

41. M. Scott Mansholt, Senior Environmental Project Management Specialist, Chevron Environmental Management Company (letter dated October 24, 2008)



Letter 41

M. Scott Mansholt Sr. Environmental Project Management Specialist Chevron Environmental Management Company 6111 Bollinger Canyon Rd, San Ramon, CA 94583-2324 Tel (925) 543-2353 Fax (925) 543-2323 scott.mansholt@chevron.com

October 24, 2008

Stakeholder Correspondence--BART Planning Department EBART Project

Ms. Katie Balk San Francisco Bay Area Rapid Transit Planning Department 300 Lakeside Drive, 16th Floor Oakland, California 94611

Subject: BART – Comments for Environmental Impact Report for EBART Project Chevron Environmental Management Company Historic Pipeline Alignment-Bakersfield to Richmond

Dear Ms. Balk:

Chevron Environmental Management Company (CEMC) recently became aware of the Draft Environmental Impact Report (EIR) prepared in support of the proposed eBART project in Contra Costa County, California. The purpose of this letter is to notify project stakeholders as to the location of former crude-oil transportation pipelines that were operated by Chevron’s predecessors with respect to the eBART project, and to incorporate the information presented in this letter into the Final EIR. The proposed project will be located near adjacent former pipeline rights of way (ROWs).

41-1 In the early 1900s, Chevron's predecessors built the Old Valley Pipeline (OVP) system and Tidewater Associated Oil Company (TAOC) dual-pipeline system to transport heavy crude oil and Bunker C fuel oils from the oilfields in Kern County to the Richmond Refinery or Port Costa. The pipelines operated until the early 1970s when they were decommissioned. The pipelines are no longer active, and the bulk of the pipe has already been removed. The location of the former OVP and TAOC pipelines in Contra Costa County is illustrated on Figure 1.

41-1 Evidence of historic releases associated with the OVP and TAOC pipelines is sometimes identified during the course of underground utility work and other subsurface construction activities near the former pipeline ROWs. Generally, residual weathered crude oil associated with Chevron’s historical pipeline operations can be observed visually; however, analytical testing is necessary to confirm that the likely source of the affected material is associated with the OVP and/or TAOC pipelines. Government agencies agreed with the testing and analytical results from human health risk assessments performed at several known historical pipeline release sites, which confirm that any soil affected by the historic release of product from the pipelines is non-hazardous and does not pose significant health risks. It has also been established that residual subsurface oil in the soil is relatively immobile due to its heavy and weathered nature.

Ms. Katie Balk – BART Planner
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Page 2

41-2 ■ There are two environmental sites in the vicinity of eBART with documented OVP and TAOC releases along the former pipeline ROWs that are currently undergoing site investigations (Figure 2). For more information regarding these site investigations, please contact SAIC (contact information listed below). CEMC's experience along other portions of the OVP and TAOC indicate that the potential exists for subsurface soil along and near the historical ROWs to be affected by undocumented residual weathered crude oil.

41-3 ■ CEMC requests that the BART planning department provide updates and any future ongoing developments regarding this project. Note that Chevron Pipeline Company may provide separate correspondence regarding activities associated with the active Bay Area Products Line ROW, which is coincident with the former OVP and TAOC ROWs (see Figure 1).

For more information regarding the Historical Pipeline Portfolio–Bakersfield to Richmond alignment, please visit <http://www.hppinfo.com/>. If you have any questions or require additional information, please call SAIC Consultants Tom Burns at (916) 979-3748 or Mohamed Ibrahim at (916) 979-3828.

Sincerely,



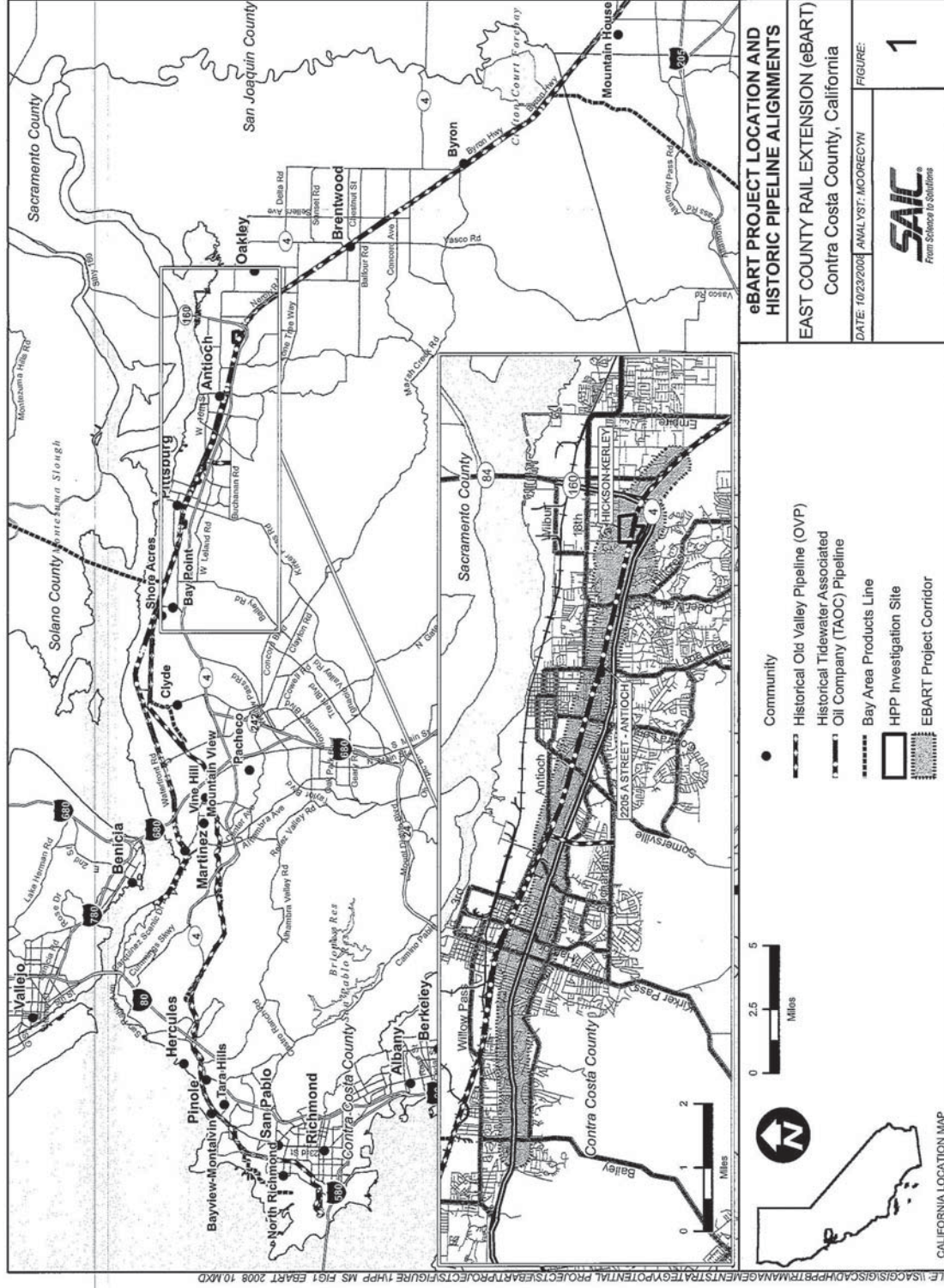
M. Scott Mansholt

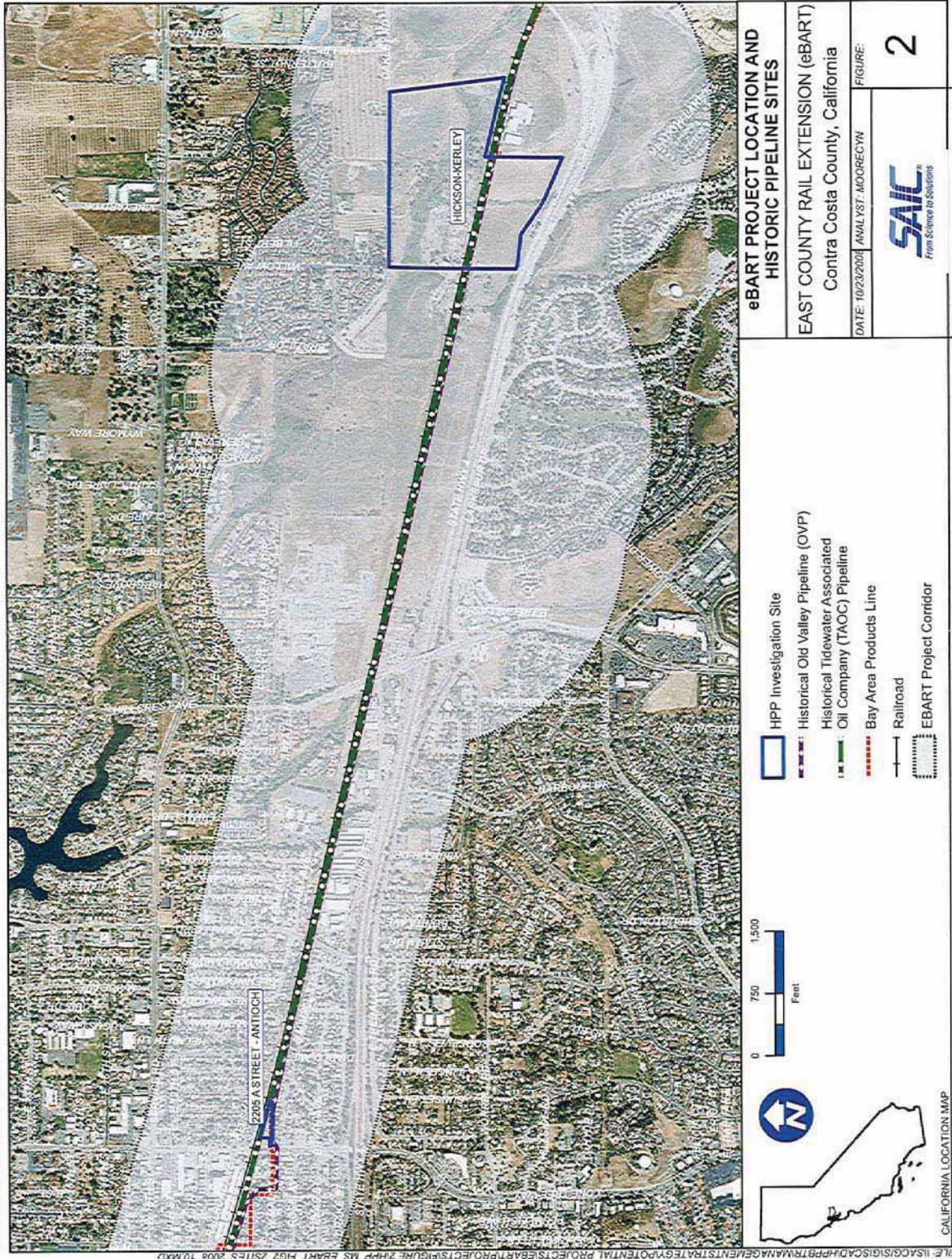
MSM/mni

Enclosures:

Figure 1: eBART Project Location and Historic Pipeline Alignments

cc: Mr. Tom Burns – SAIC
3800 Watt Avenue, Suite 210, Sacramento, California 95821
Mr. Mike Jenkins – SAIC (letter only)
3800 Watt Avenue, Suite 210, Sacramento, California 95821
Mr. Jeremy Gross – Chevron Pipeline Company
2360 Buchanan Road, Pittsburg, California 94565





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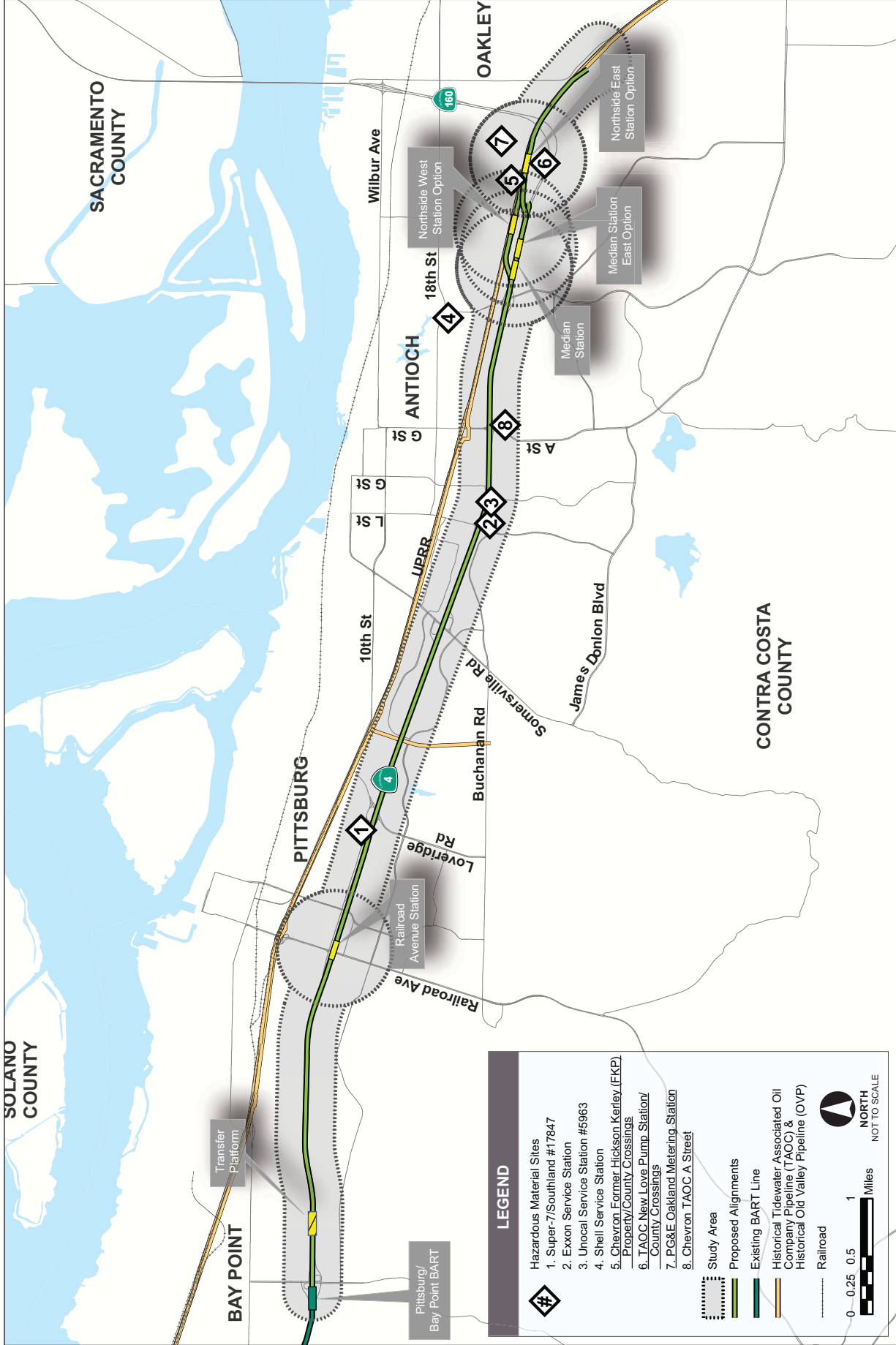
41.1 On page 3.12-5, the Draft EIR generally discusses the potential for leaking petroleum pipelines to have impacted the project area, but does not mention the specific locations of former pipelines. In response to the CEMC comment letter, the Draft EIR is revised to show the location of the former OVP and TAOC pipelines in Figure 3.12-1. The text of the Draft EIR has also been revised, as described in Response 41.2 below.

On pages 3.12-22 and 3.12-23 of the Draft EIR, Mitigation Measures HS-8.1 and HS- 8.2 require a file review and a Phase I Environmental Site Assessment (ESA) of the project footprint prior to project construction, and a Phase II soil and groundwater investigation in the event soil and/or groundwater testing is deemed appropriate. On page 3.12-23, Mitigation Measure HS-8.3 requires that a Remedial Action Plan be developed if warranted to address potential air and health impacts through remedial activities.

41.2 BART will update CEMC on future developments regarding the project. In addition, in response to the CEMC comment letter, Figure 3.12-1 of the Draft EIR is revised to show the two sites with documented OVP and TAOC releases. The sites are labeled as Chevron TAOC A Street; and Chevron, Hickson-Kerley, Antioch.

Furthermore, the fifth paragraph on page 3.12-2 of the Draft EIR is revised as follows:

The EDR reports, dated December 2007, indicate that five sites have the potential to impact the project corridor, stations, and/or maintenance facilities, given the location of the sites relative to groundwater flow, the proximity of the sites to the project corridor, and/or the regulatory cleanup status of the site. In addition, a review of the State Water Resource Control Board's Geotracker website in November 2008 indicates that two sites associated with former crude-oil transportation pipelines, the Old Valley Pipeline (OVP) and the Tidewater Associated Oil Company (TAOC) dual pipeline system, are also currently under investigation as of August 2008 under Central Valley Regional Water Quality Control Board (RWQCB)



LEGEND

Hazardous Material Sites

1. Super-7/Southland #17847
2. Exxon Service Station
3. Unocal Service Station #5963
4. Shell Service Station
5. Chevron Former Hickson Kerley (FKP) Property/County Crossings
6. TAOCC New Love Pump Station/County Crossings
7. PG&E Oakland Metering Station
8. Chevron TAOCC A Street

Study Area

- Proposed Alignments
- Existing BART Line
- Historical Tidewater Associated Oil Company Pipeline (TAOC) & Historical Old Valley Pipeline (OVP)
- Railroad

0 0.25 0.5 1 Miles
NOT TO SCALE

NORTH
NOT TO SCALE

Source: ERM, 2008.

HAZARDOUS MATERIALS SITES POTENTIALLY AFFECTING PROJECT CORRIDOR
FIGURE 3.12-1

oversight.^{4,5,6} The sites are listed in Table 3.12-1 and are shown in Figure 3.12-1.

Table 3.12-1 on page 3.12-3 of the Draft EIR is revised as follows:

Map ID - Figure 3.12-1	Site Name	Address	Approximate Distance from Project Corridor	Summary of Environmental Conditions
1	Super-7/ Southland #17847	1220 California Avenue, Pittsburg	Approximately 100 feet north	The site is listed in the Cortese database. No other information was provided about the site in the EDR report.
2	Exxon S/ S 7-3615	2610 Contra Loma Boulevard, Antioch	Approximately 350 feet south	The site is listed in the LUST database as a result of a gasoline release that occurred in July 1987. Pollution characterization is being conducted at the site.
3	Unocal Service Station #5963	2701 Contra Loma Boulevard, Antioch	Approximately 550 feet south	The site is listed in the LUST database as a result of a gasoline release that occurred in September 1989. A preliminary site assessment is underway.
4	Shell Service Station	1800 and 1809 A Street, Antioch	Approximately 2,400 feet north	The site is listed in the LUST database as a result of potential groundwater contamination from petroleum hydrocarbons and trichloroethene. Previous reports indicate that groundwater flows to the north at approximately 0.004 feet per foot.

⁴ State Water Resources Control Board, *Geotracker, Chevron TAOC A Street, Chevron TAOC New Love Pump Station*, Accessed on November 24, 2008 at <http://geotracker.swrcb.ca.gov/search.asp>.

⁵ Science Applications International Corporation (SAIC), *On-Site Soil and Groundwater Investigation Report, 2205 A Street, -Antioch, Antioch, California*, June 2008.

⁶ SAIC, *Soil and Groundwater Investigation Report, Hickson-Kerley Site, Antioch, Contra Costa County, California*, March 2008.

**Table 3.12-1
Hazardous Materials Sites Listed in Federal, State, and Local Agency Databases
with Potential to Affect the Project Corridor**

Map ID - Figure 3.12-1	Site Name	Address	Approximate Distance from Project Corridor	Summary of Environmental Conditions
<u>5</u>	County Crossings	North SR 4, west of SR 160	Adjacent to the Proposed Project alignment, including the Hillcrest Avenue Station area	This area contains a site listed in the LUST database as a result of containing fertilizer chemicals (ammonia and sulfur). The property was the site of numerous industrial activities including the unregulated removal of LUSTs (buried railroad tanker car) and contaminated soil in 1994. "Sludge" was reported within the vicinity of the LUST during removal. Data indicate that the groundwater beneath the property has been contaminated with petroleum hydrocarbons.
<u>5</u>	<u>Chevron, Former Hickson- Kerley/ County Crossings, Antioch</u>	<u>N/A</u>	<u>Adjacent to the Proposed Project alignment, including the Hillcrest Avenue Station area</u>	<u>The site is listed on the Geotracker website as a Cleanup Program Site. The site is currently under investigation in association with OVP and TAOC pipelines. This area is also within County Crossings, which is listed in the LUST database as a result of containing fertilizer chemicals (ammonia and sulfur). The property was the site of numerous industrial activities including the unregulated removal of LUSTs (buried railroad tanker car) and contaminated soil in 1994. "Sludge" was reported within the vicinity of the LUST during removal. Data indicate that the groundwater beneath the property has been contaminated with petroleum hydrocarbons.</u>

**Table 3.12-1
Hazardous Materials Sites Listed in Federal, State, and Local Agency Databases
with Potential to Affect the Project Corridor**

Map ID - Figure	Site Name	Address	Approximate Distance from Project Corridor	Summary of Environmental Conditions
<u>6</u>	<u>TAOC New Love Pump Station/County Crossing, Antioch</u>	<u>N/A</u>	<u>Adjacent to the Proposed Project alignment, including the Hillcrest Avenue Northside West and Northside East Station options</u>	<u>The site is listed on the Geotracker website as a Cleanup Program Site. The site is currently under investigation in association with former TAOC pipelines. This area is also within County Crossings, which is listed in the LUST database as a result of containing fertilizer chemicals (ammonia and sulfur). The property was the site of numerous industrial activities including the unregulated removal of LUSTs (buried railroad tanker car) and contaminated soil in 1994. “Sludge” was reported within the vicinity of the LUST during removal. Data indicate that the groundwater beneath the property has been contaminated with petroleum hydrocarbons.</u>
<u>7</u>	<u>PG&E Metering, Antioch</u>	<u>N/A</u>	<u>Near the intersection of Oakley Road and Phillips Lane, Antioch</u>	<u>This site is listed as having petroleum hydrocarbons and PCBs in soil and groundwater. Groundwater wells and vapor extraction wells were installed on site; recent monitoring reports (2006) indicate limited residual. Groundwater monitoring is still ongoing.</u>
<u>8</u>	<u>Chevron TAOC A Street</u>	<u>2205 A Street, Antioch</u>	<u>Approximately 900 feet north</u>	<u>The site is listed on the Geotracker website as a Cleanup Program Site. The site is currently under investigation in association with former OVP and TAOC pipelines.</u>

Source: Environmental Data Resources, Inc., December 2007; State Water Resources Control Board, Geotracker Website, November 2008; SAIC, June 2008; and SAIC, March 2008.

The following text is added before “Phase I Environmental Site Assessments” on page 3.12-5 of the Draft EIR:

Soil and Groundwater Investigations

Two sites in the vicinity of the Hillcrest Avenue Station are the subject of on-going soil and groundwater investigations conducted by SAIC in association with former crude-oil transportation pipelines.^{7,8} The location of the two sites under investigation (Chevron TAOC A Street; and Chevron, Hickson-Kerley, Antioch), and the location of the former pipelines are shown in Figure 3.12-1.

According to two reports conducted in March and June 2008 by SAIC, Chevron’s Old Valley Pipeline (OVP) and the former Tidewater Associated Oil Company (TAOC) pipelines were located in the vicinity of the sites. The OVP and associated pump stations operated from 1903 until the early to mid 1930s, and carried San Joaquin Valley crude oil north from the Kern River Oil Fields to the Richmond Refinery. The TAOC system, which transported heated crude oil from Bakersfield to the Bay Area, was constructed in 1907 and operated until the 1970s when the pipelines were abandoned.

The June 2008 Investigation Report includes information on soil and groundwater sampling at the Chevron TAOC A Street site, which is located at 2205 A Street, approximately 900 feet north of the project corridor. According to the report, soil and groundwater sampling indicated that the Chevron former crude-oil pipelines may have affected the site. The report recommends further soil characterization to determine the lateral extent of affected soil and groundwater related to the former Chevron pipelines. In addition, the report states that a product release at a Valero service station upgradient of the site has also impacted the site, and other constituents unrelated to the former pipelines were encountered in soil and groundwater samples at the site.

The March 2008 Investigation Report includes information on soil and groundwater sampling at the Chevron, Hickson-Kerley, Antioch site. The site is located near facilities for the Proposed Project, which includes the Hillcrest Avenue Station area, and would be adjacent to components of the Northside West and Northside East Station options. According to the report, soil and groundwater sampling which detected

⁷ Science Applications International Corporation (SAIC), *On-Site Soil and Groundwater Investigation Report, 2205 A Street, -Antioch, Antioch, California*, June 2008.

⁸ SAIC, *Soil and Groundwater Investigation Report, Hickson-Kerley Site, Antioch, Contra Costa County, California*, March 2008.

hydrocarbons at the site suggest a separate source other than the former pipelines. The report recommends additional sampling to delineate the extent of affected groundwater to the west. At the time the report was written, SAIC planned to describe additional investigation activities in an addendum to an existing work plan that was to be submitted to the RWQCB. SAIC also planned to implement the additional characterization activities after regulatory acceptance of the proposed work plan addendum.

The following text is added after the second paragraph on page 3.12-22 of the Draft EIR:

Furthermore, a current investigation of the Chevron, Hickson-Kerley, Antioch site is being conducted by SAIC in association with former crude-oil transportation pipelines. According to a March 2008 Investigation Report, soil and groundwater sampling which detected hydrocarbons at the site suggest a separate source other than the former pipelines. Further investigation is recommended to delineate the extent of affected groundwater to the west.

The third paragraph on page 3.12-22 of the Draft EIR is revised as follows:

Construction of the Median Station would involve a station and train service/storage in the median of SR 4, but also a tunnel accessing a maintenance annex, parking areas, access roadways, and a maintenance annex to the north of SR 4, in the area investigated by Engeo for the County Crossings Property and by SAIC for the Chevron, Hickson-Kerley, Antioch site. As a result, there is a potential that workers or others may be exposed to hazardous materials if contaminated soils and groundwater are encountered during construction, which would result in a potentially significant impact.

42. Wendy Manuel (web form dated September 30 , 2008)

Letter 42

9/30/2008 12:21

Wendy Manuel
wmanuel@yahoo.com

Subject: Comments for DEIR

Hi,

42-1 I really think that this is a great idea. I haven't had time to read the document in regards to this
42-2 project, but just by going to the bart.gov/barttv link, it looks like this is a great option. The questions
42-3 I have are will there be a parking lot for people who chose to do the ebart? if so where? Will there be a
fee? How much will the tickets be from the hillcrest area to the pittsburg baypoint?

Thanks.

Wendy

42. Wendy Manuel (web form comment dated September 30, 2008)

- 42.1 The commentor expresses support for the Proposed Project. This comment concerns the merits of the project and does not concern the adequacy of the Draft EIR or BART's compliance with CEQA. Accordingly, no further response is necessary.
- 42.2 There would be a 300-space parking lot at the Railroad Avenue Station and a 1,000-space parking lot (with the opportunity to expand to 2,600 spaces) at the Hillcrest Avenue Station. Impact TR-7 beginning on page 3.2-93 evaluates the projected demand for eBART station parking against the parking supply. In 2015, the available parking would meet the projected demand; in 2030, parking would be adequate at the Hillcrest Avenue Station but would not at the Railroad Avenue Station. The BART Board has established a parking policy that fees may be charged for parking in BART lots. Implementation of those fees would be governed by BART's Access Management and Improvement Policy.
- 42.3 Actual fares have not yet been established, but fares would be consistent with BART's current distance-based fare policy.

43. Al Marable (web form dated September 30, 2008)

Letter 43

9/30/2008 8:35

Al Marable
Antioch Resident
marableac@aol.com

Subject: eBart DEIR Comment

- 43-1 ■ I would specifically like to have parking security at the new stations enhanced above the mitigating proposals. Vehicle vandalism and theft have been chronic problems at the Pittsburgh/Bay Point and Hillcrest Park & Ride lots. Observation cameras connected to BART Police or local authorities should be included.
- 43-2 ■ I am also against any fees for parking. I feel we've paid enough to fund a \$400+ million project.
- 43-3 ■ eBart fares should also be lower than the current Tri-Delta transit fares, including those with commuter discounts, from similar points.
- 43-4 ■ It is also unclear on who has the priority for routing eBart on Union Pacific rail lines. Having used Amtrak, there have been numerous delays due to freight lines. I hope this is not the case for eBart, since the majority ridership will be commuters. This needs to be perfectly clear with sustainable authority given to eBart.

43. Al Marable (web form comment dated September 30, 2008)

- 43.1 BART will be responsible for security on the Proposed Project system, including stations. Security personnel will not be assigned to individual stations, but will patrol along the eBART corridor, checking on stations and other facilities. Closed-circuit television cameras would be monitored from the operations center, which would have a communications link to the police. BART anticipates support agreements with the local jurisdictions to enhance security.
- 43.2 The BART Board has established a parking policy that fees may be charged for parking in BART lots. Implementation of those fees would be governed by BART's Access Management and Improvement Policy. Please refer to Master Response 2 in Section 3 of this document, for a perspective on the payments by East County communities over the past 40 years.
- 43.3 The Proposed Project's fares would be consistent with BART's current distance-based fare policy, but actual fares have not yet been established.
- 43.4 At one time, BART planned to purchase the Mococo Line right-of-way from the Union Pacific Railroad, but the railroad rejected the offer that was made, and as a result, the Proposed Project was moved to the median of SR 4. Since the DMU trains would operate in the median of SR 4, the commentor's concerns about delays and priorities along the existing rail lines would not be realized.

44. Carolyn McKenney (web form dated September 24, 2008)

Letter 44

9/24/2008 14:25

Carolyn McKenney
DPH-Contracts Dept
carolyn.mckenney@sfdph.org

Subject: eBART Extension

44-1 ■ I have been waiting for the eBART extension, I thought it would be running by 2009. It is the best idea to help with the HWY4 traffic problem, especially since the hwy 4 Bypass opened it's been even more traffic. I was told that the freeway HWY 4 would be widened, with more lanes all the way to Antioch. what happened to that idea? Will the eBART affect the Tri Delta Transit Bus schedule?

44. Carolyn McKenney (web form comment dated September 24, 2008)

44.1 The commentor expresses support for the Proposed Project. This comment concerns the merits of the project and does not concern the adequacy of the Draft EIR or BART's compliance with CEQA. Discussions of the Proposed Project's merits will occur during the upcoming BART Board public hearing.

Caltrans is currently planning on widening SR 4 from Loveridge Road to a point east of Hillcrest Avenue as the next phase of its freeway widening program. The Proposed Project would operate in the median of widened SR 4 and is expected to be operating by 2015. When the Proposed Project starts operating to the Railroad Avenue and Hillcrest Avenue Stations, Tri Delta Transit would modify some of its bus routes to eliminate the freeway service on SR 4 and would provide service to the two new transit stations at Railroad Avenue and Hillcrest Avenue. These changes would allow for some improvements in local bus services.

To provide more information regarding the planned modifications to Tri Delta Transit services that would be implemented as a result of the project, the first paragraph on page 2-36 of the Draft EIR is revised as follows:

Interface with Existing Transit Services. Tri Delta Transit would provide local transit connections to the DMU stations. These connections would require a reconfiguration of the existing Tri Delta Transit route system. The changes to the system would involve the elimination of routes that would duplicate the proposed service and initiation of new bus service to the DMU stations, as well as other improvements to local bus transit services. Figure 2-14A provides an overview of the proposed service plan. This plan was developed in coordination with Tri Delta Transit.

Bus routes that currently run along SR 4 from the Pittsburg/Bay Point BART Station to the Antioch/Hillcrest park-and-ride lot would be targeted for replacement by the DMU service. These include Tri Delta Transit Routes 200, 300, 391, and 393. The elimination of these routes would allow for a restructuring of Tri Delta Transit services that would involve the creation of new routes and the modification of existing routes. Some of these routes would be truncated at the Hillcrest Avenue Station and adjusted to provide improved coverage to the more easterly portions of the County. For example, Route 300 would terminate at the Hillcrest Avenue Station and would be modified to provide commute period express service via the SR 4 Bypass and Balfour Road to Downtown Brentwood. A number of new shared use park-and-ride facilities are proposed to be developed by Tri Delta Transit in coordination with the property owners. These include

facilities along the SR 4 Bypass at Laurel Road and Lone Tree Way and in Byron, Brentwood, and Oakley. These facilities would involve shared use of existing retail commercial parking and would not involve new construction.

Feeder bus service to Pittsburg/Bay Point BART Station would not be significantly changed; however, many of these routes would be shortened and modified to provide service to the Railroad Avenue Station also. ~~and the proposed stations at~~ Service to the Railroad Avenue Station would be provided by Routes 387, 380B 388C, 380A, 310. ~~and Service to the Hillcrest Avenue Station would~~ include the following Tri Delta Transit Routes: 388A, 388B, 380A, 391A, 391B, 300, 395, 386, and the DX1&2. ~~201, 380, 383, 384, 385, 387, 388, 389, 390, 392, and 394.~~

There is an existing Amtrak California Station in Downtown Antioch which is about 3 miles from the proposed Hillcrest Avenue Station. The Antioch Amtrak Station connects rail passenger service from Oakland to the Stockton area, north to Sacramento and south to all the major cities in the San Joaquin Valley, Los Angeles, and on to San Diego. In order to provide a connection to Downtown Antioch and the Antioch Amtrak Station, Route 388 would be modified into two routes, one of which would become Route 388A. Route 388A would provide direct service to the Downtown and the Amtrak Station.

Many of the existing routes would be broken into shorter routes with one or more connections to the BART or DMU stations. This would allow increased local transit service coverage and improved schedule reliability. In particular there would be better coverage in Oakley, the southeastern portion of Antioch, Brentwood, and Bryon/Discovery Bay.

45. Mac McIlvenna (web form dated September 24, 2008)

Letter 45

9/24/2008 8:50

Mac McIlvenna
kevinmack2003@yahoo.com

Subject: Future UPRR Track Use

45-1 ■ UPRR is proposing on operating up to 40 trains daily on the same track that the Antioch eBart is proposing operating on. The DEIR was finalized after UPRR had proposed using this track. How will the UPRR use proposal going to affect eBart? With 40 trains/day, this no doubt will adversely affect eBart operating schedule. Should this occur, does it even make eBart a vialble option, with a minimum cost of \$450 million? Is it worth the \$65 million per mile cost? ■

45. Mac McIlvenna (web form comment dated September 24, 2008)

45.1 The Proposed Project would not use the Union Pacific Railroad tracks. It would operate in the median of the SR 4 freeway. At one time, BART planned to purchase the Mococo Line right-of-way from the Union Pacific Railroad, but the railroad rejected the offer, and as a result, the project was moved to the median of SR 4.

There would be traffic impacts if the railroad starts running large numbers of trains. Increased train operations along the Mococo Line would cause delays for people trying to get in and out of the Hillcrest Avenue Station. This effect of increased train operations is addressed on pages 3.2-103 and 3.2-104 of the Draft EIR.

46. Monica Molina (web form dated October 7, 2008)

Letter 46

10/7/2008

Monica Molina

Subject: eBART Electric

46-1

I very much like the idea of the Bart extending. However, please make the eBart trains electric not diesel. I am a requent BART rider and BART should set an example for regional trains around the country.

Thank you!

46. Monica Molina (web form comment dated October 7, 2008)

- 46.1 The commentor expresses a preference for the Proposed Project to be powered by electricity rather than diesel. Please refer to Master Responses 1 and 2 for a discussion of the process that went into advancing DMU technology as the Proposed Project, and Master Response 3 regarding the viability of an electric propulsion technology extension.

47. Bobbi Moroschok (web form dated September 29, 2008)

Letter 47

9/29/2008 13:02

Bobbi Moroschok
Clark Construction
bobbi.moroschok@clarkconstruction.com

Subject: EBART Project

Katie,

47-1

I am looking to get some more information on the above referenced project. Mainly dates! Wanted to see who I can speak with. My number here is 510-567-3805.

Thank you

47. Bobbi Moroschok (web form comment dated September 29, 2008)

- 47.1 BART contacted this person and directed them to information on the BART website. For dates regarding the public review period, please refer to page 1-21 of the Draft EIR, Section 1, Introduction, under “Public Review.” For dates regarding construction period and duration, please refer to the Draft EIR, page 2-41, under “Construction Phases and Duration.”

48. Brian Murrell (web form dated October 12, 2008)

Letter 48

10/12/2008

Brian Murrell

Subject:

48-1

I am all for bart running out to east Contra Costa, but even bart now needs to run with extended hours. You have to leave SF at 11:30PM to take the last train back to Dublin/Pleasanton, and I am guessing it will be the same to Antioch. Why not run every hour on the hour after 11 on Friday and Saturday?

48. Brian Murrell (web form comment dated October 12, 2008)

- 48.1 Running trains on a 24-hour basis, even on a reduced schedule of one train per hour, usually results in low ridership in the late night/early morning hours that does not justify the operating costs. It also eliminates time to do track maintenance and other activities that cannot be accomplished when trains are running. The Proposed Project's trains would meet arriving BART trains at the Pittsburg/Bay Point Station. Currently, the last eastbound BART train on Saturday leaves Powell Street Station in San Francisco at 12:22 a.m. and arrives at the Pittsburg/Bay Point Station at 1:20 a.m.

49. Roy Nakadegawa (web form dated November 5, 2008)

Letter 49

11/5/2008

Roy Nakadegawa

Subject: Comments on eBART DEIR

49-1

There is a serious threatening matter that should be included in the Environmental Review, which to date has not been included. It is regarding Climate Change. Responsible studies predict if we do not reduce carbon emissions in 5-10 years, we will probably enter a point of no return where the dire effects of Climate Change will probably occur.

Effects such as: expected rising temperatures causing: substantial loss of snow pack, a large risk of large wildfires, reduced quality and quantity of agricultural products, exacerbate California's air quality; produce adverse impacts on human health from increased heat stress, including heat-related deaths, as well as increases in asthma, respiratory, and other health problems. There are predictions that the sea level will rise over 20 ft.

The California Attorney General has mentioned the above and cautioned MTC to consider carbon emission reduction in MTC's update of the Regional Transportation Plan. AG says the plan should be in compliance to the intent of the Air Resources Board's AB 32. Similarly, eBART should also consider the reduction of carbon emissions in its environmental impact on considering the alternatives.

More recently the Attorney General Forged a Greenhouse Gas Agreement with City of Stockton.

This landmark agreement requires the City to identify and reduce greenhouse gas emissions by encouraging downtown growth, constructing thousands of new residential units within its current city limits, developing a bus rapid transit system and requiring all new buildings to be energy efficient. The agreement follows a lawsuit filed by the Sierra Club and the Attorney General over the proposed Draft Environmental Impact Report for the Stockton General Plan, which outlined how the City would manage its growth through 2035.

For more information, see: http://ag.ca.gov/cms_attachments/press/pdfs/n1608_stockton_agreement.pdf.

Global Warming and Climate change is probably the most serious environmental matter which we face and should considered. Viewing the excellent Frontline documentary program, "HEAT" a program that presents our problem with Global Warming <http://www.pbs.org/wgbh/pages/frontline/heat/view/2.html> depicts how serious it is. This program also repeats that if we do not reduce carbon emissions in

Roy Nakadegawa
11/5/2008
p. 2 of 4

▲ 5-10 years, we will probably enter a point of no return where the dire effects of Climate Change will probably occur.

49-1
(Cont'd)

■ HEAT in its 9 video chapters shows energy generation and transportation are the greatest emitter of Greenhouse Gas (GHG). It also points out that the production of cement for concrete requires considerable heat to produce and emits large amount of GHG. According to the DEIR considerable amount of cement will be utilized.

49-2

■ If eBART is to be funded and built with regional funds, Caltrans, BART, MTC and ABAG should mandate that transit improvements be integrated and coordinated where the least need for auto use occurs, because regional study show that transportation is responsible for half of the GHG produced in our Bay Region. This will help be in keeping with AB 32 and reduce carbon emissions.

■ We need to reduce carbon emission and embark on integrating and coordinating transit improvements to land developments along with repairing existing highways, which are deteriorating at a rate where they are reaching a stage of costly major reconstruction due to the neglect in funding. We need to develop communities that are livable, walkable, and transit oriented to shorten everyday activity trips and facilitates transit commutes, thereby reducing Vehicle Miles Traveled (VMT)

The prime goal of development should be the integration and coordination to land use that effectively utilizes transit.

A recent report released by Urban Land Institute (ULI) documents that compact urban development, as an alternative to sprawl, could reduce VMT by 20 to 40 percent. Factors that determine the greater and lesser VMT savings attributable to urban compact development are:

- Density of jobs and households
- Location in proximity to city center
- Mix of uses/internal design
- Degree of connection to the existing street network
- Access to transit

Many cities are beginning to develop higher density corridors with coordinated transit. These corridors are located along where there exists frequent reliable and faster transit service exists or they are being improved by instituting Bus Rapid Transit, which converts existing travel lanes into Bus Only lanes. Curitiba, Barzil is a prime example of such a successful development pattern. For suburban development, to reduce VMT one should add only a HOV or HOT lane on which local and express buses would operate.

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49-3 Hwy 4 is to be widen two lanes in each direction, one of which is to be a HOV lane. This widening will encourage greater auto oriented sprawl development with increased auto use increasing VMT. Therefore, the widening will not reduce GHG. History has repeatedly shown, with little control to sprawl or on auto-oriented developments, in a few years, traffic will increase and Hwy 4 will again become congested. Thereby, considerable additional GHG will be produced from the construction of the Hwy4. Adding the proposed eBART construction with extensive parking will increase GHG and VMT as well.

49-4 Instead, Hwy 4 should be widen with only a HOV lane. This will amount to less construction and less cost. With the saved cost, operate an improved local/express bus system rather than widening Hwy 4 and build and operate eBART. eBART's need to provide all the required parking will not be needed with increased bus service serving the neighborhoods. The buses will pick up riders similar to how AC Transit operated, as described below, and overall transit access will improve for the area.

Thereby, overall the amount of GHG produced would be far less.

Before BART began transbay operation, AC Transit buses provided excellent transbay transit service where, its ridership equaled the number of passengers the cars carried on Bay Bridge and the buses operated averaged about every 15-second intervals during peak periods!

Without parking, AC Buses picked up riders in their neighborhood!

49-5 Much of the DEIR describes future development appears to be somewhat tentative where communities plan more dense developments but the communities do not provide any assurance this will happen. They do not explain specifically that the communities will develop the land along the route in accordance to BART, ABAG and MTC goals, although, BART is exempt from local land use plans pursuant to California Government Code Section 53090, policies, and zoning ordinances. In addition, there is the unstable condition of our economy that will effect future development for several years.

Meanwhile, with increased express /local bus service by several agencies, Eastern Contra Costa County Cities could plan and develop nodal transit oriented centers served by more frequent bus service. The buses would use the HOV/HOT lane as a trunk line, similar to how drivers presently use freeways to gain faster access to and from their origins and destinations.

49-6 Brisbane, Australia has built a busway where several bus companies using various size buses jointly use the busway to provide trips to the urban center and various other nodal developments. During peak periods, they have buses on the busway operating at less than every 20 seconds.

Similarly the East County buses could use the HOV/HOT lane and connect to BART, existing local schools, public institutions, shopping centers, businesses and other developing transit nodes with frequent and reliable service. In the future, as transit use increases, the HOV/HOT lanes can be converted into a Bus Only lane, similar to the Brisbane BRT system.

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49-7 ■ eBART is to cost over \$500 million to build, which is not very cost-effective for it only increases transit use by 5400 new rider trips in 15 years. Including its annual operating cost of \$9.3 million per year, the cost per new rider will be in excess of \$34 per trip per new rider. If this were a Federal Transit Administration project, it would not be funded for FTA funded projects are usually in a range from under \$15 to 25 per trip per new rider.

49-8 ■ Unfortunately, up until now, most transit projects rose from political considerations or popular initiatives without any review by MTC or ABAG in regards to its efficacy or cost based on a regional criteria or regulatory planning. To merely extend an expensive fixed rail system far into suburban fringe, such as eBART, to serve eastern Contra Costa County, is not an optimal investment.

■ As a matter of fact the alleged reason for a rail extension is based on a faulty rationale. People say they have been paying taxes for years to build BART that included a promise for an extension. NO promise could have been included, for if there was a promise it would have been an illegal bond election.

There are much work, considerations and planning needs to be done to reduce VMT and reduce GHG. MTC, ABAG, BART, CalTrans and Local Agencies need to develop in a more comprehensive and coordinated manner, whenever transportation projects receive considerable public funding. These projects should be based on criteria that are more definitive in order to reduce GHG, which apparently is most serious environmental problem we face.

Sincerely,

Roy Nakadegawa P.E.

C.c. MTC, ABAG, Caltrans, CCCTA

49. Roy Nakadegawa (web form comment dated November 5, 2008)

49.1 In Section 3.11, Air Quality, of the Draft EIR, the greenhouse gas emissions of the Proposed Project were calculated as part of Impact AQ-3 (page 3.11-22). Table 3.11-5 shows that the Proposed Project would result in a net decrease of CO₂, the most commonly used air pollutant to monitor change in greenhouse gas emissions, because the Proposed Project would decrease the amount of vehicle miles traveled. In addition, the Proposed Project includes sustainability design features that have the added benefit of further reducing CO₂ emissions. A list of these features is provided on page 3.11-25 of the Draft EIR under Impact AQ-3. Through the application of these features and by helping to reduce vehicle miles traveled, the Proposed Project is believed to be in compliance with the intent of AB 32.

The greenhouse gas emissions from the alternatives to the Proposed Project were analyzed in Section 5 of the Draft EIR. Relative to the No Project Alternative, the other alternatives would result in a net reduction of greenhouse gases. Relative to the Proposed Project, the alternatives would result in a greater reduction of greenhouse gas emissions. As discussed in the Draft EIR, the net beneficial effects on greenhouse gases would be the greatest with the BART Extension Alternative. During construction, the Proposed Project and/or alternatives would use cement. Cement plants generate greenhouse gas emissions. Under California's mandatory reporting regulations, cement plants are one of several facility types that have their own unique reporting requirements. Greenhouse gas emission from cement plants originate mostly from combustion and processing of raw materials. However, the relatively small increase in cement production required to supply the necessary materials for constructing the Proposed Project or the alternatives would be a short term increase. Once the Proposed Project or one of the alternatives is constructed, the Proposed Project or alternatives would result in an overall decrease in greenhouse gas emissions.

49.2 Transportation projects are approved based on collaborative efforts between various entities in the Bay Area. In fact, laws and regulations are in place that require interaction between multiple agencies when developing transportation plans. One general goal from these collaborative efforts is to minimize vehicle miles traveled (VMT) in the region.

The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 established an integrated and systematic approach to develop a transportation system that considered mobility, local economy, and the environment. The ISTEA made the local metropolitan planning organization responsible for creating a long-range transportation plan in cooperation with local and state agencies. The transportation plan must consider, among other factors, consistency with

conservation programs, goals, and objectives, overall energy effects, and forecasted growth in VMT in a region. The Transportation Equity Act for the 21st Century (TEA-21), extensions of the TEA-21, and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) build on the ISTEA.

The Bay Area's transportation planning, financing and coordinating agency is the Metropolitan Transportation Commission (MTC). The MTC is responsible for updating the long-range Regional Transportation Plan (RTP) which provides a plan for at least the next 20 years for investing in highway, transit, local roadway, bicycle and pedestrian projects and for adopting transportation policies in the Bay Area. The RTP is prepared and updated every four years by MTC with support from the Association of Bay Area Governments (ABAG), the Bay Area Air Quality Management District (BAAQMD), and the Bay Conservation and Development Commission (BCDC), Caltrans, transit operators, Congestion Management Agencies (CMA), other stakeholders, and the public. The RTP supports projects that encourage public transit use and reduce emissions from automobiles. An important consideration in the RTP is the VMT and ways to minimize VMT. Transportation projects to be federally funded or approved over the next four years are identified in the Transportation Improvement Program (TIP). The TIP and RTP must be consistent with each other.

In addition, the RTP and TIP must be consistent with the State Implementation Plan (SIP). In other words, the RTP and TIP cannot cause new air quality violations, worsen existing violations, or delay attainment with ambient air quality standards. Also, the plan must be consistent with air emission budgets established by the SIP and consistent with transportation control measures. As discussed in Section 3.11, Air Quality, of the Draft EIR, the Proposed Project is included in the MTC Transportation Air Quality Conformity Analysis⁹ for the Transportation 2030 Plan and 2005 Transportation Improvement Program. This air quality conformity analysis estimated emissions from all projects included in The Transportation 2030 Plan and 2005 Transportation Improvement Program, and the resulting emissions from these plans were accounted for and are in conformity with the regional planning for achievement of federal ambient air quality standards.

In addition of collaboration through the development of the RTP and TIP, MTC formed the Bay Area Partnership (Partnership) to provide a forum for discussions between transportation planners. The Partnership consists of staff from MTC, public transit operators, county congestion management agencies, city and county public works departments, Caltrans, the United States Department of

⁹ MTC, Final Transportation Air Quality Analysis for the *Transportation 2030 Plan* and *2005 Transportation Improvement Plan*, February 11, 2005.

Transportation, and various environmental protection agencies. These members meet regularly to discuss ways to increase the overall efficiency of the Bay Area's transportation network including looking at ways to integrate various transportation systems to minimize VMT.

The Proposed Project was considered as part of the RTP and was conceived through collaborative efforts by various local and state entities. The Proposed Project is projected to reduce VMT which would thereby reduce greenhouse gas emissions.

49.3 The potential environmental effects of expanding SR 4 are not a component of the Proposed Project and were evaluated by Caltrans and CCTA in the environmental review of the highway widening project. This information is discussed in the Draft EIR in the context of cumulative impacts from reasonably foreseeable future projects, but does not represent an impact of the Proposed Project. The Proposed Project, which is the subject of this Draft EIR, would result in a net reduction of VMT and GHG emissions. The net reduction in VMT takes into account vehicles trips to the stations. The freeway analyses performed for the Proposed Project and presented in Impacts TR-3 and TR-4 (pages 3.2-71, 3.2-72, and 3.2-85) of the Draft EIR take into account the widening of SR 4 with additional high occupancy vehicle (HOV) lanes. As stated in Impacts TR-3 and TR-4, Year 2015 and Year 2030 freeway segments would operate at a level of service (LOS) equal to or better than No Project conditions. Also, according to Impact AQ-3 and shown in Table 3.11-5 (pages 3.11-23 and 3.11-24), the proposed DMU trains would reduce the amount of CO₂, which is a predominant greenhouse gas emitted from fossil fuels, in 2015 and 2030 as compared with No Project conditions. Therefore, operation of the Proposed Project under cumulative conditions in 2015 and 2030 would result in similar and improved freeway LOS and reduced greenhouse gas emissions.

49.4 The widening of SR 4 is a separate project being undertaken by Caltrans and the Contra Costa Transportation Authority, not BART. That project includes additional mixed flow lanes and High Occupancy Vehicle (HOV) lanes. The commentor suggests that SR 4 be widened with only an HOV lane and that an improved bus service similar to the Alameda-Contra Costa Transit District (AC Transit) be extended along the SR 4 corridor instead of the Proposed Project. The SR 4 widening project has long been planned and has completed environmental review. A feasibility study conducted for the SR 4 corridor in 2002 evaluated and compared improved and express bus services with other transit options. The study revealed that the Proposed Project was the most feasible transit option for the SR 4 corridor. In addition, the Draft EIR evaluates a Bus Rapid Transit (BRT) Alternative; see Section 5, Alternatives. The merits of Proposed Project

compared to the various project alternatives, including BRT, will be evaluated by the BART Board as part of its consideration of the Proposed Project.

- 49.5 As discussed on page 3.3-15 of the Draft EIR, the cities of Pittsburg and Antioch are responsible for preparing Ridership Development Plans (RDPs) for the proposed Railroad Avenue and Hillcrest Avenue Stations, respectively, in accordance with the BART System Expansion Policy. The purpose of an RDP is to help local jurisdictions to achieve transit ridership thresholds. Please see Master Response 7 concerning the status of the RDPs. Both RDPs propose more intense, high-density development around each station. While market conditions dictate the timing of development, the RDPs for the Railroad Avenue and Hillcrest Avenue Stations would ensure that intense high-density development occurs around each station over the long term.
- 49.6 The commentor suggests that as an alternative to the Proposed Project, Eastern Contra Costa County cities could plan and develop a nodal bus transit system that utilizes HOV/HOT lanes as trunk lines. As explained in Response 49.4 above, a feasibility study conducted for the SR 4 corridor in 2002 evaluated and compared improved and express bus services with other transit options. The study revealed that the Proposed Project was the most feasible transit option for the SR 4 corridor. In addition, the Draft EIR evaluates a Bus Rapid Transit (BRT) Alternative; see Section 5, Alternatives. The merits of Proposed Project compared to the various project alternatives, including BRT, will be evaluated by the BART Board as part of its consideration of the Proposed Project.
- 49.7 Section 5 of the Draft EIR provides comparative cost and ridership data for the Proposed Project and each of the alternatives, including the Bus Rapid Transit Alternative. As the commentor notes the “cost per new rider” performance measure is used by the Federal Transit Administration (FTA) for evaluating federally funded transit projects. The Proposed Project is not subject to the FTA’s requirements, as it is not using federal funds. The comparison of the costs and ridership for the project alternatives does suggest that the BRT Alternative would be more cost effective than the Proposed Project. This information, as well as the other characteristics of Proposed Project compared to the various project alternatives, will be evaluated by the BART Board as part of its consideration of the Proposed Project.
- 49.8 The commentor’s suggestion that the Proposed Project is not an “optimal investment” goes to the merits of the Proposed Project and not the adequacy of the environmental analysis contained in the Draft EIR. Therefore, no response is required. However, it should be noted that the Proposed Project is consistent with the BART System Expansion Policy and MTC’s Resolution #3434, which call for coordination with land use planning by local jurisdictions, in order to help ensure that transit investments are justified by projected ridership. See also Master

Response 1, which describes the history of the corridor-wide transit planning which led to the Proposed Project being advanced, and Master Response 2, which describes BART and the funds collected via sales and property taxes. The rationale for the Proposed Project is based on current needs, as discussed on pages 1-1 through 1-15 of the Draft EIR, and not on past tax payments by local communities.

50. William Patrick Neace (web form dated October 10, 2008)

Letter 50

10/10/2008

William Patrick Neace

Subject: Comments on eBART DEIR

- 50-1 I would like to take a moment to voice my support for the BART extension into East Contra Costa. I believe this is in the best interest of the residents and cities of East Contra Costa. The extension will alleviate congestion on Highway 4, which is one of the worst traffic bottlenecks in the region. This in turn reduces fuel consumption and air pollution. The extension also benefits BART due to increased revenue.
- 50-2 I have a concern that 300 parking spaces at the Railroad station is not adequate. I would urge the inclusion of a parking structure at this location in any future plans.

50. William Patrick Neace (web form comment dated October 10, 2008)

- 50.1 The commentor expresses support for the Proposed Project. This comment concerns the merits of the project and does not concern the adequacy of the Draft EIR or BART's compliance with CEQA. As noted by the commentor, the Proposed Project would alleviate traffic congestion and reduce air pollution.
- 50.2 There are 300 parking spaces near the Railroad Avenue Station included as part of the Proposed Project. Impact TR-7 on page 3.2-93 of the Draft EIR does indicate a shortfall of parking spaces at the Railroad Avenue Station. However, the City of Pittsburg Railroad Avenue Specific Plan addresses circulation and parking issues in the Railroad Station area, and a parking structure is proposed by the City as part of the intensified development in the area.