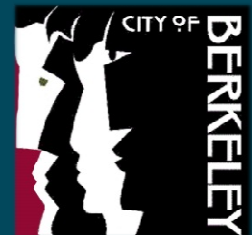


2211 Harold Way Mixed-Use Project

Final EIR / Response to Comments



ZAB Hearing
May 14, 2015



Comments from April 23rd

TOPICS

- Streamlined Environmental Review
- Protections for Berkeley High School
 - Air Quality,
 - Noise, and
 - Traffic
- Project Alternatives
- Water Supply/Wastewater Infrastructure Impacts
- Potential Community Benefits in Relation to the EIR



EIR and Infill Checklist

Streamlined Review

- Mixed-use
- Proximity to transit
- Effects addressed in DAP EIR

The Draft EIR analyses Cultural Resources and Transportation; all other issue topics, including Air Quality, Noise, Geology, Hazards, Utilities, Public Services, etc. are analyzed in the Infill Environmental Checklist



BHS

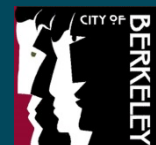
AIR QUALITY DURING CONSTRUCTION

- California Emissions Estimator Model™, industry standard emissions model for CEQA
- CalEEMod results, based on conservative model inputs and maximum (“worst-case”) construction scenario, are presented in the Infill Environmental Checklist (Appendix A to the EIR)



BHS

	Emissions (tons/year)				
	ROG	NO _x	CO	PM ₁₀	PM _{2.5}
2015 Construction Emissions	0.7	5.2	5.1	0.7	0.4
2016 Construction Emissions	6.1	1.1	1.4	0.2	0.1
Max Annual Construction Emissions	6.1	5.2	5.1	0.7	0.4
BAAQMD Thresholds (tons/year)	15	15	n/a	15	n/a
Exceeds Threshold?	no	no	n/a	no	n/a



BHS

AIR QUALITY MITIGATION MEASURES FROM DAP AND BAAQMD

Dust (PM10) Control Measures:

- Water all active construction areas at least twice daily and more often during windy periods. Active areas adjacent to residences should be kept damp at all times.
- Cover all hauling trucks or maintain at least two feet of freeboard.
- Pave, apply water at least twice daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas.
- Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas and sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads.



BHS

AIR QUALITY MITIGATION MEASURES FROM DAP AND BAAQMD

Dust (PM10) Control Measures Continued:

- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (i.e., previously-graded areas that are inactive for 10 days or more).
- Enclose, cover, water twice daily, or apply (non-toxic soil binders to exposed stockpiles.
- Limit traffic speeds on any unpaved roads to 15 mph.
- Replant vegetation in disturbed areas as quickly as possible.
- Suspend construction activities that cause visible dust plumes to extend beyond the construction site.



BHS

AIR QUALITY MITIGATION MEASURES FROM DAP AND BAAQMD

Measures to Reduce Diesel Particulate Matter and PM2.5.

- Clear signage at all construction sites will be posted indicating that diesel equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were onsite or adjacent to the construction site.
- Opacity is an indicator of exhaust particulate emissions from off-road diesel powered equipment. The project shall ensure that emissions from all construction diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately.
- The contractor shall install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g., compressors).
- Properly tune and maintain equipment for low emissions.



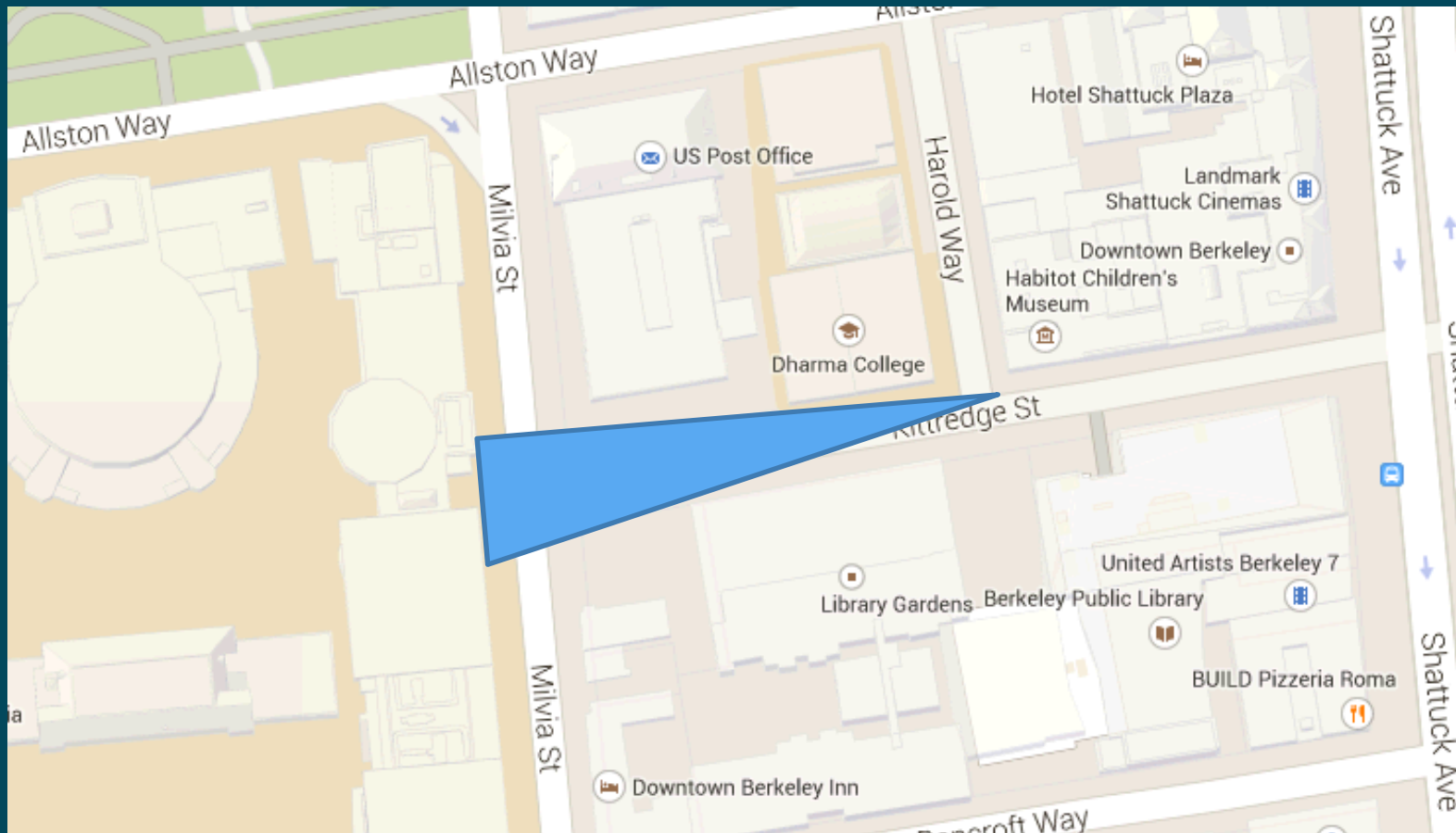
BHS

CONSTRUCTION NOISE

- Estimated based on *FHWA Highway Construction Noise Handbook*, August 2006.
- Construction noise evaluated based on line-of-sight without mitigation or attenuation from intervening structures or mitigation
- Max construction noise could reach 71 dBA at exterior of a portion of BHS Gym and admin offices, based on line-of-sight, without mitigation measures or attenuation



BHS



BHS

CONSTRUCTION NOISE

- Noise from ground-level construction and work below Floors 2-3 would be blocked by existing structures (~20 dBA reduction).
- Resulting noise at BHS from ground-level construction and work below Floors 2-3 = ~55 dBA.
- BMC Sec. 13.40.70 limits construction hours, and noise at multi-family housing to 65 dBA as feasible
- **This is for long-term noise; construction would be temporary as well as within acceptable range**



BHS

CONSTRUCTION NOISE

- Upper floor construction would not involve most heavy equipment shown in IEC Table 6, but may still involve pneumatic tools
- Mitigation requiring use of quiet models of compressors and hydraulic/electric tools would reduce noise from these sources.
- Mitigation NOI-5 requires site-specific noise-reduction program and noise abatement measures during construction. Includes above, and use of temporary noise control blanket barriers, which reduce noise by up to 10 dBA



BHS

CONSTRUCTION NOISE MM FROM DAP/MM NOI-5

- Mitigation NOI-5: Develop Site-Specific Noise-Reduction Programs and Implement Noise Abatement Measures During Construction. Prior to the issuance of building permits, the applicant shall develop a site specific noise reduction program prepared by a qualified acoustical consultant to reduce construction noise impacts to the maximum extent feasible, subject to review and approval of the Zoning Officer. The noise reduction program shall include appropriate time limits for construction (7:00 AM to 7:00 PM on weekdays and between the hours of 9:00 AM and 8:00 PM on weekends or holidays) as well as technically and economically feasible controls to meet the requirements of the Berkeley Municipal Code. The noise reduction program should include, but shall not be limited to, the following available controls to reduce construction noise levels as low as practical:



BHS

CONSTRUCTION NOISE MITIGATION MEASURES FROM DAP, CONT'D

- Construction equipment should be well maintained and used judiciously to be as quiet as practical.
- Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.
- Utilize “quiet” models of air compressors and other stationary noise sources where technology exists. Select hydraulically or electrically powered equipment and avoid pneumatically powered equipment where feasible.
- Locate stationary noise-generating equipment as far as possible from sensitive receptors when adjoining construction sites. Construct temporary noise barriers or partial enclosures to acoustically shield such equipment where feasible.
- Prohibit unnecessary idling of internal combustion engines.
- If impact pile driving is required, pre-drill foundation pile holes to minimize the number of impacts required to seat the pile.



BHS

CONSTRUCTION NOISE MITIGATION MEASURES FROM DAP, CONT'D

- Construct solid plywood fences around construction sites adjacent to operational business, residences or other noise-sensitive land uses where the noise control plan analysis determines that a barrier would be effective at reducing noise.
- Erect temporary noise control blanket barriers, if necessary, along building facades facing construction sites. This mitigation would only be necessary if conflicts occurred which were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected.
- Route construction related traffic along major roadways and away from sensitive receptors where feasible.
- Businesses, residences or other noise-sensitive land uses within 500 feet of construction sites should be notified of the construction schedule in writing prior to the beginning of construction. Designate a “construction liaison” that would be responsible for responding to any local complaints about construction noise. The liaison would determine the cause of the noise complaints (e.g., starting too early, bad muffler, etc.) and institute reasonable measures to correct the problem. Conspicuously post a telephone number for the liaison at the construction site.



BHS

CONSTRUCTION TRAFFIC– HAUL ROUTES

- Required traffic management plans would identify construction truck routes to minimize impacts to sensitive uses such as BHS
- TMP takes into account several factors, but mainly minimizing disruption to ped, bike and vehicle travel, and impacts to sensitive receptors
- Shattuck likely a better N-S route than Milvia
- **Construction is temporary**



BHS

CONSTRUCTION TRAFFIC – STANDARD CONDITION

Prior to issuance of a building permit, the applicant shall secure the City Traffic Engineer's approval of a construction staging and traffic management plan...

In addition to other requirements of the Traffic Engineer, this plan shall include the locations of material and equipment storage, trailers, worker parking, a schedule of site operations that may block traffic, and provisions for traffic control. The City Zoning Officer and/or Traffic Engineer will limit off-site parking of construction-related vehicles to protect the health, safety, or convenience of the surrounding neighborhood...

Prior to any construction-related activities, an on-site meeting shall be held with City staff and key parties involved in the early phases of construction (e.g., applicant, general contractor, foundation subcontractors) to review these conditions and the construction schedule.



BHS

OPERATIONAL TRAFFIC

- Traffic study included BHS traffic in counts and modeling
- Study analyzed intersections on Milvia Street at Allston Way and Kittredge Street and MLK Way at Allston Way
- Pedestrian and bicycle infrastructure analysis performed for Allston Way and Kittredge Street



BHS

OPERATIONAL TRAFFIC

- Trip generation takes into account existing uses: trip forecasts = net new trips (new development traffic minus existing development traffic)
- Land uses and trip patterns for proposed development are different than existing dev.
- ~25 AM peak trips on Milvia
- No significant traffic impacts anticipated even with school drop-off patterns shifting to Milvia



Project Alternatives

- **Alternative 1:** *No Project (no change to existing)*
- **Alternative 2:** *Preservation Alternative*
 - *Similar commercial program*
 - *Fewer units (~220-244 vs. project's 302 = ~23% reduction)*
 - *Retain and set back from historic facades, some facade improvements possible, revised building materials*
- **Alternative 3:** *Contextual Design Alternative*
 - *More retail/rest. space, smaller cinemas*
 - *Fewer units (~269-297 vs. project's 302 = ~7% reduction)*
 - *Massing directed southwest, revised building materials*



Project Alternatives

- Because the height and general massing of the project were not identified as significant impacts, both alternatives feature building heights and overall massing similar to the proposed project
- Per CEQA *Guidelines* Section 15183.3(e), the analysis of alternatives in an infill EIR need not address alternative locations, densities, or building intensities.



Water/Wastewater

- Water supply analysis based on EBMUD's adopted Urban Water Management Plan
- UWMP includes a multiple dry year scenario
- EBMUD requested compliance with their Private Sewer Lateral Ordinance. RTC: Berkeley's Private Sewer Lateral Ordinance achieves same results
- Letter reflects EBMUD's standard development project comments, and did not identify any significant project impacts



Community benefits

- Potential benefits such as renewable energy features, public open space or funding for enhanced cultural offerings or on-site affordable units would not result in, or lead to, significant adverse impacts to the environment
- If a community benefit – like any change to the project – has the potential for new or substantially increased significant physical impacts, subsequent/ supplemental CEQA review would be required (*CEQA Guidelines* sections 15162 through 15164)



Next Steps

- Applicant has agreed to modify the project in response to direction received by the Design Review Committee
- The City will prepare a modification document that describes revisions to the project and reviews the environmental analysis
- Consideration of certification of the FEIR will be continued until the ZAB can be provided with a modification document

