:00 p.m.) when semitrucks are traveling to and from the site.
- Flaggers at Step One Nursery School and Cragmont Elementary School during school drop-off and pickup times to minimize conflicts between trucks and school traffic. The schedule for flaggers will be coordinated with school personnel.
- A plan for maintaining the existing bus stop on Spruce Street adjacent to the Project site entrance. If necessary the bus stop will be moved east towards Grizzly Peak Boulevard.
- EBMUD will coordinate with the United States Postal Service (USPS) to temporarily close and/or relocate an existing postal mailbox adjacent to the Project driveway during construction due to overriding public safety concerns.
- A minimum of one month prior to construction start, signage at the Spruce Street Overlook will indicate that the Overlook will be fenced and closed to public access for the duration of Project construction due to public safety concerns. If construction will start between June 1 and September 30, then signage will be posted no later than May 1 prior to construction start. The signage will also expressly prohibit the use of the EBMUD Overlooks for bus stops or other organized activities without prior express written consent from EBMUD.
- EBMUD will coordinate with the City of Berkeley and may also close sidewalks along the Spruce Street Project site frontage and driveway; pedestrians will be re-directed to alternative sidewalks.
- Signage on Spruce Street warning motorists of the construction work ahead.
- Documentation of road pavement conditions for all routes that will be used by construction vehicles both before and after Project construction. Roads found to have been damaged by construction vehicles will be repaired to the level at which they existed prior to Project construction.

The construction contractor will obtain necessary encroachment permits prior to construction on Canon Drive and Vassar Avenue, and the Traffic Management Plan will include the following requirements:

- Hours and days of lane closures on Canon Drive and Vassar Avenue (closures during peak traffic hours, 7:00 to 9:00 a.m. and 4:00 to 6:00 p.m., should be limited to the extent possible).
- Canon Drive and Vassar Avenue will be restored to normal operation by covering trenches with steel plates outside of working hours or when work is not in progress.
- Driveway access to local residences will be maintained at all times.

- Maintain bus service along Canon Drive at all times.
- Flaggers at the lane closure locations to direct traffic around the construction area.
- Signage on Canon Drive and Vassar Avenue warning motorists of the construction work ahead.
- Equipment storage and worker parking locations that will be in designated contractor staging areas.

### **Section 3.11 Hazards/Hazardous Materials**

Mitigation Measure 3.11-4, last bullet, page 3-11.16, text is revised as follows, to specify Kensington Fire Protection District requirements:

**Measure 3.11-4:** EBMUD and/or its construction contractor will implement the following Fire Prevention Measures during construction:

- Equip earthmoving and portable equipment with internal combustion engines with a spark arrestor to reduce the potential for igniting a wildland fire (PRC Section 4442).
- Maintain appropriate fire suppression equipment during the highest fire danger period – from April 1 to December 1 (PRC Section 4428).
- On days when a burning permit is required, remove flammable materials to a distance of 10 feet from any equipment that could produce a spark, fire, or flame, and the contractor(s) will maintain the appropriate fire suppression equipment (PRC Section 4427).
- On days when a burning permit is required, do not use portable tools powered by gasoline fueled internal combustion engines within 25 feet of any flammable materials (PRC Section 4431).
- Compliance with the referenced sections of the PRC requirements, and any additional requirements imposed by the ~~Contra Costa~~ County Kensington Fire Protection District or the Berkeley Fire District.

# **APPENDICES**





ARNOLD SCHWARZENEGGER  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT  
DIRECTOR

Notice of Preparation

July 23, 2010

RECEIVED JUL 30 2010

To: Reviewing Agencies  
Re: Summit Reservoir Replacement Project  
SCH# 2010072060

Attached for your review and comment is the Notice of Preparation (NOP) for the Summit Reservoir Replacement Project draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

**Gwen Alie**  
**East Bay Municipal Utility District**  
**375 Eleventh Street, MS 701**  
**Oakland, CA 94607-4240**

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Attachments  
cc: Lead Agency

**Document Details Report  
State Clearinghouse Data Base**

RECEIVED JUL 30 2010

**SCH#** 2010072060  
**Project Title** Summit Reservoir Replacement Project  
**Lead Agency** East Bay Municipal Utility District

**Type** NOP Notice of Preparation

**Description** The East Bay Municipal Utility District (EBMUD) proposes to prepare a project level EIR for the replacement of Summit Reservoir and the Woods and Shasta Pumping Plants located at 416 Spruce Street in the city of Berkeley. The project involves demolition of the existing 37 million gallon (MG) open-cut reservoir (constructed in 1891) and appurtenances (including the roof system, roof features, and concrete lining) and the Woods and Shasta Pumping Plants located below the southwestern reservoir embankment. New construction includes a new 3.5 to 5 MG partially buried concrete tank, replacement pumping plants and related appurtenances in one structure adjacent to the existing location, and a new Summit regulator/rate control station within the pumping plant structure to access storage from the existing Woods Reservoir located ~1 mile to the east. The entire reservoir bowl will be regraded and landscaped with a mixture of drought-tolerant trees, grasses and shrubs.

**Lead Agency Contact**

**Name** Gwen Alie  
**Agency** East Bay Municipal Utility District  
**Phone** 510-287-1053 **Fax**  
**email** galie@ebmud.com OR summiteir@ebmud.com  
**Address** 375 Eleventh Street, MS 701  
**City** Oakland **State** CA **Zip** 94607-4240

**Project Location**

**County** Alameda, Contra Costa  
**City** Berkeley, Unincorporated  
**Region**  
**Cross Streets** north by Beloit Ave, west by Vassar Ave, south by Spruce St, east by Grizzly Peak Blvd  
**Lat / Long**  
**Parcel No.**  
**Township** **Range** **Section** **Base**

**Proximity to:**

**Highways**  
**Airports**  
**Railways**  
**Waterways**  
**Schools**  
**Land Use** PLU: single family residential

**Project Issues** Aesthetic/Visual; Biological Resources; Other Issues; Water Quality; Geologic/Seismic; Traffic/Circulation; Noise; Air Quality

**Reviewing Agencies** Resources Agency; Department of Conservation; Cal Fire; Office of Historic Preservation; Department of Parks and Recreation; Resources, Recycling and Recovery; Department of Water Resources; Department of Fish and Game, Region 3; CA Department of Public Health; Office of Emergency Management Agency, California; Native American Heritage Commission; State Lands Commission; Caltrans, District 4; State Water Resources Control Board, Division of Water Quality; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 2

**Date Received** 07/23/2010 **Start of Review** 07/23/2010 **End of Review** 08/23/2010

Note: Blanks in data fields result from insufficient information provided by lead agency.



- |   |  |  |  |  |
|---|--|--|--|--|
| <input type="checkbox"/> <u>Resources Agency</u><br>Nadell Gayou  | <input type="checkbox"/> <u>Fish &amp; Game Region 1E</u><br>Laurie Harnsberger  | <input type="checkbox"/> <u>Native American Heritage Comm.</u><br>Debbie Treadway                                  | <input type="checkbox"/> <u>Caltrans, District 8</u><br>Dan Kopulsky   | <input type="checkbox"/> <u>Regional Water Quality Control Board (RWQCCB)</u>                                    |
| <input type="checkbox"/> <u>Resources Agency</u><br>Nadell Gayou  | <input type="checkbox"/> <u>Fish &amp; Game Region 2</u><br>Jeff Drongesen   | <input type="checkbox"/> <u>Public Utilities Commission</u><br>Leo Wong  | <input type="checkbox"/> <u>Caltrans, District 9</u><br>Gayle Rosander   | <input type="checkbox"/> <u>RWQCB 1</u><br>Cathleen Hudson<br>North Coast Region (1)                             |
| <input type="checkbox"/> <u>Dept. of Boating &amp; Waterways</u><br>Mike Sotelo                             | <input type="checkbox"/> <u>Fish &amp; Game Region 3</u><br>Charles Armor  | <input type="checkbox"/> <u>Santa Monica Bay Restoration</u><br>Guangyu Wang                                       | <input type="checkbox"/> <u>Caltrans, District 10</u><br>Tom Dumas   | <input type="checkbox"/> <u>RWQCB 2</u><br>Environmental Document<br>Coordinator<br>San Francisco Bay Region (2) |
| <input type="checkbox"/> <u>California Coastal Commission</u><br>Elizabeth A. Fuchs                         | <input type="checkbox"/> <u>Fish &amp; Game Region 4</u><br>Julie Vance  | <input type="checkbox"/> <u>State Lands Commission</u><br>Marina Brand   | <input type="checkbox"/> <u>Caltrans, District 11</u><br>Jacob Armstrong   | <input type="checkbox"/> <u>RWQCB 3</u><br>Central Coast Region (3)  |
| <input type="checkbox"/> <u>Colorado River Board</u><br>Gerald R. Zimmerman                                 | <input type="checkbox"/> <u>Fish &amp; Game Region 5</u><br>Don Chadwick<br>Habitat Conservation Program                 | <input type="checkbox"/> <u>Tahoe Regional Planning Agency (TRPA)</u><br>Cherry Jacques                            | <input type="checkbox"/> <u>Caltrans, District 12</u><br>Chris Herre   | <input type="checkbox"/> <u>RWQCB 4</u><br>Teresa Rodgers<br>Los Angeles Region (4)                              |
| <input type="checkbox"/> <u>Dept. of Conservation</u><br>Rebecca Salazar                                    | <input type="checkbox"/> <u>Fish &amp; Game Region 6</u><br>Gabrina Gatchel<br>Habitat Conservation Program              | <input type="checkbox"/> <u>Business, Trans &amp; Housing</u>  | <input type="checkbox"/> <u>Cal EPA</u>  | <input type="checkbox"/> <u>RWQCB 5S</u><br>Central Valley Region (5)  |
| <input type="checkbox"/> <u>California Energy Commission</u><br>Eric Knight                                 | <input type="checkbox"/> <u>Fish &amp; Game Region 6 IM</u><br>Brad Henderson<br>Inyo/Mono, Habitat Conservation Program | <input type="checkbox"/> <u>Caltrans - Division of Aeronautics</u><br>Sandy Hesnard                                | <input type="checkbox"/> <u>Air Resources Board</u>  | <input type="checkbox"/> <u>RWQCB 5F</u><br>Central Valley Region (5)<br>Fresno Branch Office                    |
| <input type="checkbox"/> <u>Cal Fire</u><br>Allen Robertson   | <input type="checkbox"/> <u>Dept. of Fish &amp; Game M</u><br>George Isaac<br>Marine Region                              | <input type="checkbox"/> <u>Caltrans - Planning</u><br>Terr Pencovic   | <input type="checkbox"/> <u>Airport Projects</u><br>Jim Lerner   | <input type="checkbox"/> <u>RWQCB 5R</u><br>Central Valley Region (5)<br>Redding Branch Office                   |
| <input type="checkbox"/> <u>Central Valley Flood Protection Board</u><br>James Herola                       | <input type="checkbox"/> <u>Other Departments</u>  | <input type="checkbox"/> <u>California Highway Patrol</u><br>Scott Loetscher<br>Office of Special Projects         | <input type="checkbox"/> <u>State Water Resources Control Board</u><br>Regional Programs Unit<br>Division of Financial Assistance                        | <input type="checkbox"/> <u>RWQCB 6</u><br>Lahontan Region (6)   |
| <input type="checkbox"/> <u>Office of Historic Preservation</u><br>Ron Parsons                              | <input type="checkbox"/> <u>Food &amp; Agriculture</u><br>Steve Shaffer<br>Dept. of Food and Agriculture                 | <input type="checkbox"/> <u>Housing &amp; Community Development</u><br>CEQA Coordinator<br>Housing Policy Division | <input type="checkbox"/> <u>State Water Resources Control Board</u><br>Student Intern, 401 Water Quality Certification Unit<br>Division of Water Quality | <input type="checkbox"/> <u>RWQCB 6V</u><br>Lahontan Region (6)<br>Victorville Branch Office                     |
| <input type="checkbox"/> <u>Dept of Parks &amp; Recreation</u><br>Environmental Stewardship Section         | <input type="checkbox"/> <u>Dept. of General Services</u><br>Public School Construction                                  | <input type="checkbox"/> <u>Dept. of Transportation</u>  | <input type="checkbox"/> <u>State Water Resources Control Board</u><br>Steven Herrera<br>Division of Water Rights  | <input type="checkbox"/> <u>RWQCB 7</u><br>Colorado River Basin Region (7)                                       |
| <input type="checkbox"/> <u>California Department of Resources, Recycling &amp; Recovery</u><br>Sue O'Leary | <input type="checkbox"/> <u>Dept. of General Services</u><br>Anna Garbeff<br>Environmental Services Section              | <input type="checkbox"/> <u>Caltrans, District 1</u><br>Rex Jackman  | <input type="checkbox"/> <u>Dept. of Toxic Substances Control</u><br>CEQA Tracking Center  | <input type="checkbox"/> <u>RWQCB 8</u><br>Santa Ana Region (8)  |
| <input type="checkbox"/> <u>S.F. Bay Conservation &amp; Dev't. Comm.</u><br>Steve McAdam                    | <input type="checkbox"/> <u>Dept. of Public Health</u><br>Bridgette Binning<br>Dept. of Health/Drinking Water            | <input type="checkbox"/> <u>Caltrans, District 2</u><br>Marcellino Gonzalez  | <input type="checkbox"/> <u>Department of Pesticide Regulation</u><br>CEQA Coordinator   | <input type="checkbox"/> <u>RWQCB 9</u><br>San Diego Region (9)  |
| <input type="checkbox"/> <u>Dept. of Water Resources</u><br>Resources Agency<br>Nadell Gayou                | <input type="checkbox"/> <u>Independent Commissions, Boards</u>  | <input type="checkbox"/> <u>Caltrans, District 3</u><br>Bruce de Terra   |  |  |
| <input type="checkbox"/> <u>Conservancy</u>   | <input type="checkbox"/> <u>Delta Protection Commission</u><br>Linda Flack   | <input type="checkbox"/> <u>Caltrans, District 4</u><br>Lisa Carboni   |  |  |
|   | <input type="checkbox"/> <u>Cal EMA (Emergency Management Agency)</u><br>Dennis Castrillo                                | <input type="checkbox"/> <u>Caltrans, District 5</u><br>David Murray   |  |  |
|   | <input type="checkbox"/> <u>Governor's Office of Planning &amp; Research</u><br>State Clearinghouse                      | <input type="checkbox"/> <u>Caltrans, District 6</u><br>Michael Navarro  |  |  |
| <input type="checkbox"/> <u>Fish and Game</u>   |  | <input type="checkbox"/> <u>Caltrans, District 7</u><br>Elmer Alvarez  |  |  |
| <input type="checkbox"/> <u>Dept. of Fish &amp; Game</u><br>Scott Flint<br>Environmental Services Division  |  |  |  |  |
| <input type="checkbox"/> <u>Fish &amp; Game Region 1</u><br>Donald Koch                                     |  |  |  |  |



**DEPARTMENT OF WATER RESOURCES**

1416 NINTH STREET, P.O. BOX 942836  
SACRAMENTO, CA 94236-0001  
(916) 653-5791



RECEIVED

SEP 27 2010

WATER SERVICE PLANNING

SEP 23 2010

Ms. Gwen Alie, Associate Planner  
East Bay Municipal Utility District  
375 Eleventh Street, MS 701  
Oakland, California 94607

Notice of Preparation, Environmental Impact Report, Summit Reservoir Replacement  
Project, July 2010  
Alameda County & Contra Costa County

Dear Ms. Alie:

We have reviewed the subject Notice for this project which includes the demolition and removal of the existing 37-million gallon (MG) Summit Reservoir and construction of a new 3.5- to 5-MG partially buried concrete tank. The project also includes the demolition of the existing Woods Pumping Plant and Shasta Pumping Plant and replacement of the two facilities with a single pumping plant. Portions of the dam embankment will be removed to lower the embankment to less than jurisdictional height.

Summit Reservoir Dam No. 31-12, is currently under our jurisdiction for dam safety. An alteration application, together with plans and specifications, must be filed with the Division for the construction of this project. All dam safety related issues must be resolved prior to approval of the application, and the work must be performed under the direction of a Civil Engineer registered in California. Sharon Tapia, our Design Engineering Branch Chief, is responsible for the application process and can be reached at (916) 227-4660.

In the future, please forward all environmental review documents to the following office so they can be logged in and assigned an SCH Number:

Governor's Office of Planning  
and Research  
State Clearinghouse  
Post Office Box 3044  
Sacramento, California 95812-3044

Ms. Gwen Alie  
SEP 23 2010  
Page 2

If you have any questions or need additional information, you may contact Office Engineer Randy Fessler at (916) 227-4601 or Regional Engineer Y-Nhi Enzler at (916) 227-4604.

Sincerely,



Michael G. Waggoner, Chief  
Field Engineering Branch  
Division of Safety of Dams

cc: Ms. Nadell Gayou  
Resources Agency Project Coordinator  
Environmental Review Section  
Division of Statewide Integrated Water Management  
901 P Street  
Sacramento, California 95814

Governor's Office of Planning  
and Research  
State Clearinghouse  
Post Office Box 3044  
Sacramento, California 95812-3044