North Hills Landscape Committee (7/27/06)

North Hills Landscape Committee
33 Hiller Drive
Oakland, CA 94618

July 27, 2006

Gregory C. McConnell, Senior Environmental Planner
Attention: Sheryl Dorado, Associate Environmental Planner
Dept. of Transportation, District 4, Environmental Analysis
Mail Station 8B
P.O. Box 23660
Oakland, CA 94623-0660

Re: Additional Comments, Draft Environmental Impact Report, Caldecott Improvement Project on State Route 24

Dear Mr. McConnell:

I wanted to follow-up on my comments submitted on July 11, 2006 in which I had recommended as a mitigation measure for the project that consideration be given to the construction of a roof garden "mitigation" park that could have benefits in helping to combat the "heat island" effect that is caused by factors such as the paving of open space and even the color of road surfaces. There is an article that appeared in the San Francisco Chronicle's "Bay Area" section July 26, 2006, which I believe supports my earlier recommendation of the partners in this project installing a roof garden "mitigation" park over the freeway lanes. The article on page B10 cited "the paving of open space" as one of several factors that are contribution both to increasing temperatures and record demand for electricity. The article further quoted Bill Patzert, a climatologist at NASA's Jet Propulsion Laboratory in Pasadena as an expert that noted our development choices can play a large role in making hot weather even hotter. Mr. Patzert told the reporter that "People usually talk of greenhouse gases. What's forgotten is what we've actually done to the surface of the planet. I call it extreme makeover warming." 1

The Chronicle article noted that "Local, state and federal officials are trying to lower energy consumption by combating the "heat Island" effect, and it further noted that "Heat islands are caused by roofs, concrete, asphalt a and other urban fixtures that more easily absorb and emit solar heat, particularly at night". The story noted that "According to the U.S. Environmental Protection Agency, urban and suburban heat islands can produce temperatures 2 to 10 degrees hotter than nearby rural areas. The heat islands can also aggravate smog, which worsens in hot weather."

I want to point out the Chronicle article also indicated "After studying a handful of cities, including Sacramento, the federal EPA is promoting efforts to cool cities through planting trees, lightening the color or road surfaces, installing rooftop gardens, and other strategies".

I feel that the roof garden "mitigation" park that I recommended in my July 11, 2006 comments to you would be beneficial in combating the "heat island" effect of this project that will add additional freeway lanes on both sides of the 4th Bore Tunnel. This would be one of several environmental benefits of constructing the roof garden "mitigation" park, along with helping with controlling pollutants from storm water runoff and the planting of additional vegetation such as trees, grasses and shrubs that could help in reducing pollutants that the additional cars going

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through the proposed 4th Bore Tunnel would result in. The recent heat wave that we have had in the Bay Area reinforces the need for Caltrans and its partners in this proposed project to address in relation to mitigation measures the "heat island" impacts or effects of the project. Your project can be part of the problems contributing to the "heat island" effect or you can actively work on mitigation "solutions" for these impacts.

I also noted in my earlier comments that the construction of the roof garden "mitigation" park and moving the staging area and boring activity to the east end of the tunnel to the east end of the tunnel could assist in avoiding having to clear cut all of the hundreds of trees and shrubs on the west side of the Tunnel, and this could be another approach that might help in combating the "heat island" effect of the proposed project. The planners of this project did not adequately analyze options in this Draft Environmental Assessment/Environmental Impact Report to the clear cutting of all of the hundreds of trees and shrubs west of the Caldecott Tunnel that they are proposing to remove. This action would result in impacting a portion of the green canopy of vegetation in the project area that now helps in reducing the "heat island" effects of having so many freeway lanes, frontage roads, connector lanes, highway interchanges, off ramps, and concrete block sound walls covering many thousands of square feet in our community. 2

I wanted to point out to Caltrans and all of the partners in this project that both of the immediate neighbors to the Caldecott Tunnel and Caltrans property on the west side of the Tunnel—the thousand residents of the Parkwoods Condominiums and the Mayer Luce Development company that is proposing to build approximately 38 housing units—have endorsed the recommendations that I have made for constructing a roof garden "mitigation" park as you can see from their written comments. They also support efforts to undertake appropriate planting and native plant restoration projects in the project area on Caltrans properties to help in reducing project impacts. I have also received favorable feedback from many members of the Caldecott Corridor 4th Bore Coalition regarding this mitigation proposal and background information regarding the benefits of roof gardens and of noise reduction tunnels, which I cited in my July 11 comments. Read our comments and recommendations for mitigation. The roof garden "mitigation" park could be a very creative "Context Sensitive Solution" consistent with Caltrans Director's Policy #22 that calls for projects to "use innovative and inclusive approaches that integrate and balance community, aesthethetic and environmental values with transportation safety and performance goals." The "Context Sensitive Solutions" are supposed to begin per Caltrans policy "in the earliest stages of planning, continue through project development and into maintenance and operations". I also understand per Caltrans policy and your website information that "a context sensitive approach will now be considered for all state transportation facilities, when defining, developing and evaluating options". This project as proposed lacks "Context Sensitive Solutions" for the "heat island" effects of the project and its serious environmental impacts in our community affecting both humans and wildlife. 3 4

I found from my previous conversations with Caltrans local project manager for this project, Cristina Ferraz, that no real consideration was being given to proposals that I advanced in discussions with Ms. Ferraz and other project staff members advocating that you examine the possibilities for constructing an external noise reduction tunnel west of the Caldecott Tunnel over freeway lanes. I request that Caltrans and project staff members follow Caltrans Director's Policy #22 and work with your immediate neighbors and those of us that have recommended as an alternative to the proposed soundwall or soundwall/berm that a roof garden "mitigation" park be constructed over the freeway lanes to help in mitigating the significant impacts of the proposed project on: noise, protected trees, wildlife habitat, migrating birds, native bunch grasses, visual, heat island effects, non-motorized travel by pedestrians, bicyclists and the physically disabled over freeway lanes/soundwalls. We need "Context Sensitive Solutions" and not new barriers 5

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that will permanently impact non-motorized travel and result in increased noise levels for thousands of local residents.

The Chronicle article points out the federal EPA is promoting efforts to cool cities through "planting trees, lightening the color of road surfaces, installing rooftop gardens and other strategies". I pointed out in my prior comments that there is information available on potential State and Federal funding sources that might help in funding roof garden projects, and it appears the time is ripe for Caltrans and its partners to be "innovative and inclusive" and to go after some of this potential funding to combat the "heat island" effect of this project and to construct an affordable roof garden "mitigation" park over the new and existing freeway lanes in this location. 6

I also recommend as part of the project that Caltrans lighten the color of road surfaces in the project area to help in combating the "heat island" effects. The Chronicle article indicates the California Energy Commission is now funding a study of heat islands in urban areas, and it appears that the State of California and the Federal Highway Administration should be taking the lead and working on finding funding for innovative approaches that will reduce the "heat island" effect of the freeway lanes in the project area that can permanently impact our community. 7

There is clear evidence that global warming is a serious problem. A recent survey showed that for Californians that global warming was one of the top three concerns of those polled. A July 27, 2006 front-page San Francisco Chronicle story notes: "The Great Heat Wave of 2006 was not just an epic meteorological event—it was an epochal one, unprecedented in the north state's weather annals, meteorologists agree. It has been hotter for longer than ever before, and the weather patterns that caused the scorching temperatures were positively freakish. The region's last significant hot spell—in 1972—lasted two days, and never in the past has the Bay Area suffered through as many consecutive days of temperatures above 110."

In reviewing the Draft Environmental Assessment/Environmental Impact Report as well as the disc containing supportive documents that you provided to me, I found that all of these documents appeared to almost completely ignore the significant impacts that this project has in relation to the natural environment as it pertains to adding to the "heat island" effect. This is particularly problematic when you consider the cumulative impacts of Caltrans/its partners having added to the "heat island" effect over many years by paving over a huge amount of open-space property on both sides of the Tunnel with significant numbers of freeway lanes, frontage roads, off ramps, crossover bridge by the Tunnel, bridges with concrete or asphalt lanes, connector lanes and tunnels connecting Highway 24/13, and concrete block sound walls. The number of lanes of asphalt and concrete that have been constructed in the project area is HUGE. You can count already in some locations in the project area almost 12 lanes of concrete or asphalt that add to the "heat island" effect. This project proposes to add even more freeway lanes both east and west of the Caldecott Tunnel area and experts have indicated (as I noted above) that the paving over of open space as a significant factor adding to" increasing temperatures and record demand for electricity".

The Draft Environmental Assessment/Environmental Impact Report is seriously flawed I found in my analysis and review in the assessment of "Impacts and Mitigation Issues" found on pages xxiv-xxxvi that don't even address the "heat island" effects of this project and the cumulative impacts of the project in adding to the "heat island" effects such as increasing temperatures. 8
There is no recognition or examination in relation to "Affected Resources" of temperatures in our community or how they are already or will be even more greatly impacted in the future by the addition of even more large areas of asphalt and concrete. I found no discussion or examination under "Potential Impacts", "Mitigation, Minimization, and Or Avoidance Measures, or

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"Significance Finding After Mitigation Incorporation" in reviewing the Table S-2 supposedly addressing "Impacts and Mitigation Issues". The "Appendix A: Environmental Significance Checklist" contained on pages A-5 to A-13 in the Draft Environmental Assessment/Environmental Impact Report, which purports to identify "physical, biological, social and economic factor that might be affected by the proposed project" is similarly flawed. It overlooks many significant impacts that this project can have particularly from a cumulative perspective in adding to the "heat island" effect and rising temperatures in our community that have a whole host of impacts in areas such as: Aesthetics, Hydrology, Air Quality, and Biological Resources.

News reports every day note that the impacts that rising temperatures and global warming are having. The analysis in this report is seriously flawed in its "No Impact" litany in Appendix A with respect to the physical, biological social and economic impacts of the project. Rising temperatures that the "heat island" effects of projects such as this one cause are going to have many cumulative impacts. This project adding additional freeway lanes without appropriate mitigation ignores the "Unpleasant Truths" that there are many impacts that grow out of the "heat island" effects of cumulatively adding more freeway lanes and paving over huge amounts of land in the very heart of our community. The rising temperatures are going to impact almost all residents in Oakland and Berkeley, where we have learned to appreciate the cooler temperatures normally associated with living close to the San Francisco Bay. Our communities in Alameda County are going to be hotter and less desirable places to live. We soon might be right where Contra Costa and San Joaquin residents are now in terms of record high temperatures that impact the quality of life, the economy, your ability to work outdoors, or to enjoy or participate in recreational activities outdoors and indoors. I am finding that the "heat island" effects of more development in interior areas and more freeway construction through the heart of our community are creating smog problems in the San Francisco Bay area, that make the area more closely resemble the Los Angeles air basin where smog and high temperatures prevail through much of the summer and fall. The increased smog and higher temperatures can cause serious health impacts ranging from increased numbers of asthma sufferers to record numbers of deaths from higher temperatures. There will also likely be greater impacts in relation to higher temperatures contributing to drought conditions that drive up the cost of water, dry up our creeks, and that can make it more difficult for wildlife in the project area to find water sources. The impacts of the high temperatures are not only going to affect humans, television new stories this week pointed out that wildlife are also impacted by the record high temperatures. The rising temperatures that the "heat island" effect of projects like this have can result in wildlife leaving the area for cooler climates and areas that have more water. 9

I wonder how many of the staff people and so-called experts that drafted this report had their fans or air conditioners on when this report was drafted or during the recent record heat wave in the Bay Areas and didn't have some concern about the increasing temperatures. They should be required to turn off their fans and air conditioners and to go back and properly analyze the "heat island" effects of the project and the variety of mitigation alternatives that are needed to address these effects and the rising temperatures that now result and in the future will only increase. I'm sure most residents of Oakland, Berkeley and Orinda were concerned about these record high temperatures and want these transportation planners and highly paid government analysts to properly analyze and address the "heat island" effects of this project. 10 11

My conclusion is that the failure to properly analyze and address the "heat island" effects of this project and to analyze and include plans for needed mitigation alternatives is a major deficiency in the Environmental Assessment/Environmental Impact Report that does not satisfy the requirements of CEQA or NEPA. A full draft Environmental Impact Statement/Environmental

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Impact Report is needed that adequately analyzes the serious environmental impacts related to "heat island" effects. I don't understand how the State of California, the State of California's Department of Transportation, the Federal Highway Administration, the Metropolitan Transportation Commission, the Alameda County Congestion Management Agency, and the Contra Costa Transportation Authority can issue this Draft Environmental Assessment/Environmental Impact Report that ignores the very serious environmental impact on various resources and implies by omission there is no significant impact, no cumulative impacts, and no need to mitigate for the "heat island" effects of adding more freeway lanes of asphalt or concrete in the project area. It's time for the several partners in this project to take the blinders off with respect to analyzing and addressing the extremely serious environmental impacts of this project with respect to adding to rising temperatures and "heat island" effects in our community. It appears some proponents of this project would be happy if the Cities of Oakland and Berkeley were totally paved over with freeway lanes, as long as they could ride through our communities and Alameda County in air conditioned cars/trucks and ignore the record high temperatures that projects like this one can cumulatively cause, when there are inadequate mitigation measures set forth. 12

There is a need for a whole series of effective mitigation measures to counteract the "heat island" effects. The partners in this project need to join with your neighbors and the Caldecott Corridor 4th Bore Coalition members in coming up with "Context Sensitive Solutions" that help combat the "heat island" effects of paving over more open space in our community and cutting down many protected trees and hundreds of other trees and shrubs that now help in reducing "heat island" effects.

I ask that these comments be given careful consideration in developing appropriate mitigation measures for this project, and undertaking a much more thorough analysis of environmental impacts and providing a full draft Environmental Impact Statement/Environmental Impact Report that sets forth measurable mitigation measures that will address the major impacts.

Sincerely,

Gordon Piper
Chair

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1- The existing State Route 24 freeway is constructed of light colored concrete pavement. Our project proposes to leave the existing concrete pavement in place. New approaches to and from the tunnel will be constructed with rubberized asphalt concrete, portland cement concrete or open grade asphalt concrete. Extending the fourth bore beyond the Parkwoods Condominiums by construction of a box structure and building a roof garden on top of the structure would introduce significant safety and technical problems, including hundreds of State Route 24 closures with traffic detours onto city streets. If the fourth bore were extended by constructing a box it would necessitate moving the new freeway lanes and structure closer to the Parkwoods Condominiums to allow sufficient space between the new structure and the existing traffic lanes. If the box were buried with

excavated material this separation issue becomes even more important. This change would add tens of millions of dollars to the cost of the project.

Your suggestion to install a structure over the freeway with a roof garden on top was considered at the staff and management team levels. Caltrans and the funding partners do not have the resources to fund this work. In addition, a rooftop garden would require maintenance that is beyond Caltrans standard level of maintenance. The roof garden structure was not considered beyond preliminary levels, since physical site constraints, the lack of funding and inability to maintain the feature makes this proposal infeasible as an option to develop in more detail.

Although the roof garden concept is a creative idea, it would be more conducive and supportable in an extensively urbanized environment where pavement and the cost of real estate preclude the development of parks.

2- Please see response #1 above regarding the roof garden concept and response #8 below regarding the "heat island" effect.

Caltrans will be removing trees directly adjacent to the Parkwoods complex to facilitate tunnel construction. These trees are beneficial in that they provide variable screening value to the Parkwoods residents, but are marginal in habitat value due to their species and size. In addition, the health of most of the existing eucalyptus trees appears to be in decline. The "green canopy" provided by existing trees represents 34% of the 16,270 square meter (175,065 square feet) total pre-project surface area between Caldecott Lane and the freeway shoulder. Additional new pavement between the proposed portal and where the two lanes conform to the freeway consists of 1710 square meters (131,272 square feet) or approximately 10% of the total surface area. Caltrans will mitigate vegetation loss with replacement planting within 12,200 square meters (131,272 square feet) of area or 70-80% of the total area. The long term net gain of beneficial green canopy will be 36-46% more than the existing surface area of green canopy at this location. It is therefore reasonable to say that the potential for heat island effect as a result of tree removal would be mitigated.

3- Please see response #1 above regarding the roof garden concept. Native plants will be utilized as much as possible in the replanting phase of the project after the construction of the project.

4- Your suggestion to install a structure over the freeway with a roof garden on top was considered at the staff and executive management team levels. Directors Policy #22 Context Sensitive Solutions requires that when considering the context, issues such as funding feasibility, maintenance feasibility and safety, etc. are considered. A structure over the freeway would have to include new columns introduced into the median and shifting of some of the roadway lanes to accommodate the columns. This work would be at a great expense. Caltrans and our funding partners do not have the resources to fund this work. In addition, a rooftop garden would require maintenance that is beyond Caltrans standard level of maintenance. The roof garden structure was not considered beyond preliminary levels, since the lack of funding and inability to maintain the feature makes this proposal infeasible as an option to develop in more detail.

5-Please see response #2 and #4 above.

6- Please see response #1 above regarding the roof garden concept and response #8 below regarding the "heat island" effect.

7- The existing State Route 24 freeway is constructed of light colored portland cement concrete pavement (PCC). Our project proposes to leave the existing PCC pavement in place. New approaches to and from the fourth bore tunnel will be constructed with rubberized asphalt concrete, grooved PCC, or open grade asphalt concrete .There are no plans for the Department to lighten the color of road surfaces.

8- The term "heat island" refers to urban air and surface temperatures that are higher than nearby rural areas. This change is viewed on a very large landscape level, rather than a localized level such as the area of the Caldecott Improvement Project. Heat islands are formed as cities replace natural areas, but weather and climate, location to water bodies and topography also factor into a heat island's intensity. The Caldecott Improvement Project will add a minimal amount of new impermeable surface area to an already urbanized area. The majority of the project will be the construction of the tunnel, which will not add any new impermeable

surface area. On and off-ramps will be re-aligned and their old locations restored, portal entrance/exits will be constructed, and the existing Operations Maintenance and Control building will be replaced. Trees reduce the heat island effect through the natural cooling process of shading and reducing evapotranspiration. Native trees removed by the project will be replaced at a 3:1 to 5:1 ratio, providing shade. Given the small amount of impermeable surface area to be added in an already urbanized setting, and the replacement of native trees and shrubs, the Caldecott Improvement Project is not expected to add to any existing heat island.

9-Please see response #8 above.

10- Caltrans cares about the environment. During the heat wave of July 2006 the District took significant steps to meet the Governor's directive to reduce the use of energy during peak hours as mandated in the Department's Memorandum on Energy Conservation (July 19, 2006).

11- See response #8 above.

12- The Department and FHWA as the lead agencies for NEPA and CEQA have determined that the project will not have any significant environmental effects. See the essay on "The Environmental Process: Environmental Impact Statement/Environmental Impact Report (EIS/EIR) Versus an Environmental Assessment/Environmental Impact Report (EA/EIR); and Criteria for Significance" in Chapter 1.

North Hills Phoenix Association

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Vice President: Teresa Ferguson
Treasurer: Howard Matis
Recording Secretary: John Eastman
Membership Secretary: Vallery Feldman
Past President: Anne Seasons

July 7, 2006

Gregory C. McConnell, Senior Environmental Planner
Attention: Sheryl Dorado, Associate Environmental Planner
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CALDECOTT IMPROVEMENT PROJECT: DRAFT ENVIRONMENTAL ASSESSMENT/ENVIRONMENTAL IMPACT REPORT (D-EA/EIR, May 12, 2006)

Dear Mr. McConnell:

The North Hills Phoenix Association represents the interests of thousands of households located in an area of Oakland's North Hills along State Route 24 and bounded by Highway 13, Broadway Terrace, Grizzly Peak Blvd. and Claremont Blvd. We are very concerned about how the proposed fourth bore for the Caldecott Tunnel will affect our neighborhood. Many of our households have an unobstructed view of the Tunnel and State Route 24. Our area will be significantly affected by both the construction and operation phases of the Caldecott Improvement Project.

This letter discusses several important issues that have been omitted from the current Draft EA/EIR (D-EA/EIR). In our scoping letter of December 3, 2002, we listed the issues to be included. Many of these issues are missing in the D-EA/EIR. The omissions of the D-EA/EIR are so significant that we request it be withdrawn, and that, in its place, Caltrans and the Federal Highway Administration prepare and re-circulate, for public review, a full draft EIS/EIR to address the issues presented in detail below. 1

We include three attachments with this letter. The first summarizes issues that have **not** been identified in the D-EA/EIR. The second summarizes those issues that are included and must be kept in the final document. Finally, in the third, we provide a brief summary of specific mitigations and enhancements needed in the Caldecott Improvement Project.

We continue to support many of the global mitigations and enhancements (e.g. addressing public transportation and congestion of local streets) enumerated in the MTC report (*Final Staff Report, Route 24/Caldecott Tunnel Corridor Study, January 5, 2001*). We also support the goals articulated by the Fourth Bore Coalition (of which we are a member), which will be communicated separately.

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As local residents of the Highway 24 corridor immediately west of the tunnel, we are familiar with local environmental issues and have an excellent perspective of significant environmental concerns. We, therefore, request that Caltrans and FHWA include, in a new Draft EIS/EIR, the issues discussed in the attachments and provide appropriate mitigations and enhancements. Please feel free to contact me for clarification of any of these items.

Sincerely,

Teresa M Ferguson

for David Kessler
President, NHPA

Attachments:

I. List of Omissions from the Draft EA/EIR
II. Scoping Requests included in the Draft EA/EIR
III. Summary of Mitigations and Enhancements
IV. Distribution of copies (cc list)

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Attachment I
List of Omissions from the Draft EA/EIR

PART I: CONSTRUCTION

All of the following information is critical to the understanding and evaluation of project impacts and should be included in a revised CEQA/NEPA document:

STAGING AND DRILLING
By far, the best and simplest environmental solution for staging and drilling would be to locate all activities east of the tunnel project! Homes would be protected from 24-hour exposure to noise and dust. City traffic would not be impacted. Construction could proceed apace without need for extensive mitigations and cumbersome restrictions that, otherwise, will certainly be demanded by the local community. East of the tunnel there are no homes, there is plenty of space, and few valuable and vulnerable trees. The Caldecott Wildlife Corridor will suffer much less disturbance if drilling proceeds from the east. The trade off, for the approximately two-years of added construction and expense this would require, is elimination of economic, environmental and health impacts on thousands of lives. Drilling from only the east would spare our community enormous disruption, expensive and frustrating traffic congestion and costly and complicated neighborhood mitigations. 2

Only after all consideration has been exhausted, should the project be allowed to drill from the west, the following issues must be included in the environmental documents:

1. A PLAN FOR NEIGHBORHOOD PARTICIPATION. The environmental documents must specify the mechanisms by which the affected residents are represented in (1) the drafting of environmental rules and regulations for construction, and (2) the monitoring of infractions. 3

As residents of the hills adjacent to SR24 and those most affected by this 5-year long project, we need to be heard concerning the environmental impacts of construction. The D-EA/EIR states [p. 195] that the "Department is committed to working with the various communities within the project vicinity to address issues that pertain to the construction activities...". However, no mechanism is provided to govern such a process.

Construction will be carried out according to standard industry practices and requirements stated in a variety of documents (Special Provisions and Standard Specifications; Construction General Permit; Best Management Practices; Plans, Specifications and Estimates; Traffic Management Plan, etc.). Means to reduce impacts will be used "where feasible". A neighborhood representative, specified in the environmental documents, must participate in the drafting of these construction plans. A hot line and web link (described in the environmental documents) must be set up to monitor the daily conduct of the project. This will allow prompt neighborhood reporting to halt egregious infractions of environmental rules. Of particular concern are dust control and 4

truck backup alarms at nighttime. There needs to be a hot line and web link to the proposed field office [p. 234] in order to halt the infractions when the dust is out of control, or when strobe lights or spotters are not being used according to plan [p. 202].

Parking is very limited near the Parkwoods Condominiums. Contractors will be parking for 24 hours a day occupying existing spaces. Caltrans has proposed a parking area in the staging area. Contractor parking must be restricted to that lot. If there is a need for more spaces, then Caltrans must provide satellite parking and bus shuttles. Enforcement mechanisms to prevent use of current spaces must be established and must be in effect 24 hours a day and seven days a week. 5

2. IDENTIFICATION OF CONSTRUCTION ACCESS STREETS AND CLOSURES. Caldecott Lane is the only street identified for ingress and egress of equipment [p. 206]. The statement [p.202], "it does not appear that residential routes will be used by construction traffic", requires supporting quantitative analysis in the environmental documents. The D-EA/EIR does not designate the routes that will be used to haul away the more than 300,000 cubic yards of excavation material. No streets are designated for closure. 6

3. MAPS/PLAN FOR EMERGENCIES. A map is needed for emergency response and escape routes, and a plan for exit in case of fire or earthquake. 7

4. TABLE FOR HOURS OF OPERATION. A table for the hours of operation should specify different activities, including the hours when trucks will be used at the staging area, particularly at night. 8

5. PLAN TO REPLACE MATURE TREES. A plan to minimize the loss of mature trees is needed. Locating a staging area next to Parkwoods will destroy the 18-year growth of redwoods and other native trees. This forest was planted by the local residents at their expense to screen the noise and the view of the freeway. By replacing them, there would be a generation lost of visual screening. 9

If Caltrans is allowed to drill from the west, then additional staging areas need to be explored. There exist several appropriate lots. Some have eucalyptus trees that are suitable for replanting once the staging area is vacated. Some of the staging could be relocated to vacant lots on Caldecott Lane. Caltrans also has vacant land to the west of the proposed staging area. The trees on this land do not provide visual screening for houses above them so it would be more beneficial to use that area. The environmental documents must explore alternatives to minimize the loss of mature tees. Replacement of attractive mature trees with an ugly sound wall is not an acceptable option. More work must be done to save the current stand of trees. 10

6. DETAILED PLAN TO PROTECT TEMESCAL CREEK. Extra assurances are needed so that no runoff from the project construction reaches Temescal Creek, which is day-lighted west of Golden Gate Ave. 11

7.DETAILED PLAN FOR LIGHTING. Homes at Parkwoods, and those located higher up the hillside, must be shielded from the glare of construction lighting. 12

8. CONSTRUCTION NOISE STUDY/NOISE ABATEMENT PLAN. A detailed construction noise study and abatement plan that complies with City of Oakland noise standards, California Noise/Land Use Compatibility standards, and that eliminates increased single-event nighttime noise is required. 13

9. DUST CONTROL PLAN. The D-EA/EIR lacks a full assessment of the requirements of the Bay Area Air Quality Management District. A detailed dust-control plan to include all BAAQMD dust control requirements, as set forth in their CEQA Guide, is required. 14

PART II: OPERATION

1. NEIGHBORHOOD COHESION

By not addressing neighborhood cohesion more fully [p.55], the D-EA/EIR perpetuates the division of the community created by the State when Caltrans constructed the Grove-Shafter (SR24) and Warren Freeways (SR13). These freeways, built prior to the adoption of current environmental law, cut off pedestrian and bicycle traffic between the quadrants of the freeway intersection. The Landvale Bridge, a connection between Montclair neighborhood and South Berkeley, was torn down. The construction of the 24/13 freeway intersection without replacing the pedestrian and bicycle access, to use language from the D-EA/EIR: "constituted a physical and psychological barrier that divided, disrupted and isolated neighborhoods, individuals and community focal points". Caltrans will fail to comply with CEQA's and NEPA's requirements for assessment and mitigation of cumulative impacts of "past, present, and reasonably foreseeable projects" if it does not address this issue now as a part of the cumulative impacts of the Caldecott Improvement Project. The Environmental Documents must include provisions to re-establish pedestrian and bicycle routes among the four quadrants of the SR24/SR13 intersection. 15

2. AUTO TRAFFIC

The signal light on Tunnel Road (Landvale Crossing) is incorrectly identified in the D-EA/EIR as the intersection of Caldecott Lane. This light near Hiller Drive is on Tunnel Road. The intersection of Tunnel Road with Caldecott Lane is about ½ mile east and has no traffic light. 16

In the north Oakland hills area, there are about 1200 individual lots available for home construction. The D-EA/EIR analysis of development trends [p. 40] does not include the effects of this potential. The analysis of traffic on Tunnel Road and Broadway does not include this impact. 17

The intersection LOS [p. 83] for the intersection Oak-9 (Tunnel Road/Landvale) does not appear to take into account the multiple directions affected, including one through-lane that never stops. 18

At the intersection of Caldecott Lane and Tunnel Road (adjacent to Gateway Gardens), it is very difficult for our residents to make a left turn to Caldecott Lane. Fortunately, the traffic moves at a few miles an hour in the morning from the blockage of the Tunnel. When the fourth bore is added,

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this traffic will be moving much faster. Then, it will be very difficult to make a left turn during heavy traffic. A traffic light must be installed at this intersection. 19

Arterial streets, located between the tunnel and the SR24/I580 maze area, are not identified. The environmental documents should list the routes and intersections. Specific routes and intersections should be identified with input from City staff. 20

General experience shows that when a traffic obstacle is removed, more people will take the new path. When the project is complete, the route from the Kay overpass to Claremont Avenue will receive more traffic. Bicyclists and pedestrians, who at this time are challenged to uses these roads, will find face many more obstacles. The effect of this traffic must be studied and appropriate mitigations provided. Currently, there is often a backlog of cars from the Tunnel Road eastbound entrance of Highway 24. This backlog will be removed in the morning with the Fourth Bore. Local traffic must be studied to see if additional lights are needed for residents to turn onto Tunnel Road and Caldecott Lane. 21

The volume of peak-direction traffic on the freeway will increase after the Tunnel is built, for at least two reasons not mentioned in the D-EA/EIR. One, the current bottleneck caused by closures for lane-switching will be eliminated. Second, in the "Three Lane" alternative, the bottleneck caused by four freeway lanes entering into four Tunnel Lanes will be eliminated, since the four lanes of approaching traffic will have five lanes of tunnel. This increase in forward-commute traffic needs to be included in the traffic analysis. 22

Although the D-EA/EIR states that one of the purposes of the project is to relieve weekend backups, there is no supporting data presented for a weekend traffic analysis. 23

The addition of an extra bore will increase traffic. A blockage or closure of either tunnel will create a much bigger blockage on our streets. This situation, which while rare does happen frequently enough to be noticed, must be studied and appropriate mitigations must be done. Remember, when the eastbound traffic is blocked, it is very difficult to travel to the Parkwood Condominiums and for local residents to take the westbound entrance to Highway 24 by the Caldecott Tunnel. 24

3. TRUCK TRAFFIC

No quantitative assessment of the volume of truck traffic is included in the D-EA/EIR. The document [p. xii] states that the number of heavy-duty diesel trucks using the facility will not be increased by the project. No argument or data are presented to substantiate this claim. Commercial traffic can be expected to increase when the reverse-commute backup is eliminated by the project. Expansion of the Port of Oakland will create a demand for the use of SR24 for commercial traffic. The environmental documents must include a quantitative assessment of truck traffic. 25

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4. PEDESTRIAN & BICYCLE TRAFFIC

It is not possible for pedestrians and bicyclists to cross Tunnel Road safely between Hiller Drive and Uplands. The increased traffic induced by the Fourth Bore will make the crossing much more hazardous. We, therefore, request mitigations be included, such as: 26

A. Re-configure the intersection of the Warren Freeway with Tunnel Road so pedestrians can cross the street.
B. Provide a walkway between Chabot Road and the traffic light at the intersection of the Warren Freeway with Tunnel Road, for pedestrian access to BART by residents of the hill area.
C. Fulfill the long-term plan for a pedestrian/bike path connecting Lake Temescal with Tunnel Road. This has been an ACCMA high-priority in the long-range plan, and has 25 years of history.

The much faster traffic on Tunnel Road caused by the Fourth Bore will make walking very difficult on Tunnel Road from its intersection with the Kay Street Overpass to Claremont Avenue. Mitigations must be included to alleviate this impact. 27

A. Sidewalks need to be completed on both sides of Tunnel Road from the Hiller traffic light at the intersection with the Warren Freeway to the existing sidewalks that extend toward Claremont Avenue.
B. A sidewalk is needed along Caldecott Lane and Tunnel Road between the Hiller Highland traffic light and the Parkwoods.
C. A full bike lane must be provided from the Hiller traffic light to Claremont Avenue in the westbound direction, since bicyclists will have difficulty traveling on Tunnel Road to Berkeley.

A description of SAFE ACCESS TO SCHOOLS must be included in the Environmental Documents. Incomplete sidewalks and absence of crosswalks are hazardous to nearby Kaiser and Bentley Schools. Elementary school pupils are forced to compete with motorized traffic at the intersection of the Warren Freeway with Tunnel Road. This situation will be made much worse by the increased volume of traffic. 28

5. NOISE

The use of an average, Leq(h), to define "significant" noise is not acceptable. The benchmarks of "66 dBA Leq(h) or higher" for "noise level", of 12dBA Leq(h) as a "substantial noise increase", and 5 dBA Leq(h) for "significant reduction" do not accurately represent the human perception of noise. Members of the community can attest to the intrusion of noise from single events and at lower levels. Simple, inexpensive and effective means to abate noise are available below the given thresholds. The environmental documents must include a provision for community input to determine feasible noise abatement procedures. Simple measures that could be used include a lower speed limit, the deactivation of Jake brakes, restrictions on an increase in truck traffic, use of suitable asphalt pavement, tree plantings, and restrictions on mufflers. 29

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Noise abatement must be provided for homes with noise levels exceeding the Noise Abatement Criteria. Homes are listed [p.161] with NAC exceeding 66 dBA, but for which sound walls are ineffective. These homes are located on streets (Hiller Dr., Hawks Hill Ct., Starview Ct., Charing Cross Rd.) situated uphill from the freeway. Simple, inexpensive and effective means to abate the traffic noise are available, as mentioned above.

Include the use of berms planted with redwoods and other fire-resistant trees on Caltrans property along SR24. When designed correctly, tree plantings can reduce noise, according to *Caltrans Highway Design Manual 1101.3*.

Sound walls are ugly, provide noise release to only a handful of people, and reflect the sound to others. If a sound wall is to be built, we strongly urge that the berm version be selected. That provides better visual relief.

Require deactivation of Jake brakes within City limits between the tunnel and the 24/580 maze. Precedent has been set in other cities, e.g. Santa Fe, NM. 30

Establish a 50 mph limit from the tunnel to the maze. Lower speed will reduce pollution, noise, and accidents. When traffic flows at the speed limit, the trip will require only one added minute of transit time. (Highway 101 between San Rafael and the Golden Gate Bridge has a reduced speed limit.) 31

Enforce regulations on muffler noise on motorcycles and souped-up cars. 32

Provide noise contours throughout the project, and for homes up to the ridgelines along the freeway canyon. Include entire bowl in sound studies, spanning from ridge to ridge. According to the technical report, "*Revised Traffic Noise Impact Report*", the noise analysis does not include the entire project area, with omission of noise analysis between the Broadway exit and SR13, as well as between the Gateway exit and Camino Pablo. Also, no noise measurements were reported for the upper trail on the west side of Lake Temescal, where the freeway noise is loud. 33

Single-event noise impacts must be considered, as well as the time-averaged. Comply with KJOB v. Port of Oakland. As a measure of the human impact of noise, the Leq(h) is inappropriate. Negotiations with the community concerning noise abatement are required. Easy, effective and inexpensive means of reducing noise are available, as mentioned above. 34

Eliminate noise from exhaust fans. The D-EA/EIR [p. xii] states that jet fans will be located within the tunnel. A new Operations Maintenance and Control building will be built. No assessment is given for the effects of noise produced by the new and existing fans controlled at the new installation. Neighbors on Skyline Blvd. above the tunnel have requested that the environmental documents include a means to reduce noise from exhaust fans. 35

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6. BIOLOGICAL ISSUES

Replace eucalyptus trees on Caltrans property with redwoods, oaks, and other fire-resistant trees; and remove the broom. In fact, it would make economic sense to use the areas with eucalyptus trees as staging areas rather than restoring oaks and other fire resistant trees. 36

Include a plan to restore the Tunnel Branch sub-shed of the Temescal Creek Watershed ("Caldecott Creek") to its natural state insofar as this is possible. 37

7. LAND USE

Include the Caltrans land near the tunnel in a regional plan with trails, according to the Oakland General Plan (OSCAR Element). 38

8. CUMULATIVE IMPACTS

Cumulative impacts for Highway 24 in Oakland have never been assessed. New environmental laws have been enacted since the freeway was constructed. The assessment of cumulative impacts must use a baseline before the freeway was constructed, and take into account current law. 39

8. VISUAL

Shield the glare of highway lighting from view of uphill homes so as to protect the highly valued nighttime views of the Bay Area. 40

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ATTACHMENT II

NHPA Scoping Requests that have been included in the Draft EA/EIR

1. Include improvements at the Caldecott Lane on and off ramps and the westbound SR24 to northbound SR13 connector. Modify on and off-ramps to standard "hook" ramps. Re-align the connector from westbound SR24 to northbound SR13 to provide increased weaving distance. 41

2. Improve Kay/Caldecott Lane intersection by providing a right turn lane.

3. Protect trees and restrict tree removal.

4. Use strobe lights or spotters in lieu of backup alarms during nighttime operations.

ATTACHMENT III
Summary of Mitigations and Enhancements

1. Traffic light for left turns on Tunnel Road. This is located at the place where Tunnel Road turns into Caldecott Lane by Gateway Gardens. 42

2. Sidewalk from the Parkwood Condominiums to the light on Tunnel and Highway 13 (Landvale Crossing). 43

3. A method for crossing Highway 13 at the light near Hiller Drive. 44

4. Traffic light so that pedestrians can cross the Highway 13 at the Uplands. 45

5. Bike lanes along Highway 13 from the light to Claremont Avenue. 46

6. A pedestrian and bicycle crossing from Tunnel Road to Lake Temescal. 47

7. A total sound reduction package including low noise surface covering of Highway 24 from the Caldecott Tunnel to the 24/580 maze, tree planting, reduced speed limit, and restrictions on truck traffic, Jake brakes and mufflers. 48

8. Right-turn lane on Caldecott Lane at the Kay overpass for traffic headed east to the Tunnel. This approach to the Kay overpass, already included in the D-EA/EIR, should go all the way down Caldecott Lane to Tunnel Road. 49

9. A path from the light on Highway 13 and Hiller Drive to Chabot Road. This path will be on Caltrans property. The rest of the area could be dedicated to a park for children. 50

10. Finished sidewalk on the east side of Highway 13 by Bentley School. 51

11. Plan to restore the Tunnel Branch sub-shed of the Temescal Creek Watershed ("Caldecott Creek") to its natural state, insofar as possible. 52

12. Include the Caltrans land near the tunnel (near the North Oakland Sports Field) in a regional plan with trails, according to the Oakland General Plan (OSCAR element). Owners of land parcels adjacent to the Caltrans land are currently planning this trail. 53

13. Provide expertise and financial assistance to homes adversely affected by noise so that they can sound insulate their homes. 54

14. Subsidize a shuttle for local residents who are cut off by the freeways, so that they can go to BART. 55

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ATTACHMENT IV: cc List

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1- The Department and FHWA as the lead agencies for NEPA and CEQA have determined that the project will not have any significant environmental effects. See the essay on "The Environmental Process: Environmental Impact Statement/Environmental Impact Report (EIS/EIR) Versus an Environmental Assessment/Environmental Impact Report (EA/EIR); and Criteria for Significance" in Chapter 1.

2- Please see the essay on "Constructing The Tunnel from the East Side Only" in Chapter 1.

3 & 4 - There will be extensive public outreach during construction. In order to communicate with those in close proximity to the project site, Caltrans will implement an information/community outreach program. There will be a public information phone number for community members to call to ask questions, voice concerns or to make a comment. A project website with construction information will also be updated on a regular basis.

Caltrans construction Resident Engineer (RE) will coordinate closely with the Contractor to ensure there are responses to comments/concerns, and to make sure that the Contractor is following contract requirements to mitigate and/or abate and minimize construction impacts. The Contractor will be required to implement abatement procedures and to work closely with the RE to minimize disturbance to the community. Please see the essay on "Construction Impacts" in Chapter 1.

5-The construction specifications will prohibit the use of public streets for storing of construction equipment. In addition, the contract specifications will prohibit parking of construction worker vehicles and the staging of trucks on Caldecott Lane. The construction specifications will also stipulate that the Contractor shuttle workers to the site from remote parking locations.

6- The contract specifications will prohibit disposal trucks from using Tunnel Road, Claremont Avenue, Ashby Avenue, and College Avenue.

7- The local jurisdictions, such as the local fire department, ambulance services and police, are responsible for responding to any emergencies. However, Caltrans will facilitate "coordinated" emergency responses, by closely working with all local jurisdictions during an event. The State will also make every effort to maintain local access via its facilities. The Department has various emergency response plans in place, and periodically performs "emergency response mock drills" with various local entities, such as the Metropolitan Transportation Commission (MTC). As part of the coordinated effort with local jurisdictions, if required, the State will close portions of the tunnel to provide emergency vehicle access only. Based on the above discussion, the State does not prepare and maintain emergency response maps or escape routes for each local jurisdiction, within the local boundaries. However, the Department will coordinate and support the local plans and emergency responses by maintaining access via its facilities.

8- Tunnel excavation will utilize NATM. The nature of tunnel construction necessitates around-the-clock construction activity to control cost and schedule. When constructing a tunnel, construction work can proceed only in limited areas. For example, tunnel excavation can occur at only one location for each portal. Because of this limitation, the cost and schedule of a tunnel project will increase dramatically if the hours of construction are limited. In addition when the advance of a tunnel is delayed, additional support measures are required to assure that the face of the tunnel remains stable. Under the current plan, which involves tunnel construction five days per week, 24-hours per day, these additional support measures will only be required over the weekend. However, if tunnel construction were limited to one shift per day, these additional support measures would have to be installed every day, which would have significant cost implications. The estimated duration for the work hours for each major stage of construction is summarized by Activity, Duration, and Shifts: Mobilize/Portal Development - eight months, ten-hour shifts. Tunnel Excavation - 18 months, 24-hour shifts. Final Lining – eight months, ten-hour shifts. Tunnel Systems - seven months, ten-hour shifts. Tunnel Approaches – seven months, ten-hour shifts. Other Activities: 6 months. The schedule does not include risks and Contractor could elect to work more shifts. The project duration would be lengthened by approximately 14 months if tunnel construction were performed only from the east portal and the majority of this added schedule would be 24-hour-per-day tunnel excavation. The proposed start date of construction is June 2009. The proposed end date is December 2013.

Operations at the staging areas will occur seven-days per week. Please see the essay on "Construction Impacts" in Chapter 1.

9- Since the DEA/EIR circulation, Caltrans has reviewed the project for strategies to maintain as many of the existing trees as possible. Caltrans explored a modified berm/sound wall alternative that would potentially save some of the redwood trees adjacent to the Parkwoods complex. Originally, the 4.8-m (16-ft) high sound wall at shoulder alternative (Option A) and the berm with 2.4-m (8-ft) high sound wall (Option B) were the only options considered and evaluated. Option C, a variant of sound wall Option B was developed to save approximately 16 trees located adjacent to the Parkwoods Condominiums entrance. Of the three options presented to the Parkwoods Board meeting on January 19, 2007, sound wall Option B was subsequently selected as being the most aesthetically pleasing and beneficial to the Parkwoods residents. Caltrans has selected Option B for the following reasons: 1) The sound wall would be 2.4-m (8-ft) in height and less of a visual encroachment than the 4.8-m (16-ft) high sound wall options; 2) For adjacent residents, a fully landscaped berm would provide an attractive and pleasant buffer from the visual influence of freeway traffic. Caldecott Lane would appear more secluded and private while the visual influence of the freeway traffic would be immediately screened from much of the ground-plane and to some extent second story views; 3) In terms of

mitigation, landscaping would provide immediate benefits under Option B. When planted, typical 15-gallon-size trees would exceed the height of the sound wall and would mitigate the perceived surface plane of the sound wall structure. Shrub plantings could obscure the 2.4-m (8-ft) sound wall within 5-8 years. Trees planted on top of the berm would begin to screen freeway views from the upper Parkwood residences in 10-12 years as opposed to 18-20 years under the other two options.

Replacement landscaping would be completed as a separate contract to commence immediately following completion of the tunnel and traffic lanes. Replacement planting would include 15-gallon size up to 24-inch box trees.

10- Please see response #8, above.

Areas adjacent to Caldecott Lane will have the appearance of being newly landscaped and in addition to trees will include lower-story shrubs and woody ground covers. Planted areas would be mulched to provide a neat appearance, conserve water and to control weeds. Re-establishment of the visual quality comparable to existing conditions would take approximately 15-20 years. Visual effects will generally be adverse immediately following construction and would be substantially improved within 8-10-years.

The western staging area adjacent to Parkwoods will have vegetation loss. Caltrans has minimized the overall loss of vegetation for the project by minimizing the number of areas to be utilized as staging areas. Upon completion of the project, the earth berm/sound wall will be placed in the staging area, and will be planted with native or non-invasive species.

11- The Department understands your concern for addressing the potential for downstream water quality impacts during construction and the importance of protecting water resources. The Department is required, under its National Pollutant Discharge Elimination System (NPDES) and Construction General Permits, to consider the appropriate Best Management Practices (BMPs) with the Best Available Technology (BAT), to the Maximum Extent Practicable (MEP) as mentioned in the Draft Environmental Assessment/Environmental Impact Report (DEAEIR). As such, the Department shall include in the contract specific water pollution controls to be deployed during construction year round for the full duration of the contract. Additionally, the Contractor is required to prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) for approval by the Department. The SWPPP shall include BMPs to address any, or all, of the following to the MEP: soil stabilization, sediment control, tracking control, wind erosion control, non-stormwater management, and waste management and materials pollution control. Hazardous Waste, Solid Waste, Liquid Waste, and Contaminated Soil Management Construction Site BMPs shall also be required. In general, the choice of methods of construction and materials used would be dictated by the Contractor. Department site inspections would ensure adequate implementation of those BMPs identified within the SWPPP. Further, a sampling and analysis plan shall be prepared as part of the SWPPP to verify and ensure that no materials or wastes may be released from the construction site, effectively monitoring and protecting downstream water resources. These BMPs address operations during the construction phase of the project.

12- The construction staging areas will be lighted to support safe construction activities during the nighttime hours. All construction lighting will be shielded so that the lighting filament is not visible to nearby residents. In addition, the temporary soundwall along Caldecott Lane will also shield residences along Caldecott Lane from the construction staging area. Please see the essay on “Construction Impacts” in Chapter 1.

13- Caltrans and FHWA conform to local guidelines to the extent practicable and feasible. However, well established principles of State and Federal sovereignty preclude the application of local regulation to State and Federal activities. Caltrans and FHWA are not required to adhere to local ordinances for highway projects, but follow the environmental analysis requirements set forth in both the National Environmental Policy Act and California Environmental Quality Act.

In regards to construction noise impact, hourly (Leq (h)),, as well as maximum (Lmax), noise level descriptors were used to analyze impact. Measurements of existing ambient noise levels have been made at several locations adjacent to the Caldecott Tunnel. The locations were chosen based on their exposure to the construction noise. These measurements included both daytime and nighttime noise. Ambient noise levels vary throughout the day. Peak noise levels were recorded from single events (as measured by the descriptor Lmax) such as vehicular back firing (e.g., trucks, motorcycles). The ambient noise levels were then compared to expected noise levels from construction activities.

For the construction staging area the west portal, the analysis indicates that if noise from construction activities (including single events) does not exceed 86 dBA at a distance of 50 feet and a temporary noise barrier is constructed, construction noise at the measurement locations is expected to be no louder than existing ambient noise. Put another way, no single construction noise event will create noise higher than the single noise events that are occurring now, hence there will be no significant impact due to construction noise. For this project the contract will require that noise from equipment be kept under the noise level of 86 dBA at 50 feet. This is a standard currently being used on other state projects and has been shown to be consistently attainable.

For the analysis of construction noise at the east portal, ambient noise readings were taken on Grizzly Terrace Drive, the neighborhood with the most exposure to the construction noise. The construction noise limit of 86 dBA at 50 feet will also apply to this staging area. The analysis indicates that with normal dissipation in noise over distance (with no temporary soundwall), construction noise, whether continuous or single event, will not reach levels higher than those that are now occurring.

Please see the essay on "Methodologies Used for the Impact Assessments/Local Ordinances" in Chapter 1.

14- The procedures stated in the BAAQMD CEQA guidelines were taken into consideration, however, they are not enforceable on Caltrans unless adopted as a regulation. The feasible control measures recommended within the guidelines will be implemented to the extent possible.

15- Please see the essay on "Cumulative Impacts/Enhancements" in Chapter 1 regarding the unreasonableness of attempting to include the original State Route 24 and State Route 13 construction in cumulative impacts analysis for the present project some forty years later. Also see the essay on "Bicycle and Pedestrian Access/Improvements" in Chapter 1.

16- The section of road between the Gateway Garden and the Fire Storm Memorial Garden has been changed from Tunnel Road to Caldecott Lane.

17- The forecast prepared for this project is consistent with the land use assumptions for the City of Oakland.

The trend discussion on page 40 of the environmental document does include the effects of this potential in citing ABAG's *Projections 2005* and the Oakland General Plan (average growth of 600 housing units per year for the city as a whole through 2015). Also see Table 2.1.3-1, 2000-2030 Population, Housing and Employment Growth, from ABAG's *Projections 2005*. Likewise the analysis of traffic on Tunnel Road and Broadway does include the growth potential of the north Oakland hills as well as all other residential areas in the corridor because 2002 and 2003 ABAG land use projections were the basis for the traffic forecasts. Also see responses to City of Berkeley, Office of the City Manager, June 30, 2006, #34 and #35.

18- We acknowledge the comment that the southbound Tunnel Road approach to the intersection has a dedicated lane that has a constant green phase. However, as discussed in the response #2 in the essay on "Traffic Operations", the intent of these planning level studies is to evaluate conditions more than 25 years in the future (20 years design life plus the time it takes to plan, design, and construct the tunnel). This is different than specific intersection analyses that are geared toward examining existing and short-term operational issues and thus the approach is different. As a part of the operational analysis, the intersection level of service is optimized using software tools but manual adjustments to individual variables are not made or fine-tuned during the process of the study.

19- Caltrans will perform traffic counts at this intersection to study the possibility of signalizing the intersection. If results of the traffic counts show that signal warrants are satisfied, installation of a traffic signal will be included in this project.

20- Numerous maps are included in the DEA/EIR for different purposes. Not all routes and intersections within and beyond the project need to be identified. Please see response #2 in the essay on "Traffic Operations" in Chapter 1.

21- Traffic counts will be performed for Kay overcrossing intersections and the Caldecott Lane/Tunnel Road intersection to study the possibility of adding signals at these intersections. If results of the traffic counts shows that signal warrants are satisfied, installation of a traffic signal will be included in this project.

22- The traffic analyses already took into consideration the elimination of the existing bottleneck related to lane reduction in the off-peak direction and the increase of westbound capacity in the three-lane alternative (Alternative 3N).

23- Please see response #3 in the essay on "Traffic Operations" in Chapter 1.

24- While the project would not provide eastbound congestion relief during the afternoon peak, it would improve the condition and provide congestion relief in the morning peak. We recognize there will always be additional impact when incidents occur. However, the additional capacity provided by a fourth bore would be beneficial during those times and allow more traffic to stay on the freeway without having to divert to local streets.

25- The Port of Oakland has done trucking studies in the past that investigate the routes taken by trucks carrying goods to and from the port. These studies show that a very small proportion of these trucks use State Route 24. This truck traffic is taking either Route 880 northbound to 80 then eastward or Route 880 southbound to Route 238 to Route 580 then on east. (Phone Conversation between Phillip Cox, Caltrans Traffic Modeling and Forecasting Branch Chief, and Steve Gregory of Port of Oakland, 10/2/06)

Please see response #4 in the essay on "Traffic Modeling/Forecasting" in Chapter 1.

26 & 27- Please see the essay on "Bicycle and Pedestrian Access/Improvements" in Chapter 1.

28- The sidewalk near Kaiser and Bentley School on northbound Tunnel Road before Vicente Road was blocked by landslide. When appropriate funding becomes available, Caltrans will initiate a project (not part of the Caldecott Improvement Project) to build a retaining wall at that location to prevent future landslide. This work will improve the safety for students and bicyclists on Tunnel Road.

29-The noise criteria Caltrans uses for consideration of abatement measures are established under Code of Federal Regulations 23CFR772 and Caltrans' Traffic Noise Analysis Protocol, which has been approved by the Federal Highway Administration..

The decision to repave the roadway with a quieter pavement will be based on the roadway surface's need for rehabilitation, in conformance with the Caltrans' pavement rehabilitation strategy. Should Caltrans determine that repaving is required for maintenance purposes, open-graded asphalt pavement will be considered. Restriction of jake brakes and limitations on trucks is a joint decision of the local entities within the State Route 24 corridor and the California Highway Patrol. Caltrans does not have the authority to unilaterally set restrictions and cannot commit to them within this environmental document. Likewise, the regulation of vehicle equipment involves several agencies and likely a legislative process and is outside the scope of this environmental document.

Caltrans will provide landscaping to the extent possible.

A berm and sound wall (Option B) located along Caldecott Lane, across from Parkwoods Condominiums will be incorporated into the project.

30-Restriction of jake brakes is a decision of the local entities (cities, counties) within the State Route 24 corridor and is enforced by the California Highway Patrol. The Department does not have the authority to unilaterally set restrictions and cannot commit to them within this environmental document.

31- The setting of speed limits is a joint decision of the local entities within the State Route 24 corridor and the California Highway Patrol. Caltrans does not have the authority to unilaterally set limits and cannot commit to them within this environmental document.

32- Enforcing regulations on muffler noise is the responsibility of the California Highway Patrol, and outside the scope of a State highway operational improvements project.

33- The FHWA and Caltrans sanctioned methodology for assessing project impact does not involve noise contouring, since this approach would not provide accurate enough information for specific receiver locations.

The limits of the environmental document have been clarified to match the limits cited in the Revised Traffic Impact Report. See the essay on "Project Study Area Boundaries" in Chapter 1.

Noise abatements are considered only at locations where noise impacts are identified within the project study area boundaries. Caltrans has no program to provide noise abatements for areas currently subject to freeway traffic noise, or where there is no new freeway or reconstruction of an existing freeway.

Note: Trails are usually not considered sensitive noise receiver sites because of the transitory nature of their usage.

34- The Berkeley Keep Jets Over the Bay vs. Board of Port Commissioners case states that arbitrary noise metrics may not be adequate descriptors of noise impacts and that noise must be considered in the context of the disturbance that it causes. Caltrans uses an hourly Leq as the noise descriptor and believes that this is the appropriate descriptor for evaluating traffic noise and any resulting impacts.

On State Route 24 the highest single event noise producers (with the exception of the sirens of police and emergency vehicles) are heavy-duty trucks. Though they may produce noise at higher levels than the peak averaged hourly noise level, their frequency of passbys is irregular and unpredictable, and, unlike the sound of a jet flying by, the sound level is not much higher than the peak hourly level of the traffic that it is mixed with. Since freeway traffic noise is continuous, with irregular peaks, it would not be an accurate representation of the noise environment to describe the freeway only by the peaks caused by these individual truck passbys so Caltrans and the FHWA use a time averaged noise descriptor. When Caltrans performs its noise studies the percentage of heavy-duty trucks is factored into the model, though the volume of heavy duty truck traffic is not expected to increase.

35- Currently the ventilation fans for the third bore are run only on an infrequent basis because the natural ventilation through the tunnel is sufficient to meet air quality requirements. It is anticipated that the ventilation fans within the new fourth bore will similarly be run on an infrequent basis and, therefore any noise impacts will be infrequent and temporary. Further, when the fans run we do not expect their noise level in residential areas to exceed the sound of traffic.

36- Caltrans is replacing removed vegetation with native species. In regards to broom removal, mitigation for invasive species removal, fire management, and restoration will occur both inside and outside the immediate project study area boundaries, and will be finalized per consultation with resource agencies and project partners. Mitigation sites outside of the project area will be planted with native or non-invasive trees and shrubs to reestablish habitat values and would include invasive weed control and fire management for a maximum period of three years. Mitigation work outside of the project area will be performed concurrent with the roadway contract.

Additional highway planting, which would occur inside of the project study area boundaries, will include both mitigation planting and replacement planting to integrate the proposed facility with the adjacent community and natural environment. Highway planting within the immediate freeway corridor, would include three years of plant establishment and invasive weed control within specific areas, and would be implemented under separate contract immediately following the completion of all tunnel and roadway work.

With respect to project economics, Caltrans identifies staging areas that are located within the State right-of-way at locations within close proximity of the construction zone; however, eucalyptus trees are in fact found in some of these areas.

37- A "plan to restore the Tunnel Branch sub-shed of the Temescal Creek Watershed" is beyond the scope of the Caldecott Tunnel Improvement Project, and is not directly related to impacts associated with the project. Further, this would involve work outside of the Caltrans of right-of-way, where such restoration activities could not occur without procurement of additional right-of-way, making this infeasible for the proposed project.

38- There are no current plans to relinquish State right-of-way in the vicinity of the Caldecott Tunnel to the City of Oakland. Please also see the essay on "Methodologies Used for the Impact Assessment/Local Ordinances" in Chapter 1.

39- Please see the essay on "Cumulative Impacts/Enhancements" in Chapter 1.

40- There will be temporary night lighting associated with construction activities as well as permanent operational lighting following project completion. Night lighting will not be introduced for purposes of aesthetic or architectural effect, but utilized only to maintain safety for residents along Caldecott Lane and the operational safety of the tunnel facility for freeway motorists and Caltrans staff.

At this time, the specifics of temporary and permanent lighting facilities are in the preliminary design stage. Caltrans is preparing further analysis and evaluation of the lighting requirements for construction and post construction conditions to assess potential impacts of light and glare on receptors. Based on this assessment, additional strategies and design criteria will be developed to minimize and mitigate the effects of light and glare.

41- Comments noted. A right-turn lane on Caldecott Lane at the Kay overpass for traffic headed east to the Tunnel will be constructed as part of the Caldecott Improvement Project. The exact length will be determined during the design phase. Due to slope issues, the right-turn lane will not be extended to Tunnel Road but will be extended as far as practicably possible.

Regarding your comment on tree removal, please see response #9.

In regards to strobe lights, please see response #58 of the CENA letter.

42- Please see response #21.

43 and 44- Please see the essays on “Bicycle and Pedestrian Access/Improvements” and “Scope of the Project” in Chapter 1.

45- Caltrans recently studied the option of installing a pedestrian crosswalk with self-activated flashing beacon at the intersection of Tunnel Road (State Route 13) and Uplands. Based on the traffic data, accident history, vehicular approaching speed and pedestrian volume at this location, we concluded that installing crosswalk at this location is not desirable and may provide a false sense of security for the pedestrians, potentially leading to accidents.

46- There are currently no plans for bike lanes along State Route 13. Please see the essays on “Project Study Area Boundaries” and Bicycle and Pedestrian Access/Improvements” in Chapter 1.

47- Please see the essay on “Bicycle and Pedestrian Access/Improvements” in Chapter 1.

48- See response to comment #29 above.

49- Please see response #41.

50- Please see the essay on “Bicycle and Pedestrian Access/Improvements” in Chapter 1.

51- Please see response #28.

52- Please see response #37.

53- There are no current plans for the Department to relinquish right-of-way to the City of Oakland.

54- With the implementation of the measures mentioned in the essay on “Construction Impacts” in Chapter 1, construction noise is expected to be no louder than the existing typical ambient noise levels at receptors near the east and west construction staging areas.

No financial assistance will be provided to homes since the proposed project will not be adversely affected by noise.

55- Please see the essay on “Scope of the Project” in Chapter 1.

Metropolitan Chamber of Commerce-Oakland

Gregory C. McConnell, Senior Environmental Planner
Dept. of Transportation, District 4
P.O. Box 23660
Oakland, CA 94623-0660

June 6, 2006

Dear Mr. McConnell,

Re: Caldecott Tunnel Improvement Project

On behalf of the Oakland Metropolitan Chamber of Commerce Board of Directors, our 1700 business members, and 2000 affiliated merchants, we would like to express our support for the proposed addition of a fourth bore to the Caldecott tunnel.

Traffic congestion is a significant problem on Route 24 for people traveling between Alameda and Contra Costa Counties – particularly for those traveling in the "off-peak" direction. The proposed fourth bore would eliminate the need for daily tunnel reversals and merges and would likely minimize congestion, particularly on Highway 24 East in the morning, Highway 24 West in the afternoon, and Highway 13 North in the morning.

Voters in Alameda have already indicated they are in favor of the fourth bore by approving Regional Measure 2 program, which provides significant funding for the project. We believe that the completion of the Caldecott Improvement Project will reduce traffic and congestion, facilitate the flow of people and commerce between Alameda and Contra Costa counties, and generally improve the quality of life for Bay Area residents.

The Oakland Metropolitan Chamber of Commerce urges you to move forward with the EIR process, complete the design and begin construction as soon as possible. Thank you for your consideration.

Sincerely,

Joseph J. Haraburda
President & CEO

Copies sent to:
Secretary Sunne Wright McPeak, Business, Transportation and Housing Agency
Will Kempton, CalTrans
Linda Best, Contra Costa Council
Dan Vanderpriem, Oakland Community and Economic Development Agency
Claudia Cappio, Oakland Community and Economic Development Agency
Oakland Councilmember Jane Brunner, District 1
Oakland Councilmember Jean Quan, District 4

475 14th Street ▪ Oakland, CA 94612-1903 ▪ Telephone: 510/874-4800 ▪ Fax: 510/839-8817 ▪ www.oaklandchamber.com

Thank you for your comments.

Parkwoods Community Association

Parkwoods Community Association
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(510) 841-2105 (510) 841-2107 (FAX)

Board of Directors

Ted Feldman, President
Carl Holmes, Vice-President
Jo Cazenave, Treasurer
Linda Mignano, Secretary
Amir Caspi, Director-at-Large

Community Affairs Committee
Laurie Bernardi, Chairperson

Fourth Bore Sub-Committee
Penny M. Sinder, Chairperson

July 18, 2006

Gregory C. McConnell, Senior Environmental Planner
Attention: Sheryl Dorado, Associate Environmental Planner
Dept. of Transportation, District 4, Environmental Analysis
Mail Station 8B
P.O. Box 23660
Oakland, CA 94623-0660

Re: Comments, Draft Environmental Assessment/Environmental Impact Report, Caldecott Improvement Project on State Route 24

Dear Mr. McConnell and Ms. Dorado:

Please accept the following comments submitted by the Board of Directors and the Community Affairs Committee of the Parkwoods Condominiums Homeowners Association in response to the D-EA/EIR for the Caldecott Improvement Project. We represent over 1,000 individuals who occupy 433 residences that are located at "ground zero" as relates to the site of the proposed project.

Parkwoods is a very unique community which emulates the serenity of nearby parks and trails, yet has immediate access to the highways making it a most desirable *"location, location"* location. Every effort was made in the planning of this development to shield the complex from visual and sound intrusions emanating from SR24. Parkwoods is not an apartment complex, as often referred to in the D-EA/EIR, but is in fact individually-owned condominiums in which homeowners have major investments both financially and in quality of life.

Parkwoods is a member association of the Fourth Bore Coalition. While we will address the specific interests of Parkwoods homeowners in this letter, we are concerned with the implications of this project for all our neighbors in the SR24/SR13/I-580/I-880 corridors. We recognize that Caltrans is required to

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respond only once to any particular issue no matter how many times it is reiterated in separate submissions. We do not wish to burden you with significant repetition. Therefore we endorse and add our voice to the comments articulated in the following presentations which you will receive under separate respective cover:

1. Fourth Bore Coalition: Kent Deverell & Ann Smulka, Co-Chairpersons
2. Fourth Bore Coalition: Antonio Rossmann & Stuart M. Flashman, Attorneys
3. North Hills Phoenix Association: David Kessler, President
4. North Hills Landscape Committee: Gordon Piper, Chairperson
5. CEQA/NEPA Expert: Richard Grassetti

We will anticipate your responses to their comments and questions as if they were our own.

As is clearly corroborated in each of the referenced submissions, the D-EA/EIR is acutely lacking in adequate assessments of a wide range of significant issues which will have impact on the local East Bay community. We understand that Caltrans is only required to present mitigations to problems it has identified as noteworthy. The D-EA/EIR determines the project to be virtually free of any events requiring significant mitigations. This project is too important and too costly to approach on such minimal and, in many instances, unsubstantiated information.

Hence, on behalf of the Parkwoods homeowners we reject the report currently-presented D-EA/EIR as being faulty and non-compliant, in particular with CEQA/NEPA requirements. We remain steadfast in our position, as presented at the June 15, 2006 Caltrans Public Hearing, that the D-EA/EIR be withdrawn and that in its place Caltrans and the Federal Highway Administration prepare and circulate a full D-EIS/EIR. It should be noted that while we have not accumulated all signatures to date, we are in the process of canvassing our residents to obtain same for a petition regarding issues of specific concern, including those referenced within the body of this response. We are also exploring the option of requesting a Community Impact Report. 1

Staging and Construction

The D-EA/EIR acknowledges that "typically construction will result in increased levels of truck traffic, noise, dust and visual impacts. The impact from construction activities will be *temporary* and *can* be reasonably minimized by implementing various mitigation measures." This project is intended to take a minimum of five years. Experience confirms that relatively few projects ever see completion in the time frame first outlined. Even a five year timeline is not perceived as temporary by those who will be impacted on a 24/5-plus basis.

There are no homes, condominiums, apartments or schools at the East Portal of the tunnel. There are or will be by the construction phase of the Fourth Bore a minimum of 471 dwellings representing approximately 1,200 residents directly adjacent to the proposed West Portal staging area. Even if the Gateway (now Montanera) housing project in Orinda is complete or near

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completion at the time of the initiation of the proposed Caldecott Improvement Project, the distance of that development from the tunnel is significant and its location is on the opposite side of the freeway from the construction area. While the D-EA/EIR questions the availability of adequate space on the East side of the tunnel, we question the full exploration of this matter. Some of the potentially available space is held by East Bay Municipal Utility District – an entity with whom Caltrans has partnered in the past.

All potential intrusions to the thousands of Parkwoods, Hiller Highlands and North Hills residents would be immediately mitigated by staging and conducting the entire project from the East side of the tunnel, including but not limited to: 2

- Noise (staging. construction, traffic)
- Access (congestion, parking, bus maneuverability)
- Environmental Health (dust, air quality, hazardous waste)
- Safety Issues (traffic, fire, security, emergencies)
- Disturbance of Ecosystem (trees, wildlife)

Should any of the staging remain at the West Portal area, alternatives must be explored other than the triangle directly opposite Parkwoods. 3

Parkwoods homeowners have a heightened concern regarding potential fire hazards. This risk is increased with the proposed West Portal staging area as close to the property as described. Wherever the staging areas ultimately reside, specific procedures must be identified to insure oversight of the equipment and response to any unforeseen incident. The Oakland Fire Department must be consulted in this review. 4

While CEQA, the California Environmental Quality Act, necessitates that an emergency response plan and escape route be explicitly specified for a project of this magnitude, the D-EA/EIR makes absolutely no mention of such a comprehensive plan. In an area that was subject to one of California's most serious fire storms it is paramount that Caltrans be in compliance with CEQA requirements as relates to emergency response. 5

The proposed removal of trees in the currently defined West Portal staging area is not a viable option. Detailed reviews of the facts related to this issue are so noted in the North Hills Landscape Committee report as well as the North Hills Phoenix Association response. It is inadequate to state that trees which are currently visual and noise barriers and planted as fire retardants, per Caltrans specifications, will be replaced (even at 3 or 5 to 1) and show return to present growth in 10-15 years. The time frame begins at the conclusion of the construction which puts us at 2030, close to the anticipated usefulness of the entire project. 6

Parkwoods enjoys a great deal of wildlife: deer, owls, and migratory birds, to name a few. The extent to which the ecosystem on the Parkwoods property will be impacted by the construction and operational phase of the project has not been studied in the D-EA/EIR. We request that this study be included in your response. 7

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If the West Portal staging remains as defined, access into and out of Parkwoods along the very narrow corridor of Caldecott Lane will be congested and at times blocked. The proposed staging area is at a currently dangerous on/off ramp between SR-24 and Caldecott Lane. Trucks and heavy equipment at the defined staging area will create excessive cross traffic and visual impediments for drivers. Additionally, significantly more management traffic will be traversing into and out of Caltrans Tunnel offices, adversely affecting access to Parkwoods and the maneuverability of automobiles and AC Transit buses. 8

The D-EA/EIR does not address issues of contractor and worker parking, though there is a suggestion that workers "may" be shuttled to the construction site. Parking on Caldecott Lane is extremely limited and already beyond capacity. Caltrans must identify actions to ensure that at no time will its workers, contractors, or employees park in the residential areas of Caldecott Lane. 9

The D-EA/EIR anticipates that there will not be street closures. This seems unlikely based on our experience with prior Caltrans projects. As an example, the Eastbound entrance to SR24 off of Broadway is often closed due to CalTrans work on the Tunnel in the evenings. There needs to be a mechanism in place as to what initiates a road closure and a defined advance notice period and procedure for communicating with community members. Streets that will be used for trucks and other equipment need to be mapped and options negotiated with impacted homeowners. 10

The D-EA/EIR does not include any mitigations to account for increased traffic flow on Tunnel Road and Caldecott Lane, both during construction and afterwards. We strongly recommend the following two mitigations: A dedicated "right-turn only" lane should be installed from the SR13/Tunnel Road interchange to the Caldecott Lane/SR24 overpass, to allow 24E-bound motorists to queue while allowing 24W-bound and Parkwoods-bound motorists to bypass the queue (currently, they get stuck in the queue until the overpass). A dedicated "left-turn only" lane should be installed on Westbound Caldecott Lane at the SR24 overpass, to allow Broadway-bound or 24E-bound motorists to queue while allowing other drivers to continue unimpeded on Westbound Caldecott Lane. 11

It is predictable that Caldecott Lane, in addition to other roads used by heavy equipment, will be quickly degraded and repeatedly so. Degraded roads are safety hazards. There are no mitigations planned for this issue. Please outline your plan for this eventuality. 12

The entire length of SR24 in both directions must be repaved with rubberized asphalt or some other noise-reducing compound, prior to and upon completion. This material needs to be quality controlled as to avoid the problems that we have seen on SR24 beyond the Broadway exit. 13

The increased traffic and construction will leave Caldecott Lane less secure due to increased noise which may mask illegal activity and increased visual commotion which will distract residents. CalTrans should install additional street lighting on Caldecott Lane to improve security. 14

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Spoils

While we recognize that the decision as to where spoils may be placed and how they are transported is often not determined until the specific contractors are retained, given the unfathomable amount of spoils that will need to be addressed it is imperative that a protocol for determining the placement and transportation and related mitigations of spoils be clearly established in the environmental documents. 15

Spoils cannot be stockpiled in close proximity to residences, as in staging areas or in areas for potential use as berms as is suggested in the D-EA/EIR. The environmental impact to humans and wildlife from potentially contaminated soils cannot be risked. The amount of dust generated by these piles cannot be adequately controlled. In addition to the effect on living creatures, free floating dust and potentially hazardous airborne material will wreak havoc on equipment required to safeguard our community including the filtering system on the Parkwoods community pool. These intrusions must be studied and mitigated. 16

Caltrans must specify a process for controlling erosion and watershed effects from runoff "passing through" the staging areas as anticipated in the D-EA/EIR. 17

Noise

As stated in the D-EA/EIR, "Noise generated while constructing the tunnel improvement project *could* at times reach levels higher than the existing traffic noise."

We are concerned about the inadequacy of the sound control measures in the D-EA/EIR and rely on your response to the other community presentations in which this issue is fully explored. The building of Parkwoods Condominiums closest to the proposed 4th bore at 180 Caldecott Lane was omitted entirely from the Noise Abatement Chart on page #161 of the D-EA/EIR. This oversight is especially ironic as the individuals residing in this complex will be the most impacted by both the construction and operational noise. 18

The document specifies that a temporary sound barrier to be made of metal or wood "may" be installed during construction. Currently the trees across from Parkwoods in the proposed staging area provide some of that barrier. Where is the documentation that establishes the effectiveness of the temporary sound barriers? If none exists, please provide this verification. 19

The D-EA/EIR suggests that the work "can" – not "will" – be done with the New Austrian Tunneling Method also known as Sequential Evacuation Method, which unlike other methods requires work be done round the clock 24/5. Should construction work – including staging, boring and earth moving – occur from 11PM-6AM, it is our contention that no aspect of the project can be authorized to begin until the issue of noise abatement during construction is mitigated. 20

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Parkwoods residents already hear back-up noise of Caltrans trucks without ongoing construction, day and night. Given that many Parkwoods residents are at home and often sleeping during the day, as we have a number of fire fighters, police officers, medical professionals, small children and senior residents, alternative truck back-up signals need to utilized around the clock as do all other "evening noise" mitigations that would impact these residents. 21

The current traffic noise due to the existing concrete paving on SR24 is extremely high volume. Increased traffic from the Fourth Bore will cause an increase in the ambient noise. The entire length of SR24, in both Eastbound and Westbound directions, must be repaved with rubberized asphalt or some other noise-reducing compound. This material needs to be quality controlled as to avoid the problems that we have already experienced on SR24 beyond the Broadway exit. The roadways should be re-paved prior to construction to minimize noise from construction vehicles and should then be repaved upon the project's completion. 22

Mitigations (those not incorporated previously in this document)

Throughout the D-EA/EIR, potential mitigations are stated in terms of "may require action" and in too many cases, "no mitigation is necessary." Few if any details are given as to what will trigger a response from a "may require action" to "will take action," no definitive mechanisms are given to engage the community, and no results for infractions are outlined as relates to the construction process or any other stage of the project. All of these issues must be addressed in a final document.

A "responsible agency" is not named in the D-EA/EIR for oversight of the project and accountability. In relation to the aspect of the project that impacts Parkwoods and its surrounding neighbors, the City of Oakland must be identified as the "responsible agency." 23

Funding for the project is 3-5 years off. No mitigations are in place for revisiting issues of significance that may arise between acceptance of a project plan and the implementation of the project, such as the impacts of energy supply and demand, demographic shifts, economic environment, and capacity limitations. This must be a part of the plan. 24

The Gateway exit on the East side of SR24 is already misused and impedes traffic through the 3rd bore, making it difficult to exit safely at the Tunnel Road exit. The Gateway off and on ramp needs to be restructured to have a separate and distinct exit and entrance ramp to alleviate traffic congestion and address safety issues. The Fish Ranch Road on-ramp onto Westbound SR24 should also be studied as it is too short and contributes to hazardous traffic conditions. 25

Request for Additional Information

In order for Parkwoods residents to make assessments of the project's impact on our community, Caltrans must provide accurate depictions of the proposed tunnel and freeway design from several different angles, reflecting both the

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two and three lane options as well as off- and on-ramps. The photographs presented in the D-EA/EIR depict the proximity to Parkwoods of the new bore and subsequent lanes as relatively unchanged from what currently exists. Manual measurements confirm the same. A 3-D model of the project must be produced and made publicly available. 26

The description of the change in on and off ramps is ambiguous. Parkwoods enjoys easy access to and from SR24. Where will the entrances and exits be to the on and off ramps in the new constellation? At what stage of the project will the Tunnel Road on and off ramps be constructed? What road closures will this require? Is this change primarily being constructed for the benefit of moving construction equipment? Will the new design impact the already limited parking on Caldecott Lane? If so, what mitigations are in place? What is the plan for appropriate vegetation on the island? None of these questions are adequately addressed in the existing D-EA/EIR. 27

Enhancements

This project is of primary benefit to those who live and work in Contra Costa County. Residents of CCC have expressed their support by accepting taxation to fund the project. Even if all potential mitigations are enacted, the cities of Oakland and Berkeley serve only as a pass-through and therefore benefit minimally while experiencing significant potential set-backs. It is therefore imperative that these communities be compensated for the impact to our quality of life. 28

As we have been most concerned with the immediate consequence of the project and hence addressing omissions in the D-EA/EIR and potential mitigations, we have just begun to prepare a full list of enhancements which will be formalized and presented at a future date in conjunction with the Fourth Bore Coalition. However, as examples we recommend:

1. Additional access ways for convenient pedestrian and bicycle movement throughout the area should be created. In particular, we desire sidewalks and bike lanes on both sides of the road from the top of Tunnel Road at SR13 through Caldecott Lane.

2. Shuttle and feeder service from Parkwoods, Hiller Highlands and the North Hills areas to BART and to significant locations such as the University of California.

We appreciate the opportunity to respond to the D-EA/EIR. As we are at a critical juncture in the project we look forward to having our concerns responded to in good faith. We recognize that there is a strong desire on the part of many, particularly in CCC, to move this project forward post-haste. While we all view the project from our own interests, there are tests and standards that must be met to provide for the basic well being of the community, for the environment and for the future.

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The current D-EA/EIR fails to meet these tests and standards, in particular through its omission or inadequate discussion of key issues and its non-compliance with NEPA and CEQA guidelines and regulations. Therefore, we patently dispute the validity of claims made in the existing D-EA/EIR and must repudiate the report. It is incumbent upon Caltrans and the Federal Highway Administration to recognize the diversity of issues that are intrinsic to this project and to prepare and circulate a complete and comprehensive D-EIS/EIR that addresses the issues expressed herein and that complies with NEPA and CEQA guidelines and regulations. 29

Should you have any questions regarding our response, please feel free to contact our Fourth Bore Chairperson, Penny M. Sinder at (510) 540-8072 or at p.sinder@comcast.net.

Sincerely,

Ted Feldman
President

Carl Holmes
Vice-President

Jo Cazenave
Treasurer

Linda Mignano, MD
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1-Please see the essay on "The Environmental Process; Environmental Impact Statement/Environmental Impact Report (EIS/EIR) Versus An Environmental Assessment/Environmental Impact Report (EA/EIR); And Criteria For Significance" in Chapter 1. A Community Impact Assessment report was completed for the project.

2- Please see the essay on "Constructing the Tunnel from the East Side Only" in Chapter 1.

3- The proposed staging areas shown on Figure 2.4.2-1 are critical to completion of the project in a timely fashion. Please see the essay on "Construction Impacts" for a discussion of avoidance and minimization of construction impacts in Chapter 1.

4- One of the first activities that will be performed is clearing of flammable vegetation within the construction sites. The contract specifications will require that construction equipment be well maintained and all equipment outside of the cleared areas will be fitted with spark arrestors. In addition, the contract specifications will prohibit smoking within the construction sites. Construction sites will be wetted down on a regular basis to control dust, which will also help mitigate any fire hazard. Construction will not result in road closures that would block egress from the area around the tunnel construction sites in the event of a fire. Limited road closures will occur during construction but in all cases detours would be available in the event of an emergency. See response #5 below.

5- The local jurisdictions, such as the local fire department, ambulance services and police, are responsible for responding to any emergencies. Caltrans, however, will facilitate "coordinated" emergency responses, by closely working with all local jurisdictions during an event. Caltrans will also make every effort to maintain local access via its facilities. Caltrans has various emergency response plans in place, and periodically performs "emergency response mock drills" with various local entities, such as the Metropolitan Transportation Commission (MTC). As part of the coordinated effort with local jurisdictions, if required, Caltrans will close portions of the tunnel to provide emergency vehicle access only. Caltrans does not prepare and maintain emergency response maps or escape routes for each local jurisdiction, within the local boundaries. However, Caltrans will coordinate and support the local plans and emergency responses by maintaining access via its facilities.

6- Since the DEA/EIR circulation, Caltrans has reviewed the project for strategies to maintain as many of the existing trees as possible. Caltrans explored a modified berm/sound wall alternative that would potentially save some of the redwood trees adjacent to the Parkwoods complex. Originally, the 4.8-m (16-ft) high sound wall at shoulder alternative (Option A) and the berm with 2.4-m (8-ft) high sound wall (Option B) were the only options considered and evaluated. Option C, a variant of sound wall Option B was developed to save approximately 16 trees located adjacent to the Parkwoods Condominiums entrance. Of the three options presented to the Parkwoods Board meeting on January 19, 2007, sound wall Option B was subsequently selected as being the most aesthetically pleasing and beneficial to the Parkwoods residents. Caltrans has selected Option B for the following reasons: 1) The sound wall would be 2.4-m (8-ft) in height and less of a visual encroachment than the 4.8-m (16-ft) high sound wall options; 2) For adjacent residents, a fully landscaped berm would provide an attractive and pleasant buffer from the visual influence of freeway traffic. Caldecott Lane would appear more secluded and private while the visual influence of the freeway traffic would be immediately screened from much of the ground-plane and to some extent second story views; 3) In terms of mitigation, landscaping would provide immediate benefits under Option B. When planted, typical 15-gallon-size trees would exceed the height of the sound wall and would mitigate the perceived surface plane of the sound wall structure. Shrub plantings could obscure the 2.4-m (8-ft) sound wall within 5-8 years. Trees planted on top of the berm would begin to screen freeway views from the upper Parkwood residences in 10-12 years as opposed to 18-20 years under the other two options.

Replacement landscaping would be completed as a separate contract to commence immediately following completion of the tunnel and traffic lanes. Replacement planting would include 15-gallon size up to 24-inch box trees.

Areas adjacent to Caldecott Lane will have the appearance of being newly landscaped and in addition to trees will include lower-story shrubs and woody ground covers. Planted areas would be mulched to provide a neat appearance, conserve water and to control weeds. Re-establishment of the visual quality comparable to existing conditions would take approximately 15-20 years. Visual effects will generally be adverse immediately following construction and would be substantially improved within 8-10-years.

The western staging area adjacent to Parkwoods will have vegetation loss. Caltrans has minimized the overall loss of vegetation for the project by minimizing the number of areas to be utilized as staging areas. Upon completion of the project, the earth berm/sound wall will be placed in the staging area, and will be planted with native or non-invasive species.

7- The project will impact low-quality wildlife habitat immediately adjacent to State Route 24 within state right-of-way. Few wildlife species utilize this low-quality habitat. Wildlife will be able to use the higher-quality habitat abundant throughout the project vicinity and within the Caldecott Wildlife Corridor located above the existing and proposed tunnel.

Studies have been conducted to evaluate the direct and indirect impacts of the construction and operational phases of the project on regulated wildlife including California red-legged frog and Alameda whipsnake. These impacts were evaluated within the biological study area for the project, and are included in the environmental document. Measures to avoid and minimize impacts to regulated species have been included in the project, and will protect regulated species beyond the bounds of the project. Studies specific to the Parkwoods property are beyond the scope of the project.

8- The construction specifications will prohibit the use of public streets for storing of construction equipment. In addition, the contract specifications will prohibit parking of construction worker vehicles and the staging of trucks on Caldecott Lane.

9- The construction specifications will prohibit construction workers from parking on Caldecott Lane and will stipulate that the Contractor shuttle workers to the site from remote parking locations.

10- The Department will inform the community, ahead of time, of any closures. Please also see the essay on "Construction Impacts" in Chapter 1.

11- The current proposal includes a right-turn lane at the eastbound Caldecott Lane approach to the Kay Street intersection/State Route 24 overcrossing. Although adding a westbound left turn lane is not incorporated, providing the eastbound right turn lane to separate the turning vehicles and through traffic could provide relief for the westbound left turn traffic. In addition, Caltrans is conducting traffic studies at the Kay overcrossing intersections to examine the possibility of signalizing these intersections. If signal warrants are satisfied, installation of traffic signals will be included in this project.

12- The Caldecott Lane on and off-ramps will be overlayed with asphalt and portions of Caldecott Lane will be overlayed upon completion of major activities on the west portal. Caltrans will make sure that the on- and off-ramps will be in usable condition upon completion of the project.

13- The existing pavement within the project study area boundaries is Portland cement concrete. Concrete is a durable material for highway pavements. This existing pavement has recently been rehabilitated and in good condition. Its expected life is 20 to 40 years. Placing open graded asphalt concrete (OGAC), or rubberized asphalt concrete (RAC) as a noise mitigation measure would involve the following: The existing concrete pavement would have to be cracked and seated during night-time lane closures, and an appropriate thickness of overlay placed on top. The resulting pavement would have an expected life of 20 years and would add an estimated cost of approximately $5 million to the Caldecott Improvement Project. Caltrans position is to keep the existing concrete pavement since it is in good serviceable condition.

14- Caldecott Lane is within the City of Oakland jurisdiction. Installation of additional street lighting would require coordination with the City of Oakland.

15- The disposal of excavated material will be determined by the Contractor. The Contractor will be able to explore potential uses for the excavated material and disposal sites. The Contractor will be required to adhere to all state and federal regulations in disposal or use of the excavated material.

It is expected that the material resulting from the tunnel excavation will be free of anthropogenic contamination, thereby making it a very likely candidate for unrestricted reuse at other developments in need of imported fill. There is a chance that a small percentage of the excavation spoils will be impacted by the naturally occurring hydrocarbons (e.g., tar) observed in the geologic formations during the boring of the earlier tunnels. The excavation spoils will be screened for the presence of hydrocarbons and other chemicals (e.g., metals) to fully characterize the spoils' constituents and determine suitability for types of reuse.

Whether the spoils are reused as imported fill or disposed of at a landfill, the material will be handled in accordance with all applicable laws and regulations promulgated by federal, state, and local agencies. For example, landfill waste characterization will be governed by Title 22 of the California Code of Regulations and the federal parameters defined under the Resource, Conservation and Recovery Act (RCRA); additionally, reuse as imported fill should satisfy guidelines established by, amongst others, the State Water Resources Control Board acting through its regional water quality control boards.

16- Construction staging areas will be wet down on a regular basis. No runoff will occur as a result of this planned wetting down of the construction staging areas. However, runoff could occur during storms and this

runoff will be treated in accordance with the project specific Storm Water Pollution Prevention Plan. Spoil piles will also be wetted down to control dust prior to removal of the spoils. Street sweeping will be performed on a regular basis to clean up dirt tracked onto local streets. Ventilation fans will be equipped with filtration systems to trap dust emanating from the tunnel during construction. The shotcrete batch plant at the west portal will be enclosed to control dust.

17- The Department understands your concern for addressing the potential for downstream water quality impacts during construction and the importance of protecting water resources. The Department is required, under its National Pollutant Discharge Elimination System (NPDES) and Construction General Permits, to consider the appropriate Best Management Practices (BMPs) with the Best Available Technology (BAT), to the Maximum Extent Practicable (MEP) as mentioned in the Draft Environmental Assessment/Environmental Impact Report (DEA/EIR). As such, the Department shall include in the contract specific water pollution controls to be deployed during construction year round for the full duration of the contract. Additionally, the contractor is required to prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) for approval by the Department. The SWPPP shall include BMPs to address any, or all, of the following to the MEP: soil stabilization, sediment control, tracking control, wind erosion control, non-stormwater management, and waste management and materials pollution control. Hazardous Waste, Solid Waste, Liquid Waste, and Contaminated Soil Management Construction Site BMPs shall also be required. In general, the choice of methods of construction and materials used would be dictated by the contractor. Department site inspections would ensure adequate implementation of those BMPs identified within the SWPPP. Further, a sampling and analysis plan shall be prepared as part of the SWPPP to verify and ensure that no materials or wastes may be released from the construction site, effectively monitoring and protecting downstream water resources. These BMPs address operations during the construction phase of the project.

18- The State's approach to operational noise abatement is to determine the receptor that would be most likely to exceed the noise abatement criteria or reach a predicted noise level determined to be significant. The rationale is that once we have determined the existence or non-existence of traffic noise impacts at these critical receptors in a given area it becomes unnecessary to analyze all the other receptors, which are physically less exposed to the freeway, and thus will have lower predicted noise levels. #320 Parkwoods has a greater exposure to the freeway than #180 Parkwoods. Our mid-day noise readings at #180 Parkwoods were substantially lower than those at #320 Parkwoods. Since traffic noise impacts have been determined at #320 Parkwoods, we do not have to analyze the noise at #180 Parkwoods as we know those predicted noise levels will be lower. It is not necessary to show traffic noise impacts at #180 Parkwoods because traffic noise impacts have already been determined to exist in the area and the next step is to analyze appropriate abatement.

In regards to the analysis of appropriate abatement, the State determines critical receptors in any given area to represent those areas. Again, as in the determination of traffic noise impact, the State does not analyze every single receptor and federal guidance does not require that every single receptor be analyzed. The fact that #180 Parkwoods was not included in the analysis does not mean that abatement is not being considered for that building, just that under the federal guidelines, if noise abatement has been shown to qualify for #320 Parkwoods, it becomes unnecessary to further analyze other residences that are more shielded from freeway noise. Please also see the essay on "Methodologies Used for the Impact Assessments/Local Ordinances" in Chapter 1.

19- Such documentation is not necessary or legally mandated. Most barriers can be engineered to provide at least 5 dBA of abatement (the same that would be provided by the permanent proposed barriers) as long as they break the line of sight to the receiver. Even so, a noise analysis was performed for the proposed temporary soundwall. In regards to construction noise impact, hourly (Leq (h)), as well as maximum (Lmax), noise level descriptors were used to analyze impact. Measurements of existing ambient noise levels were made at several locations adjacent to the Caldecott Tunnel. The locations were chosen based on their exposure to the construction noise. These measurements included both daytime and nighttime noise. Ambient noise levels vary throughout the day. Peak noise levels were recorded from single events (as measured by the descriptor Lmax) such as vehicular back firing (e.g., trucks, motorcycles). The ambient noise levels were then compared to expected noise levels from construction activities. For the construction staging area at the west portal, the analysis indicates that if noise from construction activities (including single events) does not exceed 86 dBA at a distance of 50 feet and a temporary noise barrier is constructed, construction noise at the measurement locations is expected to be no louder than existing ambient noise.

20-Tunnel excavation will utilize New Austrian Tunneling Method. The nature of tunnel construction necessitates around the clock construction activity to control cost and schedule. When constructing a tunnel, construction work can proceed only in limited areas. For example, tunnel excavation can occur at only one location for each portal. Because of this limitation, the cost and schedule of a tunnel project will increase dramatically if the hours of construction are limited. In addition when the advance of a tunnel is delayed, additional support measures are required to assure that the face of the tunnel remains stable. Under the current plan, which involves tunnel construction 5 days per week, 24 hours per day, these additional support measures will be required only over the weekend. However, if tunnel construction were limited to one shift per day, these additional support measures would have to be installed every day, which would have significant cost implications. At this time it is anticipated that only tunnel excavation will be performed on a 24 hour per day schedule. The estimated duration for the work hours for each major stage of construction is summarized below:

Activity	**Duration**	**Shifts**
Mobilize/Portal Development	8 months	1 10 hour
Tunnel Excavation	18 months	24 hour
Final Lining	8 months	1 10 hour
Tunnel Systems	7 months	1 10 hour
Tunnel Approaches	7 months	1 10 hour
Other Activities	6 months	

The schedule does not include risks and the Contractor could elect to work more shifts.

Please see the noise section in the essay on “Construction Impacts” in Chapter 1.

21- The contract specifications will require the use of strobe lights or flagpersons in lieu of backup alarms during nighttime activities. Please see the noise section in the essay on “Construction Impacts” in Chapter 1.

22- See response #13, above.

23- A “responsible agency” under CEQA is defined as "a public agency, other than the lead agency, which has responsibility for carrying out or approving a project." (Public Resources Code section 21069.). Such agencies typically have permitting authority or approval power over some aspect of the project. The proposed project will be constructed on State Route 24, which is part of the state highway system and wholly on state right-of-way. While State Route 24 runs through the City of Oakland, the City does not have jurisdiction, authority or responsibility for making or implementing decisions as to the State highway or this project. It therefore does not fall within the category of a “responsible agency” under CEQA.

24- Generally, if more than three years have passed between the completion of an environmental document and the next major project development step, the Department completes a reevaluation to determine whether the assessments completed for the project are still valid. A reevaluation considers such factors as whether:

1. There have been changes in the project or its surroundings and impacts;
2. Any new issues have been identified;
3. There are new circumstances;
4. There is new information that was not considered in the original document; and
5. There have been changes in laws or regulations that apply to the project.

25- The Gateway exit will not have any improvements as part of this project. Improvements to the Fish Ranch Road westbound on-ramp are included in this project.

26- We believe the descriptions and simulations in the DEA/EIR are accurate in depicting the proposed project. At this time, no 3D model of the project is available.

27- The proposed hook ramps shown in the draft environmental document are no longer being considered. The scissor ramps will remain. The off-ramp will be slightly realigned to accommodate the extra lanes from the westbound (WB) fourth bore. The realignment and existing pavement overlay will be limited to weekends or multiple night time closures. Since the ramp design will remain the same, existing parking configurations on Caldecott Lane will not be impacted. A separate landscaping project will commence after completion of this project. The landscaping project will address planting within the project study area boundaries.

28- There are no plans for the Department to financially compensate the cities of Oakland and Berkeley. All the required mitigation, under CEQA and NEPA, will be implemented.

Since congestion is reduced primarily in the off-peak direction, eastbound in the morning and westbound in the afternoon, commuters heading to the east side of the tunnel in the morning and to the west in the afternoon will experience the bulk of the benefits from the project.

Please see the essays on "Scope of the Project", "Cumulative Impacts/Enhancements", and "Bicycle and Pedestrian Access/Improvements" in Chapter 1.

29- The Department and FHWA as the lead agencies for NEPA and CEQA have determined that the project will not have any significant environmental effects and fully complies with CEQA and NEPA regulations and guidelines. See the essay on "The Environmental Process: Environmental Impact Statement/Environmental Impact Report (EIS/EIR) Versus an Environmental Assessment/Environmental Impact Report (EA/EIR); and Criteria for Significance" in Chapter 1.

PG&E

"Guarino, Tom"
<TGG3@pge.com>
06/02/2006 12:56 PM

To <Caldecott_Public_Comments@dot.ca.gov>
cc
bcc
Subject Caldecott Tunnel

Thank you very much for the opportunity to comment about the exciting prospects of a 4th Bore of the Caldecott Tunnel.

I'd like to recognize CalTrans for developing an excellent, comprehensive and fair DED that adequately identifies the impacts of the project and includes an appropriate list of mitigations that will alleviate the impact of the project on the community.

Development of the 4th Bore is critical for the health, safety, economic and environmental welfare of the employees and their families who must negotiate this route during the normal working days. Development of the 4th Bore in our opinion will accomplish much: reduce traffic and congestion, facilitate the flow of people and commerce and improve the quality of life for Bay Area Residents.

We respectfully ask of CalTrans that the DED be approved and the design finished and construction on this critical project commence as soon as possible.

Thank you for your support and if you have any questions, please feel free to contact me at your convenience.

Sincerely,

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East Bay Public Affairs Manager

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Thank you for your comments.