

NORTH DOWNTOWN SPECIFIC PLAN RESPONSE TO COMMENTS AND MITIGATION MONITORING AND REPORTING PROGRAM DOCUMENT

WALNUT CREEK, CALIFORNIA



STATE CLEARINGHOUSE NO. 2018012020

LSA

September 2019

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RESPONSE TO COMMENTS AND MITIGATION
MONITORING AND REPORTING PROGRAM
DOCUMENT**

WALNUT CREEK, CALIFORNIA

STATE CLEARINGHOUSE NO. 2018012020

Submitted to:

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Project No. RA11601



September 2019

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LIST OF ABBREVIATIONS AND ACRONYMS

°C	Celsius
°F	Fahrenheit
AB 1493	Assembly Bill 1493
AB 197	Assembly Bill 197
AB 32	Assembly Bill 32, California Global Warming Solutions Act
AB 939	Assembly Bill 939 (California's Integrated Waste Management Act of 1989)
ABAG	Association of Bay Area Governments
ACMs	asbestos-containing materials
ACS	American Community Survey
ALS	Advanced Life Support
AM	morning peak hour (related to traffic)
AP Act	California Alquist-Priolo Earthquake Fault Zoning Act
APS	Alternative Planning Strategy
AS	Auto Sales and Service (land use category)
AUHSD	Acalanes Union High School District
AY	Academic Year
BAAQMD	Bay Area Air Quality Management District
BART	Bay Area Rapid Transit
BAT	Best Available Technology
BCDC	San Francisco Bay Conservation and Development Commission
BCT	Best Conventional Technology
Bicycle Plan	Walnut Creek Bicycle Plan
CAAQS	California Ambient Air Quality Standards

Cal/OSHA	California Occupational Safety and Health Administration
CalEPA	California Environmental Protection Agency
CALGreen Code	California Green Building Standards Code
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CARB	California Air Resources Board
CAT	Climate Action Team
CBC	California Building Code
CCCFD	Contra Costa County Fire Protection District
CCCSD	Central Contra Costa Sanitary District
CCCSWA	Central Contra Costa Solid Waste Authority
CCCTA	Contra Costa County Transit Authority (or County Connection)
CCHSHMP	Contra Costa Health Services Hazardous Materials Programs
CCR	California Code of Regulations
CDC	California Department of Conservation
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act of 1980
CFR	Code of Federal Regulations
CGS	California Geological Survey
CH ₄	Methane
CIP	Ten-Year Capital Investment Program
Class I Bikeway	Bike Path
Class II Bikeway	Bike Lane
Class III Bikeway	Bike Route

CMA	Congestion Management Agency
CMP	Congestion Management Program
CNEL	Community Noise Equivalent Level
CO	carbon monoxide
CO ₂	Carbon dioxide
CO ₂ e	CO ₂ equivalents
CUPA	Certified Unified Program Agency
CWA	Clean Water Act
dB	decibel
dBA	A-weighted decibels
DHS	California Department of Health Services
DOF	California Department of Finance
DOT	U.S. Department of Transportation
Draft EIR	Draft Environmental Impact Report
DTSC	Department of Toxic Substance Control
EBMUD	East Bay Municipal Utility District
EIR	Environmental Impact Report
EMS	Emergency Medical Services
EMT	Emergency Medical Technicians
EOP	Emergency Operations Plan
FCAA	Federal Clean Air Act
FEMA	Federal Emergency Management Agency
FERC	Federal Energy Regulatory Commission
FHWA	Federal Highway Administration

FIRM	Flood Insurance Rate Map
GR	General Retail (land use category)
GWP	Global Warming Potential
HCD	California Department of Housing and Community Development
HCM	Highway Capacity Manual
HFCs	Hydrofluorocarbons
HUD	U.S. Department of Housing and Urban Development
I-680	Interstate 680
IPCC	Intergovernmental Panel on Climate Change
ITE	Institute of Transportation Engineers
L ₀₁ , L ₁₀ , L ₅₀ , L ₉₀	Fluctuating sound level for 1 percent, 10 percent, 50 percent, and 90 percent of a stated time period
L _{dn}	Day-night equivalent noise level
L _{eq}	Continuous equivalent noise level
LID	Low Impact Development
L _{max}	Maximum instantaneous noise level
L _{min}	Minimum instantaneous noise level
LOS	level of service
LTS	less-than-significant impact
LUST	leaking underground storage tank
mgd	million gallons per day
MGY	million gallons per year
MMI	Modified Mercalli Intensity Scale
MMT	Million metric tons
mph	miles per hour

MPOs	Metropolitan Planning Organizations
MRP	Municipal Regional Permit
MTC	Metropolitan Transportation Commission
MTSO	multi-modal traffic service objective
MU-C	Mixed Use – Commercial Emphasis (land use category)
MU-GT	Mixed Use – Golden Triangle (land use category)
MU-R	Mixed Use-Residential Emphasis (land use category)
M_w	Moment magnitude
MXD/MXD+	trip capture estimation for mixed-use development
N_2O	Nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAVD88	North American Vertical Datum of 1988
NCHRP	National Cooperative Highway Research Program
NEHRP	National Earthquake Hazards Reduction Program
NEPA	National Environment Policy Act
NFIP	National Flood Insurance Program
NMS/YVR	North Main Street/Ygnacio Valley Road
NO_2	nitrogen dioxide
NOP	Notice of Preparation
NO_x	Nitrogen oxide
NPDES	National Pollutant Discharge Elimination System
O_3	ozone
OF	Office (land use category)
OSHA	Occupational Health and Safety Administration

Pb	lead
PCBs	polychlorinated biphenyls
PCEs	passenger car equivalents
PDA	Priority Development Areas
PFCs	Perfluorocarbons
PG&E	Pacific Gas and Electric Company
Plan Area	North Downtown Specific Plan Area
PM	afternoon peak hour (related to traffic); suspended particulate matter (related to air quality)
PM ₁₀	respirable particulate matter
PM _{2.5}	fine particulate matter
PMP	Walnut Creek Pedestrian Master Plan
PPV	peak particle velocity
PR	Pedestrian Retail (land use category)
PU	Public/Semi- Public (land use category)
RCRA	Resource Conservation and Recovery Act of 1976
Regional Water Board	San Francisco Bay Regional Water Quality Control Board
RHNA	Regional Housing Needs Assessment
rms	root mean square
ROG	Reactive organic gases
RTC	Response to Comments (Document)
RTP	Regional Transportation Plan
S	significant impact
SB 221	Senate Bill 221
SB 32	Senate Bill 32, California Global Warming Solutions Act of 2016

SB 350	Senate Bill 350, Clean Energy and Pollution Reduction Act
SB 375	Senate Bill 375
SB 50	Senate Bill 50
SB 610	Senate Bill 610
SB 97	Senate Bill 97
SCS	Sustainable Community Strategies
SDWA	Safe Drinking Water Act
SF ₆	Sulfur Hexafluoride
SHMA	California Seismic Hazards Mapping Act
SO ₂	sulfur dioxide
SO _x	sulfur oxide
Specific Plan	City of Walnut Creek North Downtown Specific Plan
SR 24	State Route 24
State Water Board	State Water Resources Control Board
SU	significant and unavoidable impact
SWPPP	Storm Water Pollution Prevention Plan
TACs	toxic air contaminants
TDM	Transportation Demand Management
TOD	Transit-oriented Development
TRANSPAC	Transportation Partnership and Cooperation Committee
USDA	U.S. Department of Agriculture
USEPA	U.S. Environmental Protection Agency
USGS	U.S. Geological Survey
UST	underground storage tanks

UWMP	Urban Water Management Plan
VdB	vibration decibel
VMT	vehicle miles traveled
VOC	volatile organic compound
WCPD	Walnut Creek Police Department
WCSD	Walnut Creek School District
WCTV	Walnut Creek Transit Village
WCWTP	Walnut Creek Water Treatment Plant
WDRs	waste discharge requirements
WHO	World Health Organization
WMP	Waste Management Plan
WMR	Waste Management Report
WSA	Water Supply Assessment
WWTP	wastewater treatment plant

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1.0 INTRODUCTION

1.1 PURPOSE OF THE RESPONSE TO COMMENTS DOCUMENT

This document has been prepared to respond to comments received on the Draft Environmental Impact Report (Draft EIR) prepared for the proposed North Downtown Specific Plan Project (proposed project) for the City of Walnut Creek (City). The Draft EIR identifies the likely environmental consequences associated with implementation of the proposed project, and recommends mitigation measures to reduce potentially significant impacts. This Response to Comments (RTC) Document provides responses to comments on the Draft EIR and makes revisions to the Draft EIR, as necessary, in response to those comments, or to make clarifications in the Draft EIR. This document, together with the Draft EIR, constitutes the Final EIR for the proposed project.

1.2 ENVIRONMENTAL REVIEW PROCESS

According to the California Environmental Quality Act (CEQA), lead agencies are required to consult with public agencies having jurisdiction over a proposed project, and to provide the general public with an opportunity to comment on the Draft EIR.

The City circulated a Notice of Preparation (NOP) to help identify the types of impacts that could result from the proposed project, as well as potential areas of controversy. The NOP was published on January 16, 2018, and was distributed to local, regional, and State agencies. A scoping session for the preparation of the EIR was held on February 8, 2018. Comments received by the City on the NOP were taken into account during the preparation of the Draft EIR.

The Draft EIR was made available for public review on June 21, 2018, and was distributed to local and State responsible and trustee agencies. The Draft EIR and an announcement of its availability were posted electronically on the City's website, and hard copies were available for public review at the City's Community and Economic Development Department. Additionally, a notice of the Draft EIR's availability was posted in the local paper, the East Bay Times.

The 48-day public comment period ended on August 8, 2018. The City held a meeting on the Draft Specific Plan and Draft EIR in a joint session before the Planning Commission and the Transportation Commission on July 26, 2018, to provide the public and commissioners an opportunity to comment on the adequacy of the information presented in the Draft EIR. Another meeting on the Draft Specific Plan and Draft EIR was held before the City Council on August 7, 2018. No comments on the Draft EIR were made at that meeting. During the Draft EIR public review period, the City received five comment letters and a letter from the State Clearinghouse acknowledging compliance with its review requirements for draft environmental documents. Copies of all written comments received during the comment period are included in Chapter 3.0, Comments and Responses, of this document.

1.3 DOCUMENT ORGANIZATION

This RTC Document consists of the following chapters:

- **Chapter 1.0: Introduction.** This chapter discusses the purpose and organization of this RTC Document, and the Final EIR, and summarizes the environmental review process for the project.
- **Chapter 2.0: Draft EIR Commenters.** This chapter contains a list of agencies, individuals and organizations who submitted written comments on the Draft EIR during the public review period.
- **Chapter 3.0: Comments and Responses.** This chapter contains reproductions of all comment letters received on the Draft EIR. A written response for each CEQA-related comment received during the public review period is provided. Each response is keyed to the corresponding comment.
- **Chapter 4.0: Draft EIR Text Revisions.** Corrections to the Draft EIR that are necessary in light of the comments received and responses provided, or necessary to amplify or clarify material in the Draft EIR, are contained in this chapter. Double underlined text represents language that has been added to the Draft EIR; text with ~~strikeout~~ has been deleted from the Draft EIR.
- **Chapter 5.0: Mitigation Monitoring and Reporting Program.** This chapter lists mitigation measures recommended in the EIR and identifies mitigation monitoring requirements.

2.0 DRAFT EIR COMMENTERS

This chapter presents a list of comment letters received during the public review period and describes the organization of the letters and comments that are provided in Chapter 3.0, Comments and Responses, of this document.

2.1 ORGANIZATION OF COMMENT LETTERS AND RESPONSES

Chapter 3.0 includes a reproduction of each comment letter received on the Draft EIR. The written comments are grouped by the affiliation of the commenter, as follows: State, regional, and local agencies (A), Individuals (B), and Public Meeting or Hearing Comments (PC and CC). The comment letters are numbered consecutively following the A designation defined below:

State, Regional, and Local Agencies	A#-#
Individuals	B#-#
Meeting and Hearing Comments	PC#-# and CC#-#

Comment letters are numbered and comments within each letter are numbered consecutively after the hyphen. Each speaker at the public hearing has been designated with a number as well.

2.2 LIST OF COMMENTERS ON THE DRAFT EIR

The following comment letters were submitted to the City during the public review period.

State Agencies

- A1 State of California Department of Transportation, Office of Transit and Community Planning; Patricia Maurice, District Branch Chief (July 17, 2018)
- A2 East Bay Municipal Utility District, Water Distribution Planning Division; Dave Rehnstrom, Manager (July 9, 2018)
- A3 San Francisco Bay Area Rapid Transit District; Val Menotti, Chief Planning & Development Officer (August 7, 2018)
- A4 State of California Governor's Office of Planning and Research, State Clearinghouse and Planning Unit; Scott Morgan, Director (August 7, 2018)

Individuals

- B1 Michael Branson, Buchalter (August 6, 2018)
- B2 Reed Oñate, Hall Equities Group (August 8, 2018)

Planning Commission and Transportation Commission Meeting (July 26, 2018)

PC1 Cindy Darling, Commissioner

PC2 Robert Pickett, Commissioner

PC3 Eric Harrison, Commissioner

PC4 Melissa Ward, Commissioner

PC5 Reed Oñate

PC6 Michael Branson

City Council Meeting (August 7, 2018)

No comments were made on the Draft EIR at the City Council meeting on the Draft Specific Plan and Draft EIR.

3.0 COMMENTS AND RESPONSES

Written responses to the comment letters received on the Draft EIR are provided in this chapter. The letters received during the public review period on the Draft EIR are provided in their entirety. The letters are immediately followed by responses keyed to the specific comments.

Please note that text within the letters that has not been numbered does not raise environmental issues or relate to the adequacy of the information or analysis within the Draft EIR and, therefore, no comment is enumerated or response required, per CEQA Guidelines Section 15132. In addition, when general support or opposition is given for the project, that comment is noted but no further analysis is provided in the response, as the commenter is not questioning the adequacy of the information or analysis within the Draft EIR.

Where comments on the Draft EIR concern issues requiring technical expertise such as those related to biological resources, the responses to comments, like the initial analysis in the Draft EIR, relies on the knowledge and professional analysis of qualified experts.

Where revisions to the Draft EIR text are called for, the page is set forth, followed by the appropriate revision. Added text is indicated with double underlined text, and deleted text is shown in ~~strikeout~~. Text revisions to the Draft EIR are summarized in Chapter 4.0 of this Response to Comments Document.

STATE AGENCIES

DEPARTMENT OF TRANSPORTATION

DISTRICT 4
OFFICE OF TRANSIT AND COMMUNITY PLANNING
P.O. BOX 23660, MS-10D
OAKLAND, CA 94623-0660
PHONE (510) 286-5528
FAX (510) 286-5559
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www.dot.ca.gov



*Making Conservation
a California Way of Life.*

July 17, 2018

Jeanine Cavalli, Senior Planner
City of Walnut Creek
1666 North Main Street
Walnut Creek, California 94596

Subject: Regarding Public Review Draft of the North Downtown Specific Plan Environmental Impact Report

Ms. Cavalli:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced project. In tandem with the Metropolitan Transportation Commission's (MTC) Sustainable Communities Strategy (SCS), Caltrans mission signals a modernization of our approach to evaluate and mitigate impacts to the State Transportation Network (STN). Caltrans *Strategic Management Plan 2015-2020* aims to reduce Vehicle Miles Travelled (VMT) by tripling bicycle and doubling both pedestrian and transit travel by 2020. Our comments are based on the Public Review Draft of the North Downtown Specific Plan Environmental Impact Report that you submitted to this office for review.

Project Understanding

The Specific Plan will guide land use and development decision-making process for the Plan Area. The land use concept for the Specific Plan envisions a variety of compatible land uses that support the overarching goals and vision for this area. The land use concept focuses on maintaining many of the existing uses in the northern half of the Plan Area while designating areas primarily for mixed-use in the southern half of the Plan Area. The land use designations and locations are compatible with the land use categories found in the General Plan. For each new or revised land use designation, the uses allowed and the standards for development intensity are specified in the Specific Plan. Full buildout of the Specific Plan is projected to result in an increase in population of approximately 1,519 persons, the addition of approximately 899 housing units, and the addition of approximately 3,546 jobs. The project is in a Priority Development Area located adjacent to Interstate 680, which is accessible to the project area from the North Main Street and from Ygnacio Valley Road.

Traffic Operations/Highway Operations

The applicant should be required to pay a fair share of traffic impact fees towards mitigation/improvements to State facilities.

Jeanine Cavalli, City of Walnut Creek
July 17, 2018
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Transportation Planning

As this project is located within a Priority Development Area (PDA), the project should be conditioned to support the PDA's goals including providing connections to existing bike lanes and multi-use trails to facilitate walking and biking to and within the project site. In addition, the following comments should be considered:

- Contribute to the Walnut Creek BART TOD project as a form of mitigation.
- Commit to help decreasing headways and increasing frequency on bus routes connecting to the BART station.
- Consider a road diet on Ygnacio Valley Road or at least implementing Class II bike lanes.

2

Additionally, the DEIR shows this Ygnacio Valley Road is a Class III facility. Google Street View shows only Bike Route signs. As a short-term improvement, consider updating with sharrows and/or other markings to make that designation more prominent.

For additional strategies, refer to the Caltrans District 4 Bike Plan for the San Francisco Bay Area (2018):

3

http://www.dot.ca.gov/d4/bikeplan/docs/CaltransD4BikePlan_Report.pdf

If you have any questions, please contact Michael Meloy, Associate Environmental Planner, at (510) 286-5433 or michael.meloy@dot.ca.gov.

Sincerely,



PATRICIA MAURICE
District Branch Chief
Local Development - Intergovernmental Review

COMMENTER A1

State of California Department of Transportation
Office of Transit and Community Planning
Patricia Maurice, District Branch Chief
July 17, 2018

- Response A1-1: The comment that future applicants who propose projects within the Specific Plan Area should be required to pay a fair share of traffic impact fees toward mitigation/improvements to State facilities is noted. The City is responsible for the implementation of project mitigation measures, and will be preparing a Mitigation Monitoring and Reporting Program for the project as well.
- Response A1-2: The comment that the North Downtown Specific Plan Area is located within a Priority Development Area (PDA) is noted. The Specific Plan in Chapter 5, Mobility, includes policies that support the PDA's goals to provide connections to existing bike lanes and multi-use trails to facilitate walking and biking to and within the Plan Area. The Specific Plan also includes policies that support the Walnut Creek BART TOD, require coordination with transit providers, and consider bikeways on Ygnacio Valley Boulevard. This comment does not relate to the adequacy of the information or analysis within the Draft EIR. No further response is required.
- Response A1-3: The comment that the City should consider further improvements on Ygnacio Valley Boulevard to facilitate biking is noted. The Specific Plan carefully considered the accommodations of bicyclists on Ygnacio Valley Boulevard and provides a dedicated combined pedestrian and bicycle facility. The feasibility of the proposed facility was fully considered and no further improvements were warranted.

From: Rehnstrom, David
Sent: Monday, July 09, 2018 11:19 AM
To: 'cavalli@walnut-creek.org'
Subject: Walnut Creek North Downtown Specific Plan Project

Hi Jeanine,

EBMUD is in receipt of the Draft EIR for the Walnut Creek North Downtown Specific Plan Project (Project). EBMUD provided a written response to the NOP for the Project stating that a Water Supply Assessment (WSA) is required because it meets the threshold for a project as defined by Sections 10910-10915 of the California Water Code. In the Draft EIR, it states that a WSA is not required because it is a program even though the Draft EIR analyzes the environmental impacts of the Project which includes 899 housing units at buildout. Since WSAs can take up to 90 days to complete, I wanted to give you another heads up on the need to request a WSA from EBMUD as outlined in our NOP comment letter.

1

The WSA requirement for a Specific Plan (for the Walnut Creek North Downtown) would also be consistent with the City's (and EBMUD's) determination that a WSA was required for the West Downtown Specific Plan (located adjacent to the subject Specific Plan) which was completed in October 2014 – attached is EBMUD's WSA response to the City for that project.

2

Let me know if you have any questions or need additional information or would like to further discuss. Thanks.

Dave Rehnstrom
Manager of Water Distribution Planning Division
East Bay Municipal Utility District
510-287-1365



October 14, 2014

Andrew M. Smith, Senior Planner
Planning Division
City of Walnut Creek
1666 N Main Street
Walnut Creek, CA 94596

Re: Water Supply Assessment – West Downtown Specific Plan

Dear Mr. Smith:

This letter responds to the City of Walnut Creek’s (City) request of July 29, 2014, for water agency consultation concerning the West Downtown Specific Plan (Enclosure 1) located in Walnut Creek, which is within the East Bay Municipal Utility District’s (EBMUD) Ultimate Service Boundary. EBMUD appreciates the opportunity to provide this response.

Pursuant to Sections 10910-10915 (SB-610) of the California Water Code, the project meets the threshold requirement for an assessment of water supply availability based on the amount of water this project would require, a mixed-use project that would demand an amount of water equivalent to or greater than the amount of water required by a 500 dwelling unit project.

Please note that this assessment addresses the issue of water supply only and is not a guarantee of service, and future water service is subject to rates and regulations in effect at the time.

Project Demand

The water demands for the West Downtown Specific Plan area are accounted for in EBMUD’s water demand projections as published in EBMUD’s 2010 Urban Water Management Plan (UWMP/Enclosure 2). EBMUD’s water demand projections account for anticipated future water demands within EBMUD’s service boundaries and for variations in demand-attributed changes in development patterns. The project site is currently developed with commercial, institutional, and residential uses, and the estimated existing water demand for the area is approximately 405,400 gallons per day (gpd). The City provided an estimate of increased average water demand for the proposed project of approximately 1,077,000 gpd; this estimate was based on the California Emissions Estimator Model developed by the California air districts, which results in an overestimate of water demands for multi-family residential, retail and office space land uses. Given the District’s land use demand approach, system capacity charge studies on similar projects, and good informational references on water unit ranges, the District’s estimated increase in water demand is 539,600 gpd for the proposed project at build out.

Andrew Smith, Senior Planner
October 14, 2014
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EBMUD's demand projections indicate both densification and land use changes in a few existing land use classifications, including commercial and residential land use areas, thus increasing EBMUD's overall demand. EBMUD's 2010 UWMP projects water demands over time, accounting for estimated variations in demand usage less conservation and recycled supply sources as noted in Table 4-1, Water Demand Projections for Each Water Use Sector, of the 2010 UWMP. EBMUD's water demand projections are based on the 2040 Demand Study (Demand Study). For planning purposes, the demands are estimated in five-year increments, but it is recognized that actual incremental amounts may occur stepwise in shorter time increments. An increase in usage by one customer in a particular customer class does not require a strict gallon-for-gallon increase in conservation by other customers in that class as, in actuality, the amount of potable demand, conservation and recycled water use EBMUD-wide will vary somewhat. Future versions of the UWMP, which is updated every five years, will include an updated assessment of customer demand and water supply.

Project Area

The West Downtown Specific Plan is bounded by Pringle Avenue to the north, Olympic Boulevard to the south, Interstate 680 to the west, and North California Boulevard to the east. The project site consists of approximately 172 acres. As described in the City's WSA request letter, the West Downtown Specific Plan is a planning document that will guide land use regulations and development standards for the plan area with a reasonably foreseeable growth scenario of 2,400 residential units, 46,000 square feet of retail space, and 445,000 square feet of office space at build out.

EBMUD Water Demand Projections

Since the 1970s, water demand within EBMUD's service area has ranged from 200 to 220 million gallons per day (mgd) in non-drought years. The 2040 water demand forecast of 312 mgd for EBMUD's service area can be reduced to 230 mgd with the successful implementation of water recycling and conservation programs, as outlined in the 2010 UWMP. Although current demand is lower than estimated in the Demand Study as a result of the recent multi-year drought and the downturn in the economy, the Demand Study still reflects a reasonable expectation for growth over the long term for demand in year 2040. The West Downtown Specific Plan does not change EBMUD's 2040 demand projection.

EBMUD Water Supply and Water Rights

EBMUD has water rights permits and licenses that allow for delivery of up to a maximum of 325 mgd from the Mokelumne River, subject to the availability of Mokelumne River runoff and the senior water rights of other users. EBMUD's position in the hierarchy of Mokelumne River water users is determined by a variety of agreements between Mokelumne River water right holders, and the terms of the appropriative water rights permits and licenses, which have been issued by the State, pre-1914 rights, and riparian rights.

**3
cont.**

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Conditions that could, depending on hydrology, restrict EBMUD's ability to receive its full entitlement include:

- Upstream water use by prior right holders.
- Downstream water use by riparian and senior appropriators and other downstream obligations, including protection of public trust resources.
- Variability in rainfall and runoff.

During prolonged droughts, the Mokelumne River supply cannot meet EBMUD's projected customer demands. To address this, EBMUD has completed construction of the Freeport Regional Water Facility and the Bayside Groundwater Facility, which are discussed below in the Supplemental Water Supply and Demand Management section of this assessment. EBMUD has obtained and continues to seek supplemental supplies.

EBMUD UWMP

The 2010 UWMP, adopted on June 28, 2011 by EBMUD's Board of Directors by Resolution No. 33832-11, is a long-range planning document used to assess current and projected water usage, water supply planning and conservation and recycling efforts. A summary of EBMUD's demand and supply projections, in 5-year increments for a 25-year planning horizon is provided in Table 4-3, EBMUD Demand and Supply Projections of the 2010 UWMP (Enclosure 3).

EBMUD's evaluation of water supply availability accounts for the diversions of both upstream and downstream water right holders and fishery releases on the Mokelumne River. Fishery releases are based on the requirements of a 1998 Joint Settlement Agreement (JSA) between EBMUD, United States (U.S.) Fish and Wildlife Service, and the California Department of Fish and Game. The JSA requires EBMUD to make minimum flow releases from its reservoirs to the lower Mokelumne River to protect and enhance the fishery resources and ecosystem of the river. As this water is released downriver, it is, therefore, not available for use by EBMUD's customers.

The available supply shown in the attached table (Enclosure 3) was derived from EBMUD's hydrologic model with the following assumptions:

- EBMUD Drought Planning Sequence is used for 1976, 1977 and 1978;
- Total system storage is depleted by the end of the third year of the drought;
- EBMUD will implement its Drought Management Program when necessary;
- The diversions by Amador and Calaveras Counties upstream of Pardee Reservoir will increase over time, eventually reaching the full extent of their senior rights;
- Releases are made to meet the requirements of senior downstream water right holders and fishery releases are made according to the JSA;
- Dry-year supply of Central Valley Project (CVP) water, through the Freeport Regional Water Facility, is available; and

**3
cont.**

Andrew Smith, Senior Planner
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- Bayside Groundwater Project, Phase 1, is available.

As discussed under the Drought Management Program section in Chapter 3 of the 2010 UWMP, EBMUD's system storage generally allows it to continue serving its customers during dry-year events. EBMUD imposes rationing based on the projected storage available at the end of September. By imposing rationing in the first dry year of potential drought periods, EBMUD attempts to minimize rationing in subsequent years if a drought persists while continuing to meet its current and subsequent-year fishery flow release requirements and obligations to downstream agencies. Table 3-2, Long-Term Drought Management Program Guidelines, in the 2010 UWMP summarizes the Drought Management Program guidelines for consumer water reduction goals based on projected system storage.

In Table 4-3, EBMUD Demand and Supply Projections (Enclosure 3), "Single Dry Water Year" (or Year 1 of "Multiple Dry Water Years") is determined to be a year that EBMUD would implement Drought Management Program elements at the "moderate" stage with the goal of achieving a reduction between 0 to 10 percent in customer demand. Year 2 of "Multiple Dry Years" is determined to be a year that EBMUD would implement Drought Management Program elements at the "severe" stage with the goal of achieving between 10 to 15 percent reduction in customer demand. Year 3 of "Multiple Dry Years" is a year in which EBMUD would implement Drought Management Program elements at the "critical" stage. Despite water savings from EBMUD's aggressive conservation and recycling programs and rationing of up to 15 percent, additional supplemental supplies beyond those provided through the Freeport Regional Water Facility and the Bayside Groundwater Facility will be needed during Years 2 and 3 of a three-year drought. Therefore, supplemental supplies are needed in a multiple-year drought periods while continuing to meet the requirements of senior downstream water right holders and the provisions of the 1998 JSA.

3
cont.

Supplemental Water Supply and Demand Management

The goals of meeting projected water needs and increased water reliability rely on supplemental supplies, improving reliability of existing water supply facilities, water conservation and recycled water programs.

By 2011, EBMUD completed construction of the Freeport Regional Water Facility and the Bayside Groundwater Facility to augment its water supply during drought periods. However, additional supplemental supplies beyond those provided through these facilities will still be needed, as noted above. Chapter 2 of the 2010 UWMP describes potential supplemental water supply projects that could be implemented to meet projected long-term water demands during multi-year drought periods.

The Freeport Regional Water Facility became operational in February 2011. EBMUD's ability to take delivery of water through the Freeport facility is based on its Long Term Renewal Contract (LTRC) with the U.S. Bureau of Reclamation. The LTRC provides for up to 133,000 acre-feet in

Andrew Smith, Senior Planner
October 14, 2014
Page 5

a single dry-year, not to exceed a total of 165,000 acre feet in three consecutive dry years. Under the LTRC, the CVP supply is available to EBMUD only in dry years when EBMUD's total stored water supply is forecast to be below 500 total acre feet on September 30 of each year.

Construction of the Bayside Groundwater Project, Phase 1, was completed in 2010. A permit from the Department of Public Health, which is pending, is required before the groundwater can be extracted and treated for municipal use. The project is designed to yield 2 mgd over a 6-month period, resulting in an average annual production capacity of 1 mgd per year.

Chapter 2 of the 2010 UWMP also lists other potential supplemental water projects, including northern California water transfers, Bayside Groundwater Project Expansion, Los Vaqueros Expansion and others that could be implemented as necessary to meet the projected long-term water supplemental need during multi-year drought periods. The 2010 UWMP identifies a broad mix of projects, with inherent scalability and the ability to adjust implementation schedules for a particular component, so that EBMUD will be able to continue to pursue the additional supplemental supplies that are projected to be necessary, while also minimizing the risks associated with future uncertainties such as project implementation challenges and global climate change. The Environmental Impact Report that EBMUD certified for the Water Supply Management Program 2040 examined the impacts of pursuing these supplemental supply projects at a program level. Separate project-level environmental documentation will be prepared, as appropriate, for specific components as they are developed in further detail and implemented in accordance with EBMUD's water supply needs.

In addition to pursuing supplemental water supply sources, EBMUD also maximizes resources through continuous improvements in the delivery and transmission of available water supplies, and investments in ensuring the safety of its existing water supply facilities. These programs, along with emergency interties and planned water recycling and conservation efforts, would ensure a reliable water supply to meet projected demands for current and future EBMUD customers within the current service area.

The West Downtown Specific Plan presents an opportunity to incorporate water conservation measures. Conditions of approval for the implementation of the West Downtown Specific Plan should require that the project comply with the California Model Water Efficient Landscape Ordinance (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495). EBMUD staff would appreciate the opportunity to meet with project sponsors to discuss water conservation programs and best management practices applicable to such projects. A key objective of these discussions will be to explore timely opportunities to expand water conservation via early consideration of EBMUD's conservation programs and best management practices applicable to the project.

The West Downtown Specific Plan is not currently a candidate for recycled water. The project area is not located within the vicinity of any existing or future planned EBMUD recycled water supply pipeline. Based on the project area of the West Downtown Specific Plan, EBMUD

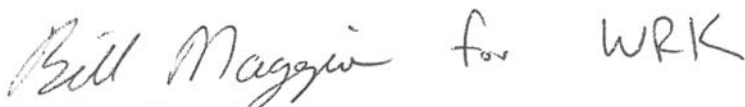
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Andrew Smith, Senior Planner
October 14, 2014
Page 6

currently does not anticipate providing recycled water to any of the project's components; however, the feasibility of providing recycled water to this area may change in the future. EBMUD encourages the City and their developers to continue to coordinate closely with EBMUD during the planning of the various Plan elements to further explore the options relating to recycled water.

The project sponsor should contact David J. Rehnstrom, Senior Civil Engineer, at (510) 287-1365 for further information.

Sincerely,



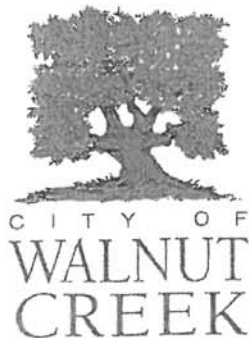
William R. Kirkpatrick
Manager of Water Distribution Planning Division

WRK:TRM:djr
sb14_182a.docx

Enclosures: 1. Letter of Request for Water Supply Assessment dated July 29, 2014
2. EBMUD 2010 Urban Water Management Plan
3. EBMUD Demand and Supply Projections Table

cc: Board of Directors w/o Enclosure 2

**3
cont.**



July 29, 2014

David J. Rehnstrom
Senior Civil Engineer
East Bay Municipal Utilities District
375 11th Street M/S 701
Oakland, CA 94607

Re: Request for a Water Supply Assessment for the West Downtown Specific Plan

Dear Mr. Rehnstrom:

Pursuant to Division 6, Part 2.10 of the California Water Code, the City of Walnut Creek is hereby submitting a request to the East Bay Municipal Utilities District (EBMUD) to prepare a Water Supply Assessment (WSA). The assessment is required in order to determine whether adequate water supply is available to meet the projected water demand of development anticipated by the proposed West Downtown Specific Plan. The City, as lead agency, is currently preparing the Specific Plan and a related program-level Environmental Impact Report (EIR). The City respectfully requests that EBMUD prepare Water Supply Assessment for the proposed plan as described below.

**3
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1. Project Description and Location

The City of Walnut Creek has undertaken an effort to develop the West Downtown Specific Plan and supporting EIR.

As shown in Figure 1, the Specific Plan Area encompasses approximately 172 acres in the central portion of Walnut Creek's city limits, just west of downtown and along the eastern edge of Interstate 680. The Specific Plan Area is generally bounded on the west by Interstate 680, the north by the BART station and Pringle Avenue, the east by North California Boulevard, and the south by Olympic Boulevard. The Specific Plan Area is crossed from east to west by Ygnacio Valley Road, Trinity Avenue, Almond Avenue, and Mount Diablo Boulevard. It is crossed from north to south by Oakland Avenue, near the western Plan Area boundary. The Specific Plan Area encompasses the Almond Shuey neighborhood, a single-family neighborhood in the middle of the Plan Area and located between Trinity Avenue and Mount Diablo Boulevard. The Walnut Creek BART Station and parking area is located in the northern portion of the Plan Area. This station is served by the Pittsburg-Bay Point BART line, which runs through the Plan Area from

near the Oakland Boulevard/Trinity Avenue intersection to the North California Boulevard/Pringle Avenue intersection. Figure 2 shows the Specific Plan Area.

A Citizens Advisory Committee was convened to guide the Specific Plan process. This group developed ten Guiding Principles over the course of the planning process for West Downtown that will ultimately guide the land use regulations and development standards in the Plan. These Guiding Principles are listed below:

- » Recognize and promote West Downtown as a set of sub-districts
- » Extend the Downtown's character along Mount Diablo Boulevard
- » "Knit" West Downtown and Downtown along California Boulevard
- » Promote transit-oriented development near the BART station
- » Provide modern employment centers near the freeway
- » Preserve the Almond-Shuey neighborhood
- » Promote infill housing and community uses along Lacassie and Trinity Avenues
- » Improve the existing pedestrian and bicycle circulation network
- » Expand the existing circulation network with connections through new development and along other rights of way
- » Create a network of small open spaces

2. Project Components

The West Downtown Specific Plan's Land Use Concept calls for a variety of land uses that support the Guiding Principles listed above. The associated Zoning Ordinance Amendment will establish site-specific development standards and land use regulations that also support and implement these Guiding Principles.

A district-based approach will be used to tailor standards and recognize the unique attributes and objectives for different areas within the West Downtown Specific Plan Area. As shown in Figure 3, the Specific Plan divides the Plan Area into seven districts: Transit Village District; Lacassie-Trinity District; Oakland Boulevard Corridor; Almond-Shuey District; Mount Diablo District; Olympic District; and North California Boulevard Corridor. District boundaries were determined based on existing characteristics, the Guiding Principles, the Land Use Concept, physical and infrastructure boundaries and constraints, and other factors. The Plan will establish specific vision concepts and recommendations for land use, street design, urban form, and amenities for each of the districts and corridors that will ensure compatibility with surrounding areas, as well as internally within the Plan Area.

Transit Village District

This district will be based on the development of a new mixed-use, transit-oriented neighborhood within an attractive and dynamic station area that serves as a gateway to Downtown, West Downtown, and Walnut Creek as a whole. The district accommodates active, pedestrian-oriented ground floor retail uses and high density residential uses with amenities for the project and those using the transit center. Development of this district is regulated by the provisions of Planned Development District No. 2113, adopted by the Walnut Creek City Council on November 6, 2012.

Lacassie-Trinity District

The Lacassie-Trinity District covers the area south of the Walnut Creek BART Station and north of the Almond-Shuey neighborhood, and is envisioned to transform into a more urban, transit-oriented neighborhood with 3- to 5-story residential buildings, all within a 10-minute walk of the Walnut Creek BART Station and Downtown Walnut Creek. New development will also accommodate active, pedestrian-oriented ground-floor retail uses, particularly along North California Boulevard, which cater to residents and nearby office workers. These ground-floor uses will add vibrancy by creating a high level of walkability along the edge of the district.

Oakland Boulevard Corridor

The Oakland Boulevard Corridor has a different character on the northern segment, nearest the BART Station where corporate offices are developed, and to the south between Trinity Avenue and Mt. Diablo Boulevard where multi-family residential and less intense office development exist. The intent is for the street to become a more continuous pedestrian-friendly and bikeable corridor connecting the BART Station to Mount Diablo Boulevard, with retention of the offices on the north and revitalized residential and limited office uses to the south.

Mount Diablo District

The Mount Diablo District will be an enlivened and thriving extension of Downtown Walnut Creek that accommodates multi-story, mixed-use buildings featuring active, pedestrian-oriented uses along their ground floors, with apartments, condominiums, or offices on their upper floors. Office uses in taller buildings are envisioned along the western half of Mount Diablo Boulevard within the Plan Area, but will transition down to smaller scaled buildings in the east with active retail ground-floor uses and residential uses above, with a possible hotel or other landmark use. Building massing and height will be controlled to maintain significant views of Mt. Diablo looking eastward. Bonanza Street will be enhanced as a connector to Downtown for pedestrians and bicyclists.

Olympic District

This district will be generally characterized by larger format commercial uses, including taller office buildings potentially mixed with some residential uses near the corner of Olympic Boulevard and Alpine Road. This district will also provide links to regional trails to the east and west.

North California Corridor

This district will be characterized by mixed-use buildings with ground-floor retail uses and upper-floor apartments or condominiums (or potentially offices) that build off the character of Downtown. The Mercer project started this trend and new development under the Specific Plan will follow its lead. This corridor will provide strengthened connections between the BART station, southern Walnut Creek, and Downtown through West Downtown.

3. Development Potential

The West Downtown Specific Plan would permit a mix of residential, office, mixed use, and community and institutional uses within the Specific Plan Area. Table 1 shows development estimates for the Specific Plan Area. It is assumed that development would occur over the next

20 to 30 years. The rate and timeframe for development within the Plan Area are subject to variation based on market demands.

Table 1 – West Downtown Specific Plan Development Program

	RETAIL SQ. FT.	OFFICE SQ. FT.	DWELLING UNITS	HOTEL ROOMS
NEW	281,000	685,000	2,800	200
TO BE REMOVED	235,000	240,000	400	24
NET INCREASE	46,000	445,000	2,400	176

4. Anticipated Water Usage

For the purpose of the Specific Plan’s EIR, our analysis will focus on whether the Specific Plan’s growth projections are consistent with ABAG’s growth projections, rather than calculating water demand based on water use rates for specific land uses. The reason for this is that in its Urban Water Management Plan (UWMP), EBMUD based its analysis on ABAG growth projections, rather than on individual land uses. Therefore, if our Plan is consistent with ABAG’s growth projections, we will be consistent with EBMUD’s UWMP and have adequate capacity. This is the same approach that has previously been used by the City for project-level EIRs.

However, for the purpose of this WSA request (and for the GHG emissions modeling work related to the EIR), we have identified the following water use rates, as shown in Table 2 below. We relied on the default water use rates that are contained in the CalEEMod model (for air quality and GHG’s), because water use rates are not provided in the UWMP.

Table 2 – Water Use Rates

RETAIL	119 gal/year/sq.ft.
OFFICE	287 gal/year/sq.ft.
RESIDENTIAL	106,229 gal/year/unit
HOTEL	28,185 gal/year/room

Based on the development program and water use rates noted above, the net increase in water use anticipated under the proposed West Downtown Specific Plan is as indicated in Table 3 below.

Table 3 – Anticipated Water Use


	SIZE/NO. OF UNITS	WATER USE RATE	GALLONS PER YEAR
RETAIL	46,000	119 gal/year/sq.ft.	5,474,000
OFFICE	445,000	287 gal/year/sq.ft.	127,715,000
RESIDENTIAL	2,400	106,229 gal/year/unit	254,949,600
HOTEL	176	28,185 gal/year/room	4,960,560
TOTAL (NET)			393,099,160

**3
cont.**

The City has identified EBMUD as the water purveyor for the Plan Area of the Specific Plan described above. We respectfully request that the WSA be prepared and adopted by EBMUD within 90 days of the receipt of this letter.

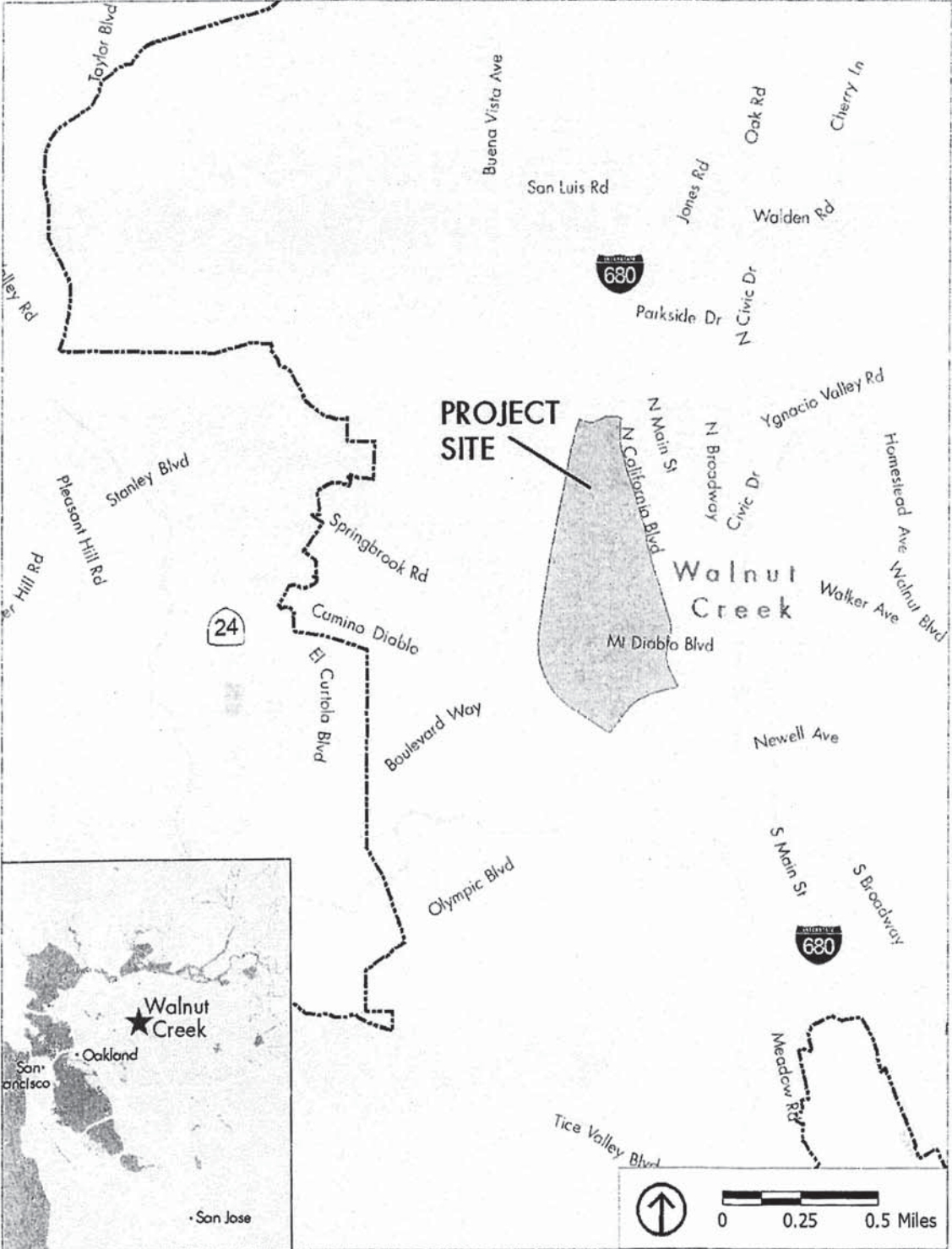
Please contact me if you have any questions or need any additional information. I can be reached at (925) 943-5899 x2213 or asmith@walnut-creek.org.

Sincerely,



Andrew M. Smith
Senior Planner

**3
cont.**



Source: City of Walnut Creek; Placeworks, 2014; ESRI, 2013.

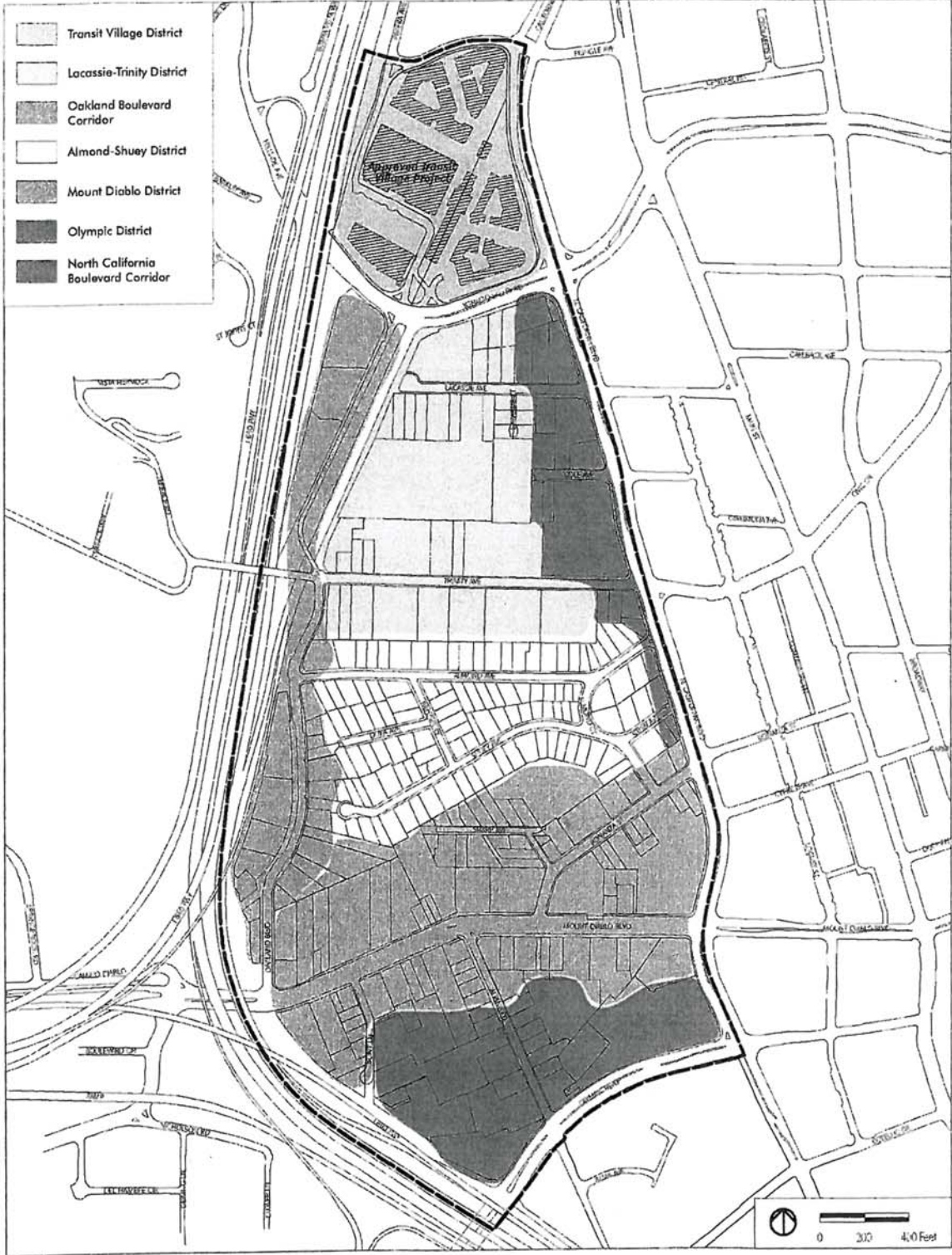
Figure 1
Citywide Context

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cont.



3
cont.

Figure 2
West Downtown Specific Plan Area



3
cont.

Figure 3
Land Use Districts and Corridors

**EAST BAY MUNICIPAL UTILITY DISTRICT DEMAND AND SUPPLY PROJECTIONS
(Reference: Table 4-3, UWMP 2010 – EBMUD)**

	2010	2015	2020	2025	2030	2035 ¹	2040
PROJECTED DEMAND (MGD)							
CUSTOMER DEMAND ²	251	266	280	291	304	308	312
ADJUSTED FOR CUMULATIVE CONSERVATION ³	(26)	(32)	(43)	(49)	(56)	(59)	(62)
ADJUSTED FOR RECYCLED WATER ⁴	(9)	(11)	(16)	(18)	(19)	(20)	(20)
PLANNING LEVEL OF DEMAND	216	223	221	224	229	229	230
PROJECTED AVAILABLE SUPPLY AND NEED FOR SUPPLEMENTAL SUPPLY (MGD)⁵							
NORMAL YEAR	>216	>223	>221	>224	>229	>229	>230
SUPPLEMENTAL SUPPLY NEED	0	0	0	0	0	0	0
SINGLE DRY YEAR (MULTIPLE DRY YEARS – YEAR 1)							
AVAILABLE SUPPLY	211	217	215	218	223	222	222
CUSTOMER RATIONING ⁶	2%	3%	3%	3%	3%	3%	4%
SUPPLEMENTAL SUPPLY NEED ⁷	5	6	6	7	7	8	8
MULTIPLE DRY YEARS – YEAR 2							
AVAILABLE SUPPLY	183	189	188	190	194	194	195
CUSTOMER RATIONING ⁶	15%	15%	15%	15%	15%	15%	15%
SUPPLEMENTAL SUPPLY NEED ⁷	21	21	21	21	22	22	22
MULTIPLE DRY YEARS – YEAR 3							
AVAILABLE SUPPLY	183	189	188	190	183	164	144
CUSTOMER RATIONING ⁶	15%	15%	15%	15%	15%	15%	15%
SUPPLEMENTAL SUPPLY NEED ⁷	21	21	21	21	33	53	73
THREE-YEAR DROUGHT							
TOTAL SUPPLEMENTAL SUPPLY NEED (TAF) ⁷	53	54	54	55	69	93	115

**3
cont.**

¹ Projected demand for 2035 is interpolated.

² Customer demand values are based on the demand projections from the "2040 Demand Study," Feb 2009. These projected water demands are based on land use in EBMUD's ultimate service area and is unadjusted for conservation and non-potable water. The values are also unadjusted for the current suppressed demand due to the 2007-2010 rationing period and the economic downturn.

³ Existing conservation saving from the "1994 Water Conservation Master Plan" and planned conservation program savings based on the "2011 Water Conservation Master Plan".

⁴ Existing recycled water achieved per the "1993 Water Supply Management Program" and planned recycled water program savings as outlined in Chapter 5 of the UWMP 2010.

⁵ Projected available supply data includes dry year supply deliveries from the Freeport Regional Water Project (FRWP) and Bayside Groundwater Project, Phase 1. Delivery rules for the FRWP follow the rules as developed in the Freeport EIR, 2003.

⁶ Rationing reduction goals are determined according to projected system storage levels in the Long-Term Drought Management Program guidelines per Table 3-2 in Chapter 3 of the UWMP 2010.

⁷ The supplemental supply need is based on EBMUDSIM modeling studies. It is the amount of water needed based on EBMUD's updated demand projections, the provisions of the 1998 Joint Settlement Agreement and the rationing policy stated in Table 3-2, Chapter 3 of the UWMP 2010. The actual need will be dependent on antecedent conditions and the severity of actual drought conditions. Supplemental supply stored during the initial year of the drought could be later released, diminishing supplemental supply needs. During the drought that continued into 2010, the combined effects of water rationing and an economic downturn suppressed demand below the planning level of demand to maintain a sufficient water supply and deferred the need for supplemental water. However, if the drought had continued into its second year, most likely supplemental supplies would have been obtained from the Freeport Regional Water Facility as anticipated in the Interim Drought Management Program Guidelines discussed in Appendix G-2.

COMMENTER A2

East Bay Municipal Utility District
Water Distribution Planning Division
Dave Rehnstrom, Manager
July 9, 2018

Response A2-1: The EBMUD letter in response to the Notice of Preparation dated February 13, 2018 is included in Appendix A of the Draft EIR. This letter was taken into consideration during preparation of the Draft EIR. Notwithstanding EBMUD's interpretation of Sections 10910-10915 of the California Water Code, that a Specific Plan, a statement of policies and guidelines to govern the conduct of a continuing program, is a "project" requiring a Water Supply Assessment (WSA), the City also relies on CEQA Guidelines Section 15155 that define what a "project," is for purposes of complying with SB 610. A careful reading of Sections 10910-10915 and CEQA Section 15155(a)(1) clearly defines the size and types of projects that would require a WSA. A program, such as a General Plan or Specific Plan is not included in these definitions. As required under CEQA and in order to identify, evaluate and mitigate potential adverse impacts associated with implementation of the Specific Plan, the City prepared growth projections to identify *potential* future development that would likely occur under the Specific Plan during the approximately 20-year time horizon of the Specific Plan. For the purposes of evaluating the potential effects of the Specific Plan, these projections were translated into equivalent estimates of the number of housing units, jobs, and population to occur by 2038. This comment does not relate to the adequacy of the information or analysis within the Draft EIR. No further response is required.

Response A2-2: The comment that the City requested a WSA for the West Downtown Specific Plan, and therefore it would be consistent for the City to request a WSA for the North Downtown Specific Plan is noted. The City did request a WSA for the North Downtown Specific Plan via a letter dated July 25, 2018. This comment does not relate to the adequacy of the information or analysis within the Draft EIR. No further response is required. The reader should note that EBMUD did prepare and submit a WSA for the Specific Plan on October 9, 2018 that found the projected Specific Plan water demand was accounted for in EBMUD's 2015 water demand projections.

Response A2-3: This comment provides copies of the letters referenced in comments A2-1 and A2-2.



SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
300 Lakeside Drive, P.O. Box 12688
Oakland, CA 94604-2688
(510) 464-6000

2018

August 7, 2018

Robert Raburn, Ph.D.
PRESIDENT

Nicholas Josefowitz
VICE PRESIDENT

Grace Crunican
GENERAL MANAGER

Attn: Jeanine Cavalli
City of Walnut Creek, Community and Economic Development Department
1666 North Main Street, Walnut Creek, CA

RE: Comments on Draft North Downtown Specific Plan and EIR

Dear Ms. Cavalli:

DIRECTORS

Debora Allen
1ST DISTRICT

Joel Keller
2ND DISTRICT

Rebecca Saltzman
3RD DISTRICT

Robert Raburn, Ph.D.
4TH DISTRICT

John McPartland
5TH DISTRICT

Thomas M. Blalock, P.E.
6TH DISTRICT

Lateefah Simon
7TH DISTRICT

Nicholas Josefowitz
8TH DISTRICT

Bevan Dufty
9TH DISTRICT

The San Francisco Bay Area Rapid Transit District (BART) is pleased to provide comments on the Walnut Creek North Downtown Specific Plan and Draft EIR prepared.

In June 2016, the BART Board of Directors adopted an updated Transit-Oriented Development (TOD) Policy, which promotes high quality, intensive development at or near BART stations. Strategy B.1. within the Policy is to “Proactively support local jurisdictions in creating station area plans and land use policies that: a) encourage transit-supportive, mixed-use development on and around station properties, b) enhance the value of BART land, and c) enhance the performance of the BART system as a whole.” BART also seeks to increase sustainable transportation choices using best practices in land use, including to encourage reverse-commute, off-peak, and non-work trips on BART.

The North Downtown Specific Plan Area (the “Plan Area”) borders the Walnut Creek BART station and is entirely within a half-mile walk of the station. The Plan Area could significantly contribute to supporting a high quality sustainable transportation network in the Bay Area – including BART - and to the implementation of the regional land use and transportation vision established by cities, municipalities, and transit agencies across the region. The Plan Area’s 134 net acres make up more than 21% of the 627-acre Walnut Creek PDA, for which Plan Bay Area forecasts growth of over 5,000 new households by 2040. Notably, the Plan Area covers the most transit-accessible lands within the PDA, including approximately two-thirds of the PDA lands within a half-mile walking radius of the BART Station, making it especially important for the Specific Plan to create the right conditions for focused growth near transit.

BART shares the Vision articulated in the Draft Specific Plan, which includes being:

- Better connected;
- An important job center; and
- A vibrant, mixed-use district.

BART wishes to express support for the following components of the Specific Plan, which support BART’s ongoing provision of sustainable high quality public transportation:

- **Regional Center.** BART supports the Specific Plan’s designation of North Downtown Walnut Creek as a regional jobs and retail center. With BART’s expanding reach, including the recent extension to Antioch and its planned extension to San Jose, the North Downtown area is well-suited as a major regional

- destination due to its excellent transit accessibility, and its ability to accommodate employment growth without exacerbating regional congestion.
- **New bicycle & pedestrian facilities in the Plan Area.** BART strongly supports new multi-use paths on North Main Street, Ygnacio Valley Road (YVR), and Pine Street; new bike lanes on Broadway and Arroyo Way; and the collective policies of the Plan to create a better connection between the BART station and the Iron Horse Trail. We have the following questions/suggestions:
 - o On Page 117 (North California Boulevard between YVR and Pringle Ave.) the Draft Specific Plan indicates that a new Class I facility is only proposed between YVR and the BART crosswalk – can this be extended all the way to Pringle Ave. so it can connect with the Class I facilities on Pringle Ave and North Main Street?
 - o Page 155 is not consistent with the section on page 133. It's unclear if the existing northbound bicycle lane on North California Boulevard will continue to exist once the Class I facility is introduced.
- **Shared Parking.** BART strongly supports the Specific Plan strategies to increase shared parking. By sharing parking, the Plan Area can reduce the costs of development, promote additional density, create more a walkable and accessible community, and promote sustainable transportation. In practice, this can be difficult; BART encourages the City to pursue other policies that encourage shared parking, including analyzing its existing municipal code and remove any barriers that prevent developers from pursuing shared parking arrangements.'

BART requests the City reconsider some elements of the Specific Plan that are not supportive of long term growth in use of public transportation, financial sustainability of BART, or state and regional goals for better transportation and land use integration and reduction of greenhouse gas emissions. Specifically:

1. The Specific Plan does not allow for transit-supportive densities in the majority of the Plan Area.

The Plan proposes height limits of between 35 and 50 feet in most of the Plan Area, covering most of the lands within a walking distance of BART that would be best suited for medium- to high-density mixed use development. The height limits enshrined in this plan severely restrict the potential for Walnut Creek to accommodate new development. They are not appropriate given the proximity to BART and the high-capacity, high-speed transit service BART provides, and appear inconsistent with the City's own General Plan policy 10.1 "Support the development of medium and high-density office, residential, and local serving retail near and around the Walnut Creek and Pleasant Hill BART stations (Core Area)."

The Plan only allows for a maximum of 899 units and 800,000 square feet of commercial development; this appears inconsistent with regional targets for the Walnut Creek PDA (5,000 units), especially considering the Specific Plan covers the most transit accessible lands in the PDA. The 800,000 square feet of new commercial development allowed under this Plan for the 134 net acres is well below the what the Plan Area could accommodate; it is less than that is what currently exists within just three buildings of the Golden Triangle district – California Plaza, Mount Diablo Plaza, and Walnut Creek Center occupy less than 10 acres but include 976,215 square feet of rentable office space.

BART's TOD Guidelines, developed with extensive input from national and local experts on TOD, including transit agencies, developers, and Bay Area municipalities, are intended to guide BART and municipalities on how to implement transit-supportive development near stations. For the Neighborhood/Town Center place type (the designation of Walnut Creek Station), BART's TOD Guidelines recommend establishing a minimum density of 75 dwelling units per acre and a minimum height of 5 stories to establish successful transit-oriented station environment. The current Plan would only allow for 3 stories (35' zones) and 4 stories (50' zones), offering only 20-40 dwelling units per acre.¹

The restriction of density in the Plan Area will suppress creation of new housing and jobs in transit-accessible, walkable areas, and instead push new housing and jobs to less accessible parts of the region, contributing to increased regional congestion, longer commutes, increased housing and transportation costs for Bay Area and Walnut Creek residents. It will reduce opportunities for people within Walnut Creek to live and/or work near transit, and force more people to live in areas with high automobile dependency, which limits people's ability to access BART.

2. Excessively high parking requirements for new development

The amount of off-street parking required in new development has a direct empirical impact on likelihood of residents of employees to use transit and reduce vehicle miles traveled. Providing parking within development is also very expensive and excessively high minimum parking requirements can drive up the cost of new development or make it financially infeasible. BART recommends lower maximums, and no minimums in order to encourage more non-motorized travel, more walking, more innovative housing types and flexible parking arrangements, especially given changing technologies that will reduce the need for parking over the long term.

BART's TOD Guidelines recommend a maximum of 1 parking space per residential unit (as an average across all unit types) and no minimum for transit-rich communities like Walnut Creek ("Neighborhood/Town Center" place type) in order to promote transit use. The Specific Plan's minimum allowable parking for new commercial development, 3.3 spaces per 1,000 square feet, exceeds the maximum recommended in BART's TOD Guidelines, 2.5 spaces per 1,000 square feet. Limiting office parking is especially critical to encourage reverse commuting on BART, which can help alleviate our regional traffic and BART capacity impacts. BART encourages the City to revisit the parking requirements included in the Specific Plan and not over-regulate developers, and instead encourage the market to be more innovative and creative in how they promote non-motorized mobility and transportation demand management.

It is understood that a driving factor in this Specific Plan's low targets for growth is Measure A, passed in 1985, which established height restrictions. In 1985, BART had only existed for 13 years and carried 211,000 passengers per day; the population of the Bay Area was about 5.5 million, with limited congestion, and the median housing price in California was \$119,860. 33 years later the region has changed and is facing unprecedented challenges to maintain its quality of life and affordability. BART encourages the City

¹ Residential densities reference information: <https://placesjournal.org/assets/legacy/pdfs/explaining-residential-density.pdf>

of Walnut Creek to revisit the restrictions enshrined in Measure A and advocate for a more sustainable, transit-supportive growth trajectory, and update the North Downtown Specific Plan accordingly.

Sincerely,



Val Menotti
Chief Planning & Development Officer
San Francisco Bay Area Rapid Transit District

COMMENTER A3

San Francisco Bay Area Rapid Transit District
Val Menotti, Chief Planning & Development Officer
August 7, 2018

Response A3-1:

Comments concerning the adopted Transit-oriented Development (TOD) Policy aimed at promoting high quality, intensive development at or near BART stations is noted. The North Downtown Specific Plan allows for building heights (and associated densities) up to the limit currently allowed by local law as included in Measure A, a 1985 voter-approved initiative that limits building heights in Walnut Creek. Multiple parcels within the Plan Area were previously limited by the municipal zoning code and General Plan to height maximums below Measure A, but the Specific Plan provides a community benefits program that establishes a process for new construction to be built to the maximum of the Measure A height limits. Also noted is the comment that the Plan Area borders the BART station and is entirely within a half mile walk of the station. The comments express support for the Draft Specific Plan vision and policies that support public transportation including BART. The comment that the Specific Plan Area is located within a Priority Development Area (PDA) is noted. The Specific Plan in Chapter 5, Mobility, includes policies that support the PDA's goals to provide connections to existing bike lanes and multi-use trails to facilitate walking and biking to and within the Plan Area. The Specific Plan also includes policies and guidelines that support the Walnut Creek BART TOD, require coordination with transit providers, and support the design and development of a new shared use path for bikes and pedestrians on Ygnacio Valley Boulevard.

The request by BART that the City reconsider higher densities and lower parking requirements in the Specific Plan are noted. The Specific Plan allows for lower parking requirements than for other areas in the City, and offers additional parking reductions for all uses and development that provide Transportation Demand Management in their project. Parking reductions were assumed indirectly with the reduction of trip generation.

While this comment does not relate to the adequacy of the Draft EIR, the Specific Plan provides extensive parking reductions and goes far beyond the City's existing BART proximate parking reductions by setting those reductions as parking maximums rather than parking minimums within the Plan Area.



EDMUND G. BROWN JR.
GOVERNOR

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



KEN ALEX
DIRECTOR

August 7, 2018

Jeanine Cavalli
City of Walnut Creek
1666 North Main St.
Walnut Creek, CA 94596

Subject: North Downtown Specific Plan Project
SCH#: 2018012020

Dear Jeanine Cavalli:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on August 6, 2018, and no state agencies submitted comments by that date. 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 call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

A handwritten signature in black ink that reads "Scott Morgan".

Scott Morgan
Director, State Clearinghouse

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Document Details Report
State Clearinghouse Data Base

SCH# 2018012020
Project Title North Downtown Specific Plan Project
Lead Agency Walnut Creek, City of

Type EIR Draft EIR

Description The West Downtown Specific Plan shall guide all land use and development decision-making processes for the 191 acre project site. The Land Use concept for the Specific Plan envisions a compatible variety of land uses that support the overarching goals and vision for this area. The Land Use concept focuses on maintaining many of the existing uses in the northern half of the plan area while designating areas primarily for mixed-use in the southern half of the plan area. The LUD and locations are compatible with the land use categories found in the GP. For each new or revised LUD, the uses allowed and the standards for development intensity are specified in the SP. Full buildout of the SP is projected to result in an increase in population of approx 1,519 persons, the addition of approx 899 housing units, and the addition of approx 3,546 jobs.

Lead Agency Contact

Name Jeanine Cavalli
Agency City of Walnut Creek
Phone 925-943-5899 **Fax**
email
Address 1666 North Main St.
City Walnut Creek **State** CA **Zip** 94596

Project Location

County Contra Costa
City Walnut Creek
Region
Lat / Long 37° 54' 27.306" N / 122° 3' 48.7188" W
Cross Streets many
Parcel No. many
Township **Range** **Section** **Base**

Proximity to:

Highways I-680 and SR 24
Airports
Railways BART
Waterways Several
Schools Several
Land Use PLU: various
Z: Several
GPUD: Several

Project Issues Aesthetic/Visual; Air Quality; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Water Quality; Water Supply; Wetland/Riparian; Landuse

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 3; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 4; Regional Water Quality Control Board, Region 2; Native American Heritage Commission; Delta Stewardship Council; Delta Protection Commission; Public Utilities Commission

Date Received 06/21/2018 **Start of Review** 06/21/2018 **End of Review** 08/06/2018

COMMENTER A4

State of California Governor's Office of Planning and Research
State Clearinghouse and Planning Unit
Scott Morgan, Director
August 7, 2018

Response A4-1: This comment states that the Draft EIR was submitted to selected State agencies for review and that the City has complied with State Clearinghouse review requirements pursuant to CEQA. This comment does not relate to the adequacy of the information or analysis within the Draft EIR. No further response is required.

INDIVIDUALS

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August 6, 2018

Jeanine Cavalli
Senior Planner
Community and Economic Development
City of Walnut Creek
1666 North Main Street
Walnut Creek, CA 94596

Re: Public Comment on Walnut Creek North Downtown Specific Plan Draft EIR
(State Clearinghouse No. 2018012020)

Dear Ms. Cavalli:

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the Walnut Creek North Downtown Specific Plan (the "Draft EIR"). Buchalter represents Hines regarding land use matters concerning Hines' future plans for the partial redevelopment of the Ygnacio Center located at 1900 North California Boulevard (the "Ygnacio Center")¹ and situated within the Walnut Creek North Downtown Specific Plan. On behalf of our client, we offer the following comments on the Draft Specific Plan and the Draft EIR for the City of Walnut Creek ("City") to consider in the preparation of the Final Environmental Impact Report ("Final EIR") for the Walnut Creek North Downtown Specific Plan.

Comments Regarding the Specific Plan

The North Downtown Specific Plan provides an exciting opportunity for transforming the North Downtown area into a vibrant walkable neighborhood that fosters greater connections between Downtown Walnut Creek and the Walnut Creek BART Station and jobs located near the BART Station. The City's efforts to update its land use designations to enable this transformation are greatly appreciated.

During the Specific Plan community outreach process, I advised the Specific Plan Advisory Committee of a proposed redevelopment of the Ygnacio Center site with a mixed-use project. See attached to this comment letter my two prior letters dated April 13, 2018 and April 19, 2018. As indicated in the enclosed letters, Hines intends to submit a formal project

¹ The Ygnacio Center is the three-parcel block bounded by Ygnacio Valley Road, North California Boulevard, Pringle Avenue, and North Main Street. The parcel is immediately adjacent to the Walnut Creek BART Station. The site is designated as Traffic Analysis Zone (TAZ) 9 on Figure 4.2-9 of the Draft EIR.

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application in the very near future for a new mixed-use residential building that would replace the Annex Building located at One Ygnacio Center, while retaining all existing office buildings. Despite the comments we previously submitted indicating that a portion of the Property is proposed to be redeveloped with residential uses, the Draft Specific Plan does not include a Mixed-Use Commercial land use designation on the Ygnacio Center property. We once again encourage the City to consider redesignating the Ygnacio Center Mixed-Use Commercial in the Specific Plan given the property owner's future plans for the Property.

One of the key goals of the Specific Plan is to encourage mixed-use development to create diverse and self-sufficient neighborhoods and allow a mix of housing, employment, and retail within the Plan Area. (See Draft Specific Plan, p. 41.) The Draft Specific Plan focuses these mixed-use land use designations on the portion of the Specific Plan Area south of Ygnacio Valley Road, but also on those parcels adjacent to the BART Station including the Golden Triangle Area. (See Draft Specific Plan, Figure 3.1, p. 35.) Unfortunately, the Draft Specific Plan does not extend that opportunity to the Ygnacio Center.

Hines' proposal would create a horizontal distribution of several different land uses on the Ygnacio Center site, thus providing housing opportunities within standard pedestrian commuting distances for those employed at the Ygnacio Center, in the Golden Triangle area, and in Downtown Walnut Creek. The residential development would also be located immediately adjacent to the Walnut Creek BART Station, again providing car-free commuting opportunities for new residents. This kind of mixed-use development, which the City is encouraging elsewhere in the Specific Plan area, strengthens Walnut Creek's public transit options by increasing ridership and farebox recovery. The proposal is consistent with Specific Plan policies to "encourage mixed-use development to create diverse and self-sufficient neighborhoods." (Draft Specific Plan, p. 41.)

For these reasons, we encourage the City to consider as part of the Specific Plan redesignating the Ygnacio Center site to Mixed-Use Commercial. Hines looks forward to being a part of the exciting opportunities this Specific Plan presents.

Ygnacio Center Development as an Alternative in the Draft EIR

Even if the City has decided not to redesignate Ygnacio Center to Mixed-Use Commercial in the Specific Plan, we encourage the City in its preparation of the Final EIR to include as an additional project alternative a land use plan that incorporates additional Mixed-Use Commercial land uses on parcels north of Ygnacio Valley Road, including the Ygnacio Center, for purposes of further mitigating potentially significant impacts associated with the North Downtown Specific Plan. This alternative could also include a Mixed-Use Commercial designation for those parcels along the north side of Ygnacio Valley Road east of North Main Street (parcels within the areas designated Traffic Analysis Zone (TAZ) 8 and 10 on Figure 4.2-9

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of the Draft EIR).

The development of residential units at the Ygnacio Center would supplement current office uses, and provide additional horizontal mixed-use development opportunities within the Specific Plan area. The mixed-use residential building under consideration by Hines would be approximately located on the footprint of the existing Annex Building of One Ygnacio Center, an 11,334-square-foot building that is not occupied with any existing office uses. The residential building could potentially share parking facilities with the Ygnacio Center office buildings by incorporating access to the 6-story parking garage building at the center of the Ygnacio Center, which would be consistent with the Draft Specific Plan mobility goal MB 1.27, Shared Parking. (See Draft Specific Plan, pp. 164, 168.)

This project alternative would revise the land use plan only, and would not alter development standards such as the base height and intensity standards provided in Chapter 4 of the Draft Specific Plan. The maximum height and maximum FAR for the Ygnacio Center would remain 89 feet and 3.5 FAR. (See Draft Specific Plan, Figure 4.1, p. 60.) The project alternative also would not revise the types of uses permitted under the Mixed-Use Commercial designation. (See Draft Specific Plan, Table 3.1, p. 39.)

The Ygnacio Center Development Alternative is Consistent with Project Objectives

Inclusion of an Ygnacio Center Development Alternative is also consistent with most of the basic Project objectives identified in Chapter 3.0 of the Draft EIR. This alternative would further project objectives to “implement land use policies that take full advantage of the Plan Area’s proximity to the Walnut Creek BART station,” and to “ensure that the transition from commercial land use to multi-family residential land use occurs in a responsible and fiscally sustainable manner.” (Draft EIR, Section 3.6, pp. 3-12 to -13.) Currently, the Ygnacio Center is the only area within the Specific Plan area adjacent to the BART Station that would not allow for mixed use development under the Specific Plan, and it is reasonably foreseeable that this is the one area in the Specific Plan that *would actually* redevelop with mixed uses in the very near future.

Including the Ygnacio Center Development Alternative would also ensure consistency with the goals of Plan Bay Area “by focusing on mixed-use and high-density transit-oriented infill development adjacent to the Walnut Creek BART Station.” (Draft EIR, Section 4.1.2.2, p. 4.1-7.) The Draft EIR acknowledges that the Specific Plan Area is located within a Plan Bay Area Priority Development Area, an area where there is “a commitment to developing more housing, amenities, and services to meet community needs in a walkable, transit-oriented setting.” (Draft EIR, Section 3.5.1.1, p. 3-7.)

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The Ygnacio Center Development Alternative is Feasible and Would Substantially Lessen Significant Environmental Impacts.

There are meaningful environmental benefits to including in environmental impact report a project alternative that includes additional mixed-use opportunities north of Ygnacio Valley Road, including on the three parcels that comprise the Ygnacio Center. This alternative is expected to reduce traffic generated at the Ygnacio Center. The traffic analysis of existing conditions accounts for trips generated currently at the Ygnacio Center. The number of units included in the Ygnacio Center residential project would be fewer than the 280 multi-family units anticipated under the Cumulative No Project Forecasts (see Draft EIR, Section 4.2.4.2, p. 4.2-53), and therefore would be within the scope of anticipated growth, but would also reduce the number of vehicle trips generated by the Ygnacio Center office development through trip internalization. Further, due to its location immediately adjacent to the Walnut Creek BART Station, new residents could rely on public transit for their commute.

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This project alternative thus, would lessen traffic impacts that were determined to be significant and unavoidable impacts of the Draft EIR proposed project while also being consistent with the objectives of the Specific Plan to expand opportunities for mixed-use development within the Specific Plan area. Inclusion and acceptance of this project alternative would not trigger recirculation of an EIR under CEQA Guidelines section 15088.5.

Including an Ygnacio Center Mixed-Use Commercial proposal as a project alternative in the Draft EIR would show that this alternative mitigates traffic impacts that otherwise result from the proposed Specific Plan that maintains the Office site designation at the Ygnacio Center. For example, the Draft EIR found that implementation of the Draft Specific Plan would result in significant and unavoidable traffic impacts, including significant impacts to the I-680 Northbound On-Ramp during PM peak hour, impacts on the average travel speed on eastbound Ygnacio Valley Road in the PM peak hour, and added traffic to freeway segments (Draft EIR, Section 2.2.3, p. 2-2.) As shown in Table 4.2.P, these traffic impacts are largely driven by office employees leaving the Walnut Creek core area during the PM peak hour. (See Draft EIR, Table 4.2.P, p. 4.2-47.) Of the 1,338 outbound PM peak hour trips generated, 1,012 are generated from office land uses. (*Ibid.*) Table 4.2.P also shows, through application of the MXD+ Model, that increases in mixed use development within the Plan Area would offset PM peak hour outbound traffic impacts by 344 trips, exceeding the 195 total outbound trips generated by new apartment land uses. (*Ibid.*)

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The Ygnacio Center Mixed-Use Commercial proposal would also have the benefit of reducing air quality and greenhouse gas emission impacts of the North Downtown Specific Plan project. The Draft EIR finds that implementation of the Specific Plan “would support the development of medium- and high-density office, residential, and local serving retail near and around the Walnut Creek [BART] station and the City’s Core Area, reducing the demand for

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travel by single occupancy vehicles.” (Draft EIR, pp. 4.3-20 to -21.) Providing for additional mixed-use development at the Ygnacio Center, immediately adjacent to the BART station, would further “promote initiatives to reduce vehicle trips and vehicle miles traveled” and “increase the use of alternate means of transportation.” (Draft EIR, p. 4.3-21.) As a result, under the project alternative, total vehicle miles traveled (VMT) would increase at an even lower rate as compared to population growth due to the proposed complementary land uses and proximity to regional transit. (See Draft EIR, pp. 4.3-24 to -25.) This reduced VMT would result in reduced emissions of ozone precursors and carbon monoxide, and would also reduce associated operational greenhouse gas emission impacts. (See Draft EIR, Impact GHG-2, p. 4.4-23.)

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Finally, due to the same traffic reduction benefits from increased mixed-use development, the Ygnacio Center Mixed-Use Commercial alternative would reduce the noise impacts of the Specific Plan project. The Draft EIR identifies vehicle traffic noise as the dominant source of noise in the Plan Area. (See Draft EIR, p. 4.5-12.) While ambient traffic noises were found to be below the City’s normally acceptable exterior noise levels, further inclusion of land uses that encourage vehicle-free transit within the Specific Plan would offset the identified increases in L_{dn} from baseline conditions. (See Draft EIR, Table 4.5.J, p. 4.5-19.)

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In summary, we appreciate this opportunity to comment on the Draft Specific Plan and Draft EIR. We look forward to future planning efforts with the City on development at the Ygnacio Center, and provide these comments to help the City’s planning process more accurately reflect the Ygnacio Center proposal. We respectfully request that the Final EIR incorporate a project alternative that designates the Ygnacio Center as Mixed-Use Commercial. Thank you for your consideration of these comments.

Very truly yours,

BUCHALTER
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By

Michael Branson

cc: George Clever
Shawn Hardy
Alicia Guerra

Enclosures

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April 13, 2018

Jeanine Cavalli, Senior Planner Long Range &
Transportation Planning Community &
Economic Development Department
City of Walnut Creek
1666 North Main Street
Walnut Creek, CA 94596

Re: North Downtown Specific Plan

Dear Ms. Cavalli:

I understand that you are responsible for coordinating the North Downtown Specific Plan process in Walnut Creek. Buchalter represents a member of the public interested in the future redevelopment of the North Downtown area regarding certain land use matters affecting the Ygnacio Center. The purpose of this letter is to request your consideration of an alternative proposal for the Ygnacio Center—the three-parcel block bounded by Ygnacio Valley Road, North California Boulevard, Pringle Avenue, and North Main Street—as compared to that currently proposed in the North Downtown Specific Plan.

The North Downtown Specific Plan land use plan proposes to designate the Ygnacio Center property “Office.” We believe an alternative land use that would be more reflective of the surrounding area would be to re-designate the Ygnacio Center to a General Plan land use designation of “Mixed Use-Residential” in furtherance of the North Downtown Specific Plan Project Goals which seem to encourage a combination of multi-family residential and commercial land uses in the vicinity of the Walnut Creek BART station.

As you know, the Ygnacio Center is immediately adjacent to the Walnut Creek BART Station, and therefore serves as a critical gateway to the Downtown. The existing office buildings on the property contribute to meeting Walnut Creek’s goals to provide strong employment opportunities in close proximity to the Walnut Creek BART station. We believe that a Mixed Use-Residential land use designation would unlock opportunities for successful re-development of the Ygnacio Center in which the three larger office buildings would remain, and be strengthened by new ground-floor retail as well as residential development. In particular, the

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April 13, 2018
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Mixed Use-Residential designation would allow for redevelopment with retail and residential uses of the two-story office building located on North California Boulevard (the southern portion of 1990 N. California Boulevard). These additional uses would fully capitalize on the property's proximity to the Walnut Creek BART Station and further extend the vibrant residential/commercial land use pattern flourishing in Downtown Walnut Creek.

Moreover, the Mixed Use-Residential designation fits well with the three land use alternatives studied by this Advisory Committee. It would also be consistent with the Mixed Use designation for the Golden Triangle, which is adjacent to the BART Station. We believe that it would be timely for the City to consider land use designations other than Office as part of its alternatives analyses and planning efforts in furtherance of the City's goals to promote transit-oriented residential and mixed use development.

Further, the Mixed Use-Residential designation would satisfy several of the North Downtown Specific Plan Project Goals. In particular, re-designating the Ygnacio Center to Mixed Use-Residential would help ensure a transition from strictly commercial and office uses to multi-family residential land uses in a responsible and fiscally sustainable manner by building on the Ygnacio Center's strong office assets while allowing multi-family residential to coincide with existing office uses. The applicable 89-foot limitation provides flexibility for this re-designation. On-site residential development would help support the Project Goal of expanding Walnut Creek's position as not only a major employment and retail commercial center, but also a housing center. Re-designation would also enable the development of varied employment opportunities through retail use, greatly optimize non-vehicle transportation connections by encouraging greater use of the Walnut Creek BART Station and guiding BART riders, and bridge a critical connection between Downtown Walnut Creek and the BART Station.

Thank you for providing the public an opportunity to comment on the draft North Downtown Specific Plan. We greatly appreciate your consideration of the re-designation of the Ygnacio Center to a Mixed Use-Residential land designation.

Very truly yours,

BUCHALTER
A Professional Corporation


By

Michael Branson

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cont.

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April 19, 2018

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Jeanine Cavalli, Senior Planner
City of Walnut Creek
1666 North Main Street
Walnut Creek, CA 94596

Re: North Downtown Specific Plan Land Use Designation for the Ygnacio Center

Dear Jeanine:

Thank you and members of the North Downtown Specific Plan Advisory Committee for your continued consideration of alternative land use designations for the Ygnacio Center within the North Downtown Specific Plan Area. I write to provide further clarity and information on the proposal, to modify our request based on feedback from the Committee, and to respond further to the Committee's comments.

As discussed below, our client envisions a combination of commercial and residential uses at the Ygnacio Center to be consistent with the City and community's vision for mixed-use transit-oriented development surrounding the Walnut Creek BART Station. Our request to redesignate the Ygnacio Center property would promote exciting new uses in the North Downtown Specific Plan Area without impacting critical office uses.

Background on the Ygnacio Center

Advisory Committee members requested further information on the existing uses at the Ygnacio Center, and how proposed redevelopment would impact those existing uses. In response, the Ygnacio Center consists of three separate office buildings, each of which are located on separate legal parcels, but all located on the block bounded by Ygnacio Valley Road, North California Boulevard, Pringle Avenue, and North Main Street. An aerial photo of the site is provided as **Exhibit A** to this letter for your reference.

One Ygnacio Center—1990 North California Boulevard—consists of a high-rise office building constructed in 1971 as well as a two-story “Annex Building” constructed in 1980 that was added to the southern end of the parcel. The Annex Building is currently unoccupied and is undergoing renovations to be used as an amenity center for office tenants. The high-rise office

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Jeanine Cavalli, Senior Planner
April 19, 2018
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building and the Annex Building are connected by a partially enclosed atrium; however, the high-rise office and the Annex Building are two structurally separate buildings.

Two Ygnacio Center—2033 North Main Street—was built in 1985, and is the largest office building within the center. This building is located on the northeast corner of the Ygnacio Center. In addition to commercial office tenants, a 24 Hour Fitness is also located within Two Ygnacio Center.

Three Ygnacio Center—2001 N. Main Street—was constructed in 2001. The office building is located at the intersection of Ygnacio Valley Road and North Main Street. Tenants include City National Bank and Fidelity Investments.

The Proposed Redevelopment

Advisory Committee members requested additional information on the proposed redevelopment, and how it would impact existing uses. The proposed redevelopment at the Ygnacio Center is in the early conceptual planning stages. However, the conceptual plan is for a mixed-use residential building which would replace the Annex Building of One Ygnacio Center. The high-rise office buildings at One Ygnacio Center, Two Ygnacio Center, and Three Ygnacio Center would not be impacted by redevelopment and will remain office buildings. Removal of any of the large office buildings on the site would not be cost effective or financially prudent. The atrium that connects the high-rise office building to the Annex Building could be removed as part of the redevelopment.

Our Land Use Re-Designation Request

Last week, I requested that the Advisory Committee consider changing the land use designation for the Ygnacio Center to “Mixed Use-Residential.” For purposes of consistency, this request was for the entire Ygnacio Center, even though our client’s anticipated redevelopment efforts would not include redevelopment of the existing high-rise office buildings.

Several Committee members, however, indicated that re-designating the Ygnacio Center would be more appropriate if it were re-designated to a Mixed Use-Commercial designation. We agree that re-designating the Ygnacio Center to Mixed Use-Commercial, or even utilizing the Office-Residential Flex land use designation utilized in the Revised Draft West Downtown Specific Plan, would be an appropriate and consistent alternative. The Mixed Use-Commercial designation has the advantage of making clear that the predominant use of the Ygnacio Center would remain commercial office, but would also permit residential redevelopment on a portion of the Ygnacio Center.

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Jeanine Cavalli, Senior Planner
April 19, 2018
Page 3

Consistency with Surrounding Uses

I understand that some Committee members expressed concern about the possibility of spot zoning if the City were to change the land use designation of the Ygnacio Center. From our client's perspective and based on the Committee's comments, a case may be made that re-designating the Ygnacio Center with the Mixed Use-Commercial designation would not only be consistent with adjacent land use designations, but would emulate the land use designations proposed at and surrounding the Walnut Creek BART Station.

In this regard, the proposal for a residential building at the Ygnacio Center would create a horizontal distribution of several different land uses on the site. This form of mixed use is nearly identical to the Mixed Use and Office-Residential Flex land use designations proposed in the Revised Draft West Downtown Specific Plan. In that plan, the Walnut Creek BART Station is designated as Mixed Use, while the block immediately south of the BART Station and kitty corner to the Ygnacio Center is designated for Office-Residential Flex. The Mixed Use designation states that mixed uses may be either horizontally or vertically distributed on the site. Areas designated as Office-Residential Flex can be developed with offices, multi-family residential, or a combination of both. While these uses are contained in a separate specific plan, they are applied to sites immediately adjacent to the Ygnacio Center. A copy of the Revised Draft West Downtown Specific Plan land use map is provided with this letter as **Exhibit B**.

Similarly, the two parcels immediately adjacent to both the BART Station and the Ygnacio Center within the North Downtown Specific Plan area are both proposed to be designated as Mixed-Use Commercial. A Mixed-Use Commercial designation for the Ygnacio Center would be consistent the land use designation on these surrounding parcels as well as consistent with the goal of mixed-use, transit-oriented development on and surrounding the Walnut Creek BART Station. Because the re-designation would be consistent with surrounding land use designations, the re-designation would not be considered spot zoning.

Thank you once again for providing the public an opportunity to comment on the draft North Downtown Specific Plan. We greatly appreciate your consideration of the re-designation of the Ygnacio Center to a Mixed Use-Commercial land designation.

Very truly yours,

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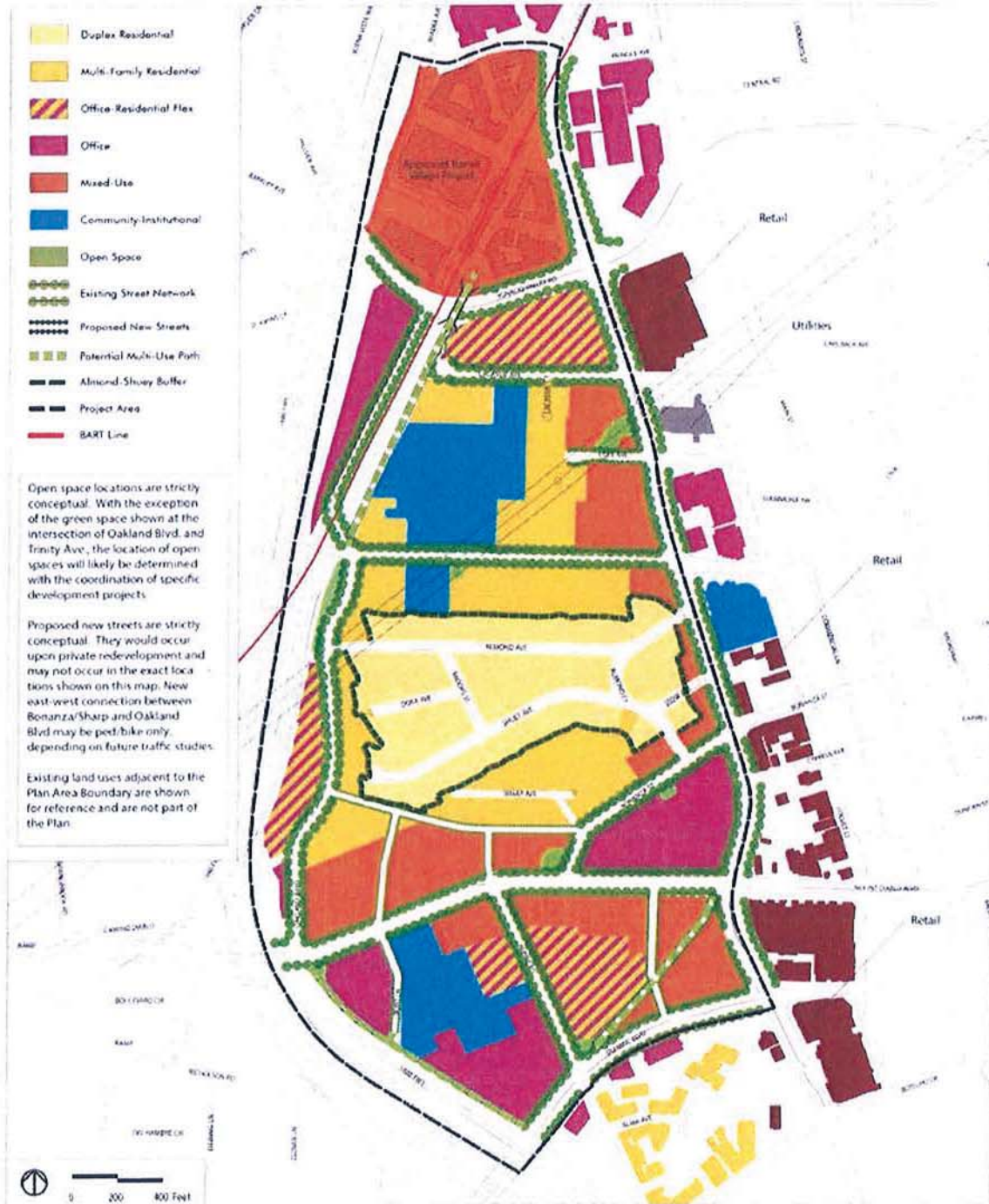
By

Michael Branson

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cont.



FIGURE 3-1: LAND USE CONCEPT



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COMMENTER B1

Michael Branson
Buchalter
August 6, 2018

- Response B1-1: The comment that the City should include in the Specific Plan a redesignation of the Ygnacio Center site from Office to Mixed-Use Commercial is noted. The comment also requests that the City include and evaluate an additional project alternative that includes the redesignation of the Ygnacio Center site to Mixed-Use Commercial. In accordance with CEQA, the Draft EIR appropriately identified a range of reasonable and feasible alternatives to the proposed project that would generally meet the project objectives and avoid or reduce the identified significant impacts to the greatest extent possible. While the commenter generally notes that revising the land use plan to designate the Ygnacio Center as Mixed-Use Commercial would further mitigate “potentially significant impacts,” identified in the Draft EIR, the commenter does not note how the proposed land use change would actually do so. As stated in CEQA Section 15126.6, an EIR need not consider every conceivable alternative to a project. The Draft EIR includes a reasonable range of alternatives that would reduce or avoid two project-related significant and unavoidable impacts to a less-than-significant level. The alternatives identified in the Draft EIR are sufficient for examination and consideration by the City decision-makers. No further response is necessary.
- Response B1-2: This comment suggests that including an alternative that identifies a proposed change in land use at the Ygnacio Center site is a feasible alternative and suggests that the change in land use “is expected to reduce traffic generated at the Ygnacio Center.” The traffic analysis in the Draft EIR appropriately identifies and evaluates the potential traffic and circulation impacts associated with implementation of the Specific Plan. The Draft EIR need not include an alternative that shows a land use change for one site, as the proposed land use revision (from office to mixed-use commercial) would not reduce any of the significant unavoidable impacts to a less-than-significant level, whereas, the Draft EIR alternatives do. No further response is necessary.
- Response B1-3: This comment identifies analysis contained in Section 4.2, Transportation and Circulation. See also Response B1-2.
- Response B1-4: This comment states that because there would be a reduction in trips from the Ygnacio Center site should it be redesignated to Mixed Use Commercial, there would also be related reductions in air quality emissions (see Draft EIR Section 4.3, Air Quality), and reductions in total vehicle miles travelled and

greenhouse gas emissions (see Draft EIR Section 4.4, Greenhouse Gas Emissions). The comment does not state the degree to which air quality, vehicle miles travelled, or greenhouse gas emissions would be reduced. The Draft EIR includes mitigation measures that would reduce all significant air quality and greenhouse gas emissions to a less-than-significant level. No further response is necessary.

Response B1-5: This comment states that because there would be a reduction in trips from the Ygnacio Center site should it be redesignated to Mixed Use Commercial, there would also be related reductions in noise associated with the project (see Draft EIR Section 4.5, Noise). The comment does not state the degree to which noise levels would be reduced with the proposed change. The Draft EIR includes mitigation measures that would reduce all significant noise impacts to a less-than-significant level. No further response is necessary.

Response B1-6: This comment provides attachments that are referenced in the comment letter. This comment does not relate to the adequacy of the information or analysis within the Draft EIR. No further response is required.

From: Reed Onate [mailto:ReedO@HallEquitiesGroup.com]
Sent: Wednesday, August 08, 2018 10:40 AM
To: Jeanine Cavalli <cavalli@walnut-creek.org>
Subject: North Downtown Specific Plan - CEQA comment

Hello Jeanine,

I wanted to follow up on some comments I made at the last Planning Commission / Transit committee joint meeting. Hall Equities Group currently has an active application for a hotel project within the specific plan area, the application was submitted in early March 2018. We request that the specific plan EIR document be inclusive of the potential environmental impacts of the project, including but not limited to land use, traffic, noise, air quality, and green house gas impacts.

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Your reply to confirm receipt is appreciated.

Best,

Reed Oñate
Vice President - Forward Planning
Hall Equities Group - CA-DRE #00241430
1855 Olympic Blvd., Suite 300
Walnut Creek, CA 94596

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COMMENTER B2

Reed Oñate
Hall Equities Group
August 8, 2018

Response B2-1: This comment requests that the City consider an active application for a hotel project within the Specific Plan Area, and that the project be incorporated into the Specific Plan and evaluated in the EIR. In response, this program EIR evaluates the potential environmental effects of projected development associated with implementation of the Specific Plan. A discussion of the use of a program EIR and its use for evaluating future projects is included in Chapter 3, Project Description, starting on page 3-5. No individual projects are evaluated separately in this EIR. After EIR certification and Specific Plan adoption, the City will consider individual projects as they are proposed and will determine the level of CEQA review that is required. This comment does not relate to the adequacy of the information or analysis within the Draft EIR. No further response is required.

PUBLIC COMMENTS

PLANNING COMMISSION AND TRANSPORTATION COMMISSION MEETING (July 26, 2018)

Cindy Darling, Commissioner

PC1-1: How were the General Plan buildout assumptions included in the Draft EIR?

Response PC1-1: The General Plan development assumptions for the Plan Area were included as an alternative (No Project Alternative) and compared to the proposed project in the Chapter 6, Alternatives. General Plan buildout assumptions were also considered during preparation of the Cumulative No Project and Plus Project traffic scenarios.

PC1-2: Were mitigation measures considered and available to reduce two project-related traffic significant and unavoidable (SU) impacts (one at the Penniman Way/Lawrence Way/I-680 Northbound On-Ramp intersection and one on eastbound Ygnacio Valley Road related to travel speed)?

Response PC1-2: Mitigation measures are identified in the Draft EIR for the two project-related Significant and Unavoidable impacts. All feasible mitigation measures were explored, but none were identified that would reduce the impacts to a less-than-significant level. Therefore, even with implementation of the required mitigation measures the impacts would still remain Significant and Unavoidable.

PC1-3: TDM strategies for employers, like the Shadelands shuttle running in reverse, should be considered and improved to reduce single-occupancy vehicles and/or get people out of their cars.

Response PC1-3: The Specific Plan supports TDM and the City is supporting TDM through a citywide TDM strategy that is currently being developed. However, while TDM strategies can be listed as partial mitigation measures per CEQA, they cannot be used to show a reduction in the proposed project's impact to a less-than-significant level, as TDM measures are not fully enforceable through permit conditions, agreements or other measures. Therefore, the effectiveness of the TDM cannot be ensured. Additionally, see Response PC1-2 regarding identification of feasible mitigation measures.

Robert Pickett, Commissioner

PC2-1: Were potential pedestrian/bicycle/vehicular conflicts associated with the identified mid-block and multi-use pathways considered in the EIR?

Response PC2-1: Potential pedestrian/bicycle/vehicular conflicts associated with the identified mid-block and multi-use pathways were considered and evaluated in Section 4.2, Transportation and Circulation, see discussion starting on page 4.1-72.

Eric Harrison, Commissioner

PC3-1: The AM and PM trip generation rates identified in the Draft EIR appear low.

Response PC3-1: The trip generation rates associated with the proposed project are identified in Section 4.2, Transportation and Circulation. The rates were based on standard rates from the ITE Trip Generation Manual, with reductions to reflect the Plan Area's proximity to BART, its location adjacent to the Downtown, and locations of complementary uses. These reductions were made using a validated trip estimating tool based on trip making data collected at mixed-use, transit proximate development areas throughout the United States, as described in the DEIR transportation chapter beginning on page 4.2-39.

PC3-2: Would TDM measures be required for both new employers and existing employers? Having existing employers implement TDM strategies would help reduce traffic impacts.

Response PC3-2: As noted in the 2005-2025 General Plan, the City adopted TDM strategies in the early 1980s. Additionally, the Bay Area Air Quality Management District (BAAQMD) has a mandatory program called "Commuter Benefits Program" which requires companies and agencies with 50 or more paid employees who work full-time within BAAQMD's boundaries to register and provide commuter benefits to all covered employees. However, State law prohibits cities from requiring employer-based TDM programs.

See Response PC1-3 regarding mitigation measures related to TDM programs.

Melissa Ward, Commissioner

PC4-1: The commenter is concerned about the significant and unavoidable project-related impact identified in the Draft EIR at the Penniman Way/Lawrence Way/I-680 Northbound On-Ramp intersection, and notes that the traffic is currently at unacceptable conditions during the AM and PM peak hours.

Response PC4-1: The current level of service condition of the intersection is identified in Section 4.2, Transportation and Circulation, of the Draft EIR. Additionally, a significant and unavoidable impact is identified for this intersection in the 2005-2025 General Plan EIR. As noted in response PC1-2, all feasible mitigation measures were explored, but none would reduce the impact to a less-than-significant level. Therefore, even with implementation of the required mitigation measures, the project-related impact at this intersection would remain Significant and Unavoidable.

PC4-2: The commenter expressed concerns that there may be potential pedestrian/bicycle/vehicular conflicts associated with the identified mid-block and multi-use pathways unless they are carefully designed.

Response PC4-2: Please see Response PC2-3.

Reed Oñate

PC5-1: The commenter asked if their active application for an 89-unit hotel on Ygnacio Valley Road had been incorporated into the EIR projections.

Response PC5-1: Please see Response B2-1.

Michael Branson

PC6-1: The commenter requests that the Specific Plan be revised to designate the Ygnacio Center site as Mixed Use Commercial, and that the Draft EIR be revised to include a new alternative that evaluates a mixed-use commercial and residential use at the Ygnacio Center.

Response PC6-1: Please see Responses B1-1 and B1-2.

CITY COUNCIL MEETING (August 7, 2018)

No comments were made on the Draft EIR at the City Council meeting on the Draft Specific Plan and Draft EIR.

4.0 DRAFT EIR TEXT REVISIONS

This chapter presents specific changes to the text of the Draft EIR that are being made to clarify any errors, omissions, or misinterpretation of materials in the Draft EIR in response to comments received during the public review period. In no case do these revisions result in a greater number of impacts or impacts of a greater severity than those set forth in the Draft EIR. Where revisions to the main text are called for, the page and paragraph are set forth, followed by the appropriate revision. Added text is indicated with double underlined text, and deleted text is shown in ~~strikeout~~.

The following text revision is made to page 2-1 of the Draft EIR:

For each new or revised land use designation, the uses allowed and the standards for development intensity are specified in the Specific Plan. Full buildout of the Specific Plan is projected to occur in approximately 20 years (although some implementation programs and improvements may happen more slowly) and ~~to~~ result in an increase in population of approximately 1,519 new persons, the addition of approximately 899 housing units, and the addition of approximately 3,546 jobs. Refer to Chapter 3.0, Project Description, for a complete description of the Specific Plan development program assumptions and associated approvals.

The following text revision is made to page 3-14 of the Draft EIR:

- Existing multi-story office and multi-family residential buildings built since 1985 are anticipated to remain through the approximately 20-year Plan horizon.

The following text revision is made to page 3-15 of the Draft EIR:

The approximately 20-year vision for the Specific Plan is that the Plan Area becomes better connected and integrated with Walnut Creek's traditional Downtown, the BART station, Civic Park, Iron Horse Trail, surrounding neighborhoods, and the region. It will continue to be an important jobs center and location for automobile sales and service, while also continuing to evolve into a vibrant mixed-use district that integrates housing, retail, restaurant, civic, hospitality, arts and entertainment uses.

The following text revision is made to page 3-23 of the Draft EIR:

The City has prepared growth projections to identify potential future development that would likely occur under the Specific Plan by 2038. For the purposes of evaluating the potential effects of the Specific Plan, these projections have been translated into equivalent estimates of the number of housing units, jobs, and population to occur by 2038, shown in Table 3-A. These future projections were identified by the City based on a parcel-by-parcel analysis of the potential development sites in the Plan Area that have the highest likelihood of being redeveloped over the approximately 20-year time horizon of the Specific Plan. However, some implementation programs and improvements may happen more slowly and occur after the year 2038, as described in Chapter 7, Implementation of the Specific Plan.

Figure 3-4, Proposed Land Use Map on page 3-17 of the Draft EIR has been revised to replace the figure with an updated land use figure from the March 2019 North Downtown Specific Plan. The revised figure is shown on page 4-3 of this chapter.

Figure 3-5: Proposed Special Districts on page 3-21 of the Draft EIR has been revised to replace the figure with an updated Special Districts figure from the March 2019 North Downtown Specific Plan. The revised figure is shown on page 4-4 of this chapter.

Figure 3-6: Proposed Circulation Network on page 3-25 of the Draft EIR has been revised to replace the existing figure with an updated figure that removes the proposed Parkside Drive multi-use path facility from the Specific Plan. The revised figure is shown on page 4-5 of this chapter.

The following text revision is made to Table 4.4.C in the Discussion column on page 4.4-27 of the Draft EIR:

Projects allowed under the Specific Plan would be required to comply with the latest CALGreen standard building measures and Title 24 standards. Policies 5.10, 5.11, and 5.12, ~~and 5.13~~ relate to green building. Policy 5.10 ~~11~~ encourages the use of sustainable design features such as rooftop photovoltaic generation and passive solar water heating. Policy 5.11 ~~12~~ encourages the use of solar reflective roofing and green roofs to reduce overall building energy and manage stormwater runoff. Policy 5.12 ~~13~~ recommends utilizing high-quality, durable finishing materials such as concrete, steel, stone, hardwood, and glass and discourages the use of low quality materials such as T1-11 siding and spray stucco ~~are discouraged~~.

The following text revision is made to Table 4.4.C in the Discussion column on page 4.4-28 of the Draft EIR:

Projects allowed under the Specific Plan would be required to comply with the latest CALGreen standard building measures and Title 24 standards. Policies 5.10, 5.11, and 5.12, ~~and 5.13~~ relate to green building. Policy 5.10 ~~11~~ encourages the use of sustainable design features such as rooftop photovoltaic generation and passive solar water heating. Policy 5.11 ~~12~~ encourages the use of solar reflective roofing and green roofs to reduce overall building energy and manage stormwater runoff. Policy 5.12 ~~13~~ recommends utilizing high-quality, durable finishing materials such as concrete, steel, stone, hardwood, and glass and discourages the use of low quality materials such as T1-11 siding and spray stucco ~~are discouraged~~.

The following text revision is made to Table 4.4.C in the Discussion column on page 4.4-30 of the Draft EIR:

Specific Plan Policy ~~ies~~ LU 3.2 ~~and 3.3~~ allows and supports the flexible range of market-rate housing types that are affordable “by design,” including smaller apartment and condominium units, compact housing types, intergenerational housing, co-housing, live-work units, accessory dwelling units, or other innovative housing types that serve moderate income households. In addition, Specific Plan Policy LU 3.3 ~~4~~ would develop new and existing incentives for affordable housing and ~~Policy LU 3.5~~ would consider innovative funding sources, tax credit programs, and public-private partnerships as a way to make affordable housing more viable in the Plan Area.

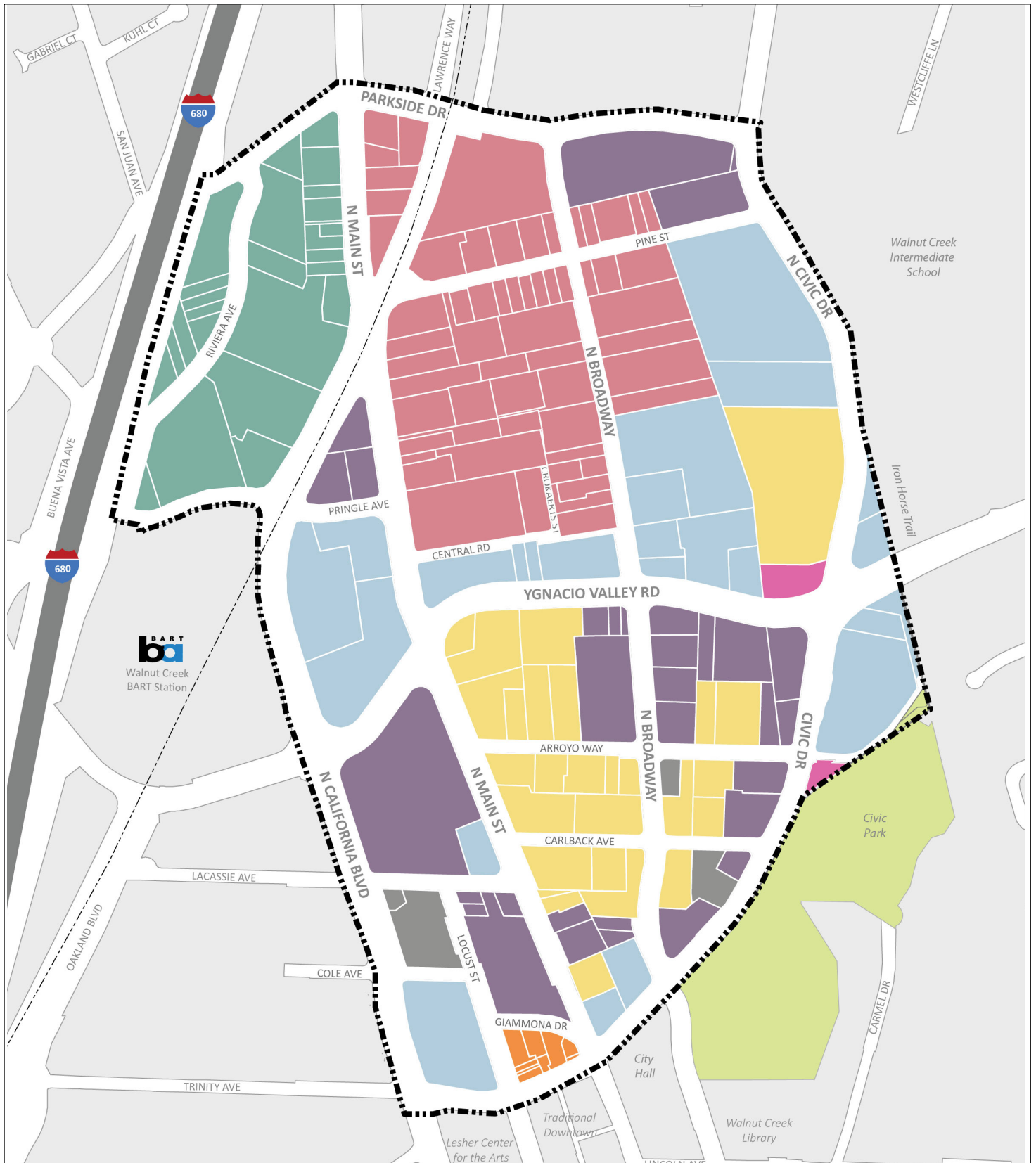


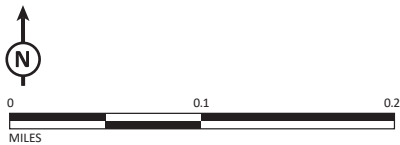
FIGURE 3-4

LSA

- Auto Sales & Custom Manufacturing (AS-CM)
- Mixed Use - Residential (MU-R)
- Office (OF)
- Mixed Use - Commercial (MU-C)
- Pedestrian Retail (PR)
- General Retail (GR)
- Public/Semi-Public (PU)
- Golden Triangle (GT)

Plan Area BART Rail

Data Sources: City of Walnut Creek GIS data, Contra Costa County GIS data, 2015 ESRI, USGS



North Downtown Specific Plan EIR
Proposed Land Use Map

SOURCES: CITY OF WALNUT CREEK GIS DATA; CONTRA COSTA COUNTY GIS DATA, 2015, ESRI, USGS

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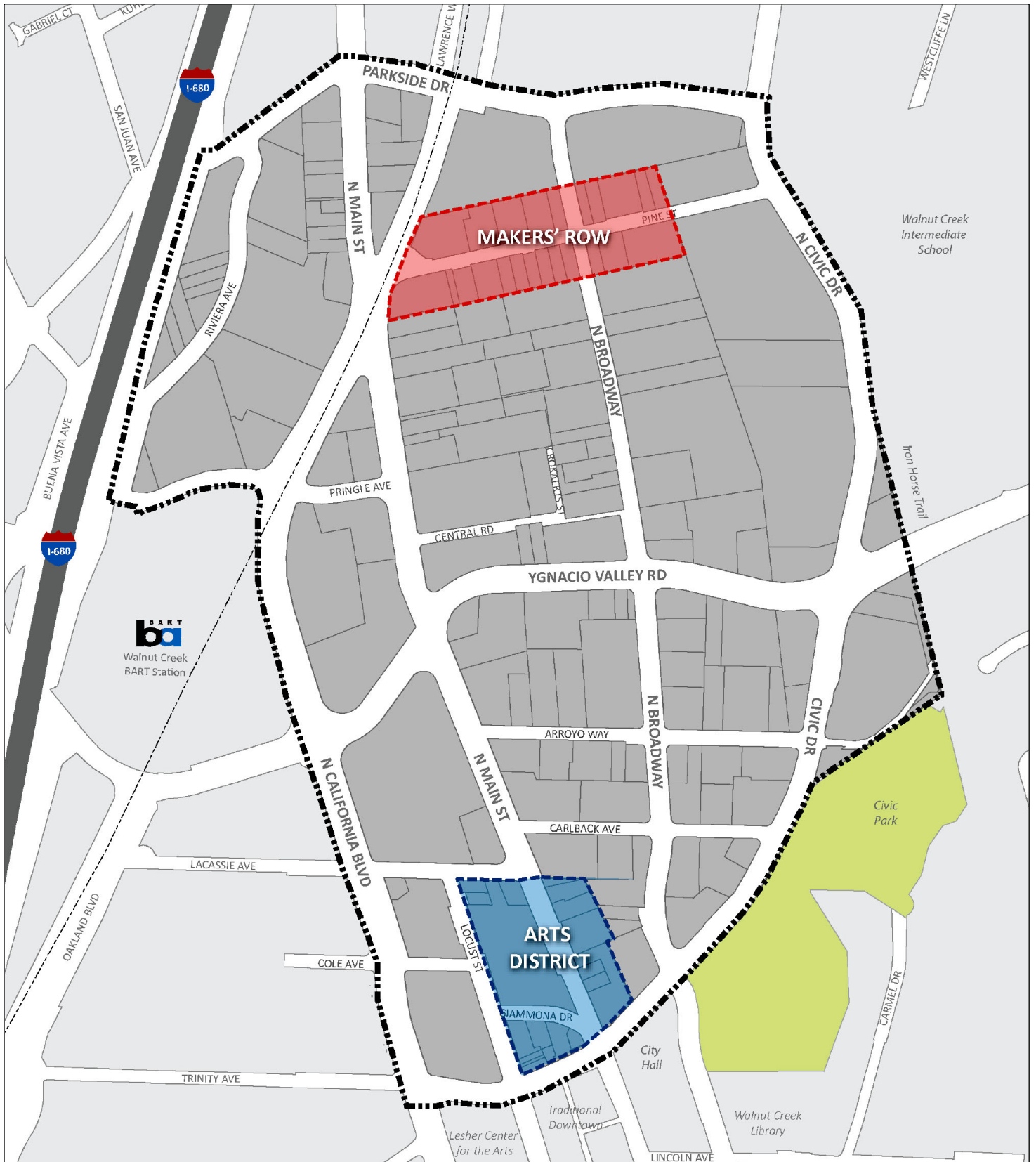
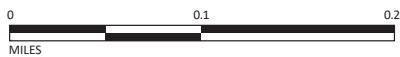


FIGURE 3-5

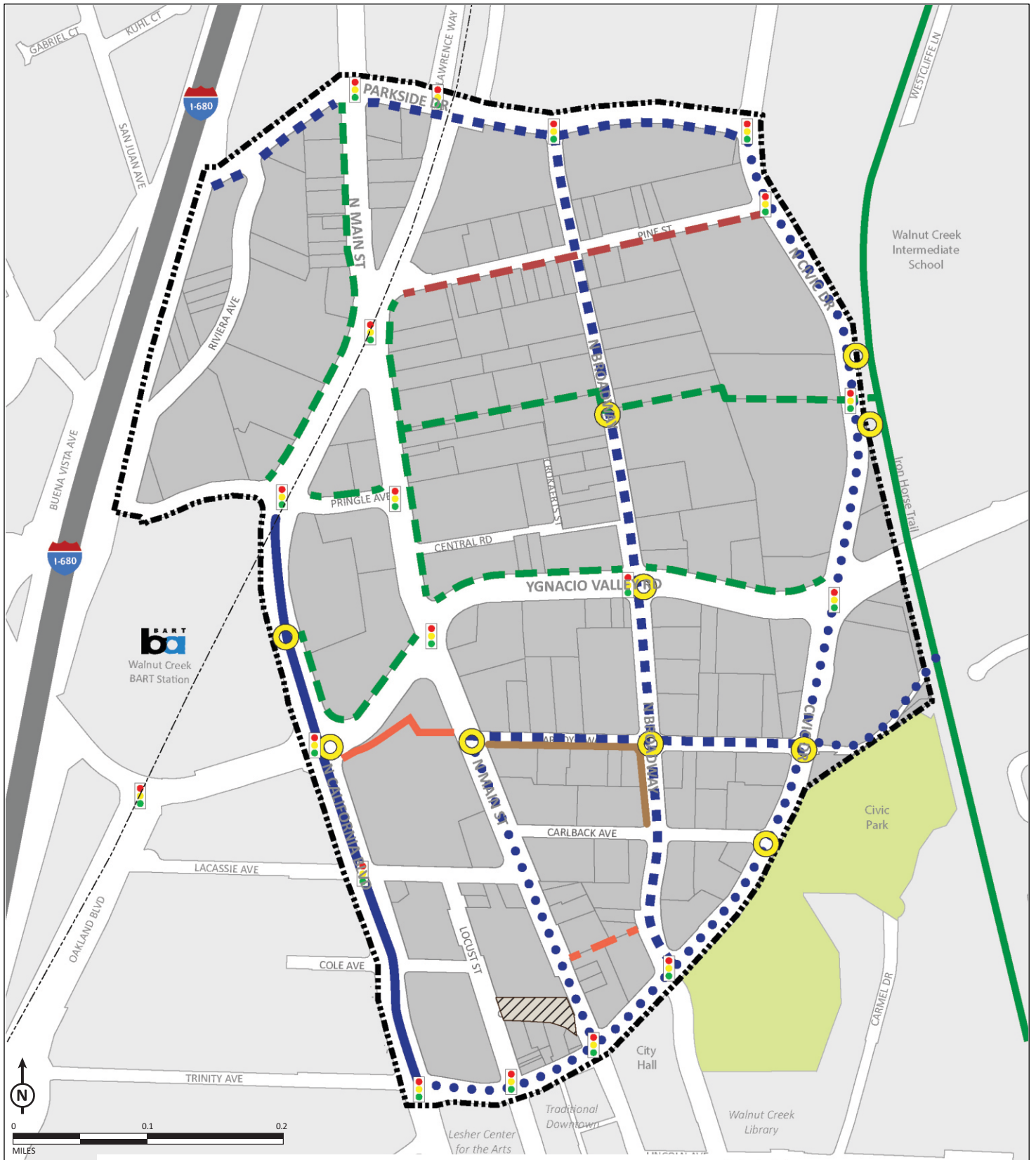
LSA



Plan Area



BART Rail



- | | | |
|------------|-----------------------------------|--|
| LSA | Existing Bicycle Lanes | Pine Street (Short-term proposed bicycle route, long-term proposed multi-use path) |
| | Proposed Bicycle Lanes | Existing Traffic Signal |
| | Proposed Bicycle Route | Proposed Improved Pedestrian Connection |
| | Proposed New Sidewalk | Potential for Pedestrian Plaza with Limited Vehicular Access |
| | Existing Shared-use Path | Plan Boundary |
| | Proposed Shared-use Path | BART Rail |
| | Existing Pedestrian Pass-through | |
| | Potential Pedestrian Pass-through | |

FIGURE 3-6

North Downtown Specific Plan EIR
Proposed Circulation Network

SOURCES: CITY OF WALNUT CREEK GIS DATA; CONTRA COSTA COUNTY GIS DATA, 2015, ESRI, USGS
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5.0 MITIGATION MONITORING AND REPORTING PROGRAM

This Draft Mitigation Monitoring and Reporting Program (MMRP) is formulated based upon the findings of the Environmental Impact Report (EIR) prepared for the North Downtown Specific Plan Project (interchangeably referred to herein as the “proposed project” or “Specific Plan”). This MMRP is in compliance with Section 15097 of the CEQA Guidelines, which requires that the Lead Agency “adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.” The MMRP has been prepared in tabular form (see Table 5-1: Mitigation Monitoring and Reporting Program). The MMRP lists mitigation measures recommended in the EIR and identifies mitigation monitoring requirements.

Table 5-1 presents the mitigation measures identified for the proposed project. Each mitigation measure is numbered with a symbol indicating the topical section to which it pertains, a hyphen, and the impact number. For example, Mitigation Measure TRA-1 is the first mitigation measure identified in the EIR.

The first column of Table 5-1 identifies the mitigation measure. The second column, entitled “Party Responsible for Implementation,” names the party responsible for implementing the mitigation measure, and the third column identifies the project phase during which implementation shall occur. The fourth column, “Agency Responsible for Monitoring,” names the party ultimately responsible for ensuring that the mitigation measure is implemented; the fifth column, “Monitoring Action,” identifies the action that the responsible agency needs to do, and the sixth column, “Monitoring Frequency,” identifies how often the monitoring action would need to take place.

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Table 5-1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
4.2 TRANSPORTATION AND CIRCULATION					
TRA-1: The City of Walnut Creek will coordinate with Caltrans to review and adjust the timing of the signal at Penniman Way/Lawrence Way/I 680 Northbound On-Ramp to respond to traffic volume changes over time, to balance the demands of freeway traffic flows and City street traffic flows. However, signal timing adjustments would not necessarily reduce this impact to a less than significant level. Therefore, this impact would remain significant and unavoidable with mitigation.	City of Walnut Creek Public Works Department	During construction	City of Walnut Creek Public Works Department	Verification that improvements are constructed	Continuous
TRA-2: Ygnacio Valley Road is a regional transportation facility that serves travel demand generated by Walnut Creek and several other communities, including Concord, Clayton, and East Contra Costa County cities. The City of Walnut Creek will continue working with the Contra Costa Transportation Authority, the Metropolitan Transportation Commission, Caltrans, and other jurisdictions to develop and implement regional solutions to traffic congestion along this corridor.	City of Walnut Creek Public Works Department	Prior to construction During construction Post construction	City of Walnut Creek Public Works Department	Verification that the City continues to work with local agencies	Continuous

Table 5-1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
<p>TRA-3: The City of Walnut Creek will contribute to regional freeway system improvements such as the Innovate 680 improvements, and the SR 4 widening projects, through sales tax increment funds accruing from new development in the Plan Area. The Innovate 680 project includes seven strategies that are projected to substantially relieve congestion on I-680. The strategies include:</p> <ol style="list-style-type: none"> 1. Completing the HOV/Express Lanes 2. Cooling Corridor Hot Spots 3. Increasing efficiency of bus service 4. Enhancing travel demand management strategies 5. Providing first mile/last mile connections 6. Implementing innovative operational strategies 7. Preparing the corridor for the future <p>The first two strategies above are projected to reduce PM peak period congestion by up to 90 percent. The CCTA is anticipated to release an RFP in 2018 to study and implement all of these strategies. Because Walnut Creek does not control the funding, prioritization, and construction of these projects, this impact would remain significant and unavoidable after mitigation.</p>	<p>City of Walnut Creek Community Development Department</p>	<p>As funding accrues from new development in the Plan Area</p>	<p>Caltrans</p>	<p>Verification of fund contributions</p>	<p>As funding accrues from new development in the Plan Area</p>
<p>TRA-4: Refer to Mitigation TRA-3.</p>	<p>City of Walnut Creek Community Development Department</p>	<p>As funding accrues from new development in the Plan Area</p>	<p>Caltrans</p>	<p>Verification of fund contributions</p>	<p>As funding accrues from new development in the Plan Area</p>

Table 5-1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
4.3 AIR QUALITY					
<p>AIR-1: Project contractors shall follow Basic Construction Mitigation Measures as recommended by the BAAQMD, including:</p> <ul style="list-style-type: none"> • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 mph. • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. 	Individual project contractors	During construction	City of Walnut Creek Community Development Department	<p>Plan review and approval</p> <p>Site inspections</p>	<p>Once during plan review and approval</p> <p>During regularly scheduled site inspections</p>

Table 5-1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
<ul style="list-style-type: none"> All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. A publicly visible sign shall be posted with the telephone number and person to contact at the City of Walnut Creek regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD phone number shall also be visible to ensure compliance with applicable regulations. 					
<p>AIR-2: All proposed development projects associated with implementation of the Specific Plan which would include construction activities within 1,000 feet of a residential dwelling unit, shall conduct a construction health risk assessment to assess emissions from all construction equipment during each phase of construction prior to issuance of building permits. Equipment usage shall be modified as necessary to ensure that equipment use would not result in a carcinogenic health risk of more than 10 in 1 million, an increased non-cancer risk of greater than 1.0 on the hazard index (chronic or acute), or an annual average ambient PM_{2.5} increase greater than 0.3 micrograms per cubic meter (µg/m³).</p>	<p>Project applicants with projects which would include construction activities within 1,000 feet of a residential dwelling unit</p>	<p>Prior to issuance of building permits</p>	<p>City of Walnut Creek Community Development Department</p>	<p>Plan review and approval Site inspections</p>	<p>Once during plan review and approval During regularly scheduled site inspections</p>

Table 5-1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
<p>AIR-3: For residential or other sensitive use projects proposed within 500 feet of I-680, and/or any of the stationary sources identified in Table 4.3.F, the City of Walnut Creek shall require an evaluation of potential health risk exposure. The applicant for a sensitive use project within the Plan Area shall prepare a report using the latest BAAQMD permit data and roadway risk estimates to determine impacts to future residents. The report shall outline any measures that would be incorporated into the project necessary to reduce carcinogenic health risk of to less than 10 in 1 million, reduce the non-cancer risk of to less than 1.0 on the hazard index (chronic or acute), and ensure the annual average ambient PM_{2.5} increase is less than 0.3 µg/m³. Measures to reduce impacts could include upgrading air filtration systems of fresh air supply, tiered plantings of trees, and site design to increase distance from source to the receptor.</p>	<p>Project applicants with projects within 500 feet of I-680 or any of the stationary sources identified in Table 4.3.F in the Draft EIR</p>	<p>Prior to project approval Prior to construction</p>	<p>City of Walnut Creek Community Development Department</p>	<p>Plan review and approval Site inspections</p>	<p>Once during plan review and approval During regularly scheduled site inspections</p>
<p>4.4 GREENHOUSE GAS EMISSIONS</p>					
<p>GHG-1a: Implement Mitigation Measure AIR-1.</p>	<p>Individual project contractors</p>	<p>During construction</p>	<p>City of Walnut Creek Community Development Department</p>	<p>Plan review and approval Site inspections</p>	<p>Once during plan review and approval During regularly scheduled site inspections</p>

Table 5-1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
<p>GHG-1b: Project contractors shall ensure the following measures are implemented through all construction contracts and specifications for projects associated with the proposed Specific Plan:</p> <ul style="list-style-type: none"> • The idling time of diesel powered construction equipment shall be minimized to 2 minutes. • Low volatile organic compounds (i.e., reactive organic gases) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings) shall be used. • All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of nitrogen oxide (NOx) and particulate matter. • All contractors shall use equipment that meets the most recent CARB certification standard for off-road heavy-duty diesel engines. • The project contractor shall use construction equipment that utilizes cleaner fuel and equipment, including equipment upgrades and/or equipment that uses renewable electricity and fuels. • The project contractor shall prepare a waste plan prior to the issuance of building permits. The waste plan should show that it complies with State and local law and appropriate agencies should review the waste plan prior to approval. 	<p>Individual project contractors</p>	<p>Prior to issuance of building permits</p> <p>During construction</p>	<p>City of Walnut Creek Community Development Department</p>	<p>Plan review and approval</p> <p>Site inspections</p>	<p>Once during plan review and approval</p> <p>During regularly scheduled site inspections</p>

Table 5-1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
<p>GHG-2: Prior to approval, the Specific Plan shall include policies to require implementation and compliance with the following applicable CAP measures. Individual projects proposed under the Specific Plan would also be required to show consistency with the CAP. Inclusion of the following CAP measures as Specific Plan policies is considered to be applicable, feasible, and effective in reducing greenhouse gas emissions generated by the project:</p> <ul style="list-style-type: none"> • Work with partners to educate and inform the community about ways to improve energy efficiency, including behavioral changes, appliance purchases and rebates, maintenance practices, and more. • Reduce landfilled waste and increase promotion of recycling and composting through an expanded public education campaign, community-wide incentives, and continued partnership with the Bay Area's Green Business Program. • Investigate local partnerships or creation of a forum to promote and equip local green businesses (for example, through the Chamber of Commerce). 	<p>City of Walnut Creek Community Development Department</p>	<p>Prior to Specific Plan approval</p>	<p>City of Walnut Creek Community Development Department</p>	<p>Ensure Specific Plan includes policies to require implementation and compliance with CAP measures</p>	<p>Once</p>

Table 5-1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
4.5 NOISE AND GROUNDBORNE VIBRATION					
NOI-1: In order to comply with the City’s noise and land use compatibility standards, prior to project approval, new development proposed under the Specific Plan shall require an acoustical analysis for all noise-sensitive projects located in an area with noise levels greater than 65 dBA L _{dn} . All new residential land uses shall be designed to maintain an interior standard of 50 dBA L _{dn} in bedrooms and 55 dBA L _{dn} in other rooms. Noise reduction measures to achieve this noise level could include forced air ventilation so that windows can remain closed and/or upgraded wall and window assemblies.	Project applicants	Prior to project approval	City of Walnut Creek Community Development Department	Plan review and approval Site inspections	Once during plan review and approval During regularly scheduled site inspections

Table 5-1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
<p>NOI-2: Any projects associated with the Specific Plan that would require pile driving located within 100 feet of any structure, shall develop a vibration control plan by the project applicant and approved by the City prior to initiating any pile driving activities. The plan shall be implemented before, during, and after pile driving activity. The plan shall consider all potential vibration-inducing activities that would occur and require implementation of sufficient measures to prevent exposure of nearby sensitive receptors to vibration levels in excess of the FTA threshold of 94 VdB (0.2 in/sec PPV). The plan shall identify minimum setback requirements for pile driving activities for the purpose of preventing damage to nearby structures and preventing negative human response. The setback requirements shall be established based on the proposed construction activities and locations and the maximum allowable vibration levels identified for the site. Factors to be considered include the specific nature of the vibration producing activity, local soil conditions, and the fragility/resiliency of the nearby structures.</p> <p>When the final schedule of pile driving activities has been determined, all sensitive receptors within 300 feet of pile driving activities shall be notified of dates in which these activities would take place.</p>	<p>Project applicants with projects that would require pile driving within 100 feet of any structure</p>	<p>Prior to construction During construction</p>	<p>City of Walnut Creek Community Development Department</p>	<p>Plan review and approval Site inspections</p>	<p>Once during plan review and approval During regularly scheduled site inspections</p>

Table 5-1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
<p>NOI-3: The following standard measures to minimize construction noise impacts shall be implemented by all development projects proposed under the Specific Plan:</p> <ul style="list-style-type: none"> Equip all internal combustion engine driven equipment with intake and exhaust mufflers which are in good condition and appropriate for the equipment. Locate stationary noise generating equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction project area. Utilize "quiet" air compressors and other stationery noise sources where technology exists. When necessary, temporary noise control blanket barriers should shroud pile drivers or be erected in a manner to shield the adjacent land uses. Such noise control blanket barriers can be rented and quickly erected. Foundation pile holes should be pre-drilled to minimize the number of impacts required to seat the pile. The pre-drilling of foundation pile holes is a standard construction noise control technique. Pre-drilling reduces the number of blows required to seat the pile. 	Project applicants	<p>Prior to construction</p> <p>During construction</p>	City of Walnut Creek Community Development Department	<p>Plan review and approval</p> <p>Site inspections</p>	<p>Once during plan review and approval</p> <p>During regularly scheduled site inspections</p>

Table 5-1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
<ul style="list-style-type: none"> • Designate a "disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, bad muffler) and will require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule. • Ensure that all general construction related activities are restricted to 7:00 a.m. and 6:00 p.m. Monday through Friday. No construction activities shall be permitted on Saturday, Sunday, or holidays. 					

Table 5-1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
4.8 HAZARDS AND HAZARDOUS MATERIALS					
<p>HAZ-1a: If the site of a future development project within the Plan Area is suspected to contain hazardous building materials, the project applicant shall submit a comprehensive assessment report to the Bureau of Building, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACMs), lead-based paint, polychlorinated biphenyls (PCBs), and any other building materials or stored materials classified as hazardous materials by State or federal law. If lead-based paint, ACMs, PCBs, or any other building materials or stored materials classified as hazardous materials are present, the project applicant shall submit specifications prepared and signed by a qualified environmental professional, for the stabilization and/or removal of the identified hazardous materials in accordance with all applicable laws and regulations. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable regulatory agency.</p>	Project applicants	Prior to issuance of demolition or grading permits	City of Walnut Creek Community Development Department	Plan review and approval Site inspections	Once during plan review and approval During regularly scheduled site inspections

Table 5-1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
<p>HAZ-1b: If the site of a future development project within the Plan Area is suspected to be contaminated or potentially contaminated based on the results of past environmental investigations of the site or nearby properties, known historic land uses on-site or in the site vicinity (e.g., gas stations/auto service facilities, dry cleaners, industrial or agricultural land uses, or placement of fill material), or listing of the site or nearby properties on the State Water Resources Control Board GeoTracker database or the Department of Toxic Substances Control Envirostor database, the project applicant shall submit a Phase I Environmental Site Assessment report, and Phase II Environmental Site Assessment report if recommended by the Phase I report, for the project site for review and approval by the City. The report(s) shall be prepared by a qualified environmental assessment professional and include recommendations for remedial action, as appropriate, for hazardous materials. Any remedial activity shall be conducted under the oversight of an appropriate regulatory agency. The project applicant shall implement the agency-approved cleanup plan and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable regulatory agency.</p>	<p>Project applicants</p>	<p>Prior to issuance of demolition or grading permits</p>	<p>City of Walnut Creek Community Development Department</p>	<p>Plan review and approval Site inspections</p>	<p>Once during plan review and approval During regularly scheduled site inspections</p>

Source: LSA (2019).

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