

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda Date: April 7, 2008
Reviewed by: *BP*

SUBJECT: Neilson Street Storm Drain and Sanitary Sewer Project

REPORT BY: Ann Chaney, Community Development Director
Rich Cunningham, Public Works Manager
Randy Leptien, City Engineer

STAFF RECOMMENDATION

That the City Council:

1. Reopen the hearing to receive public comments on the Draft Negative Declaration and the overall project;
2. Approve the *Initial Study/Negative Declaration regarding the Neilson Street Storm Drain and Sanitary Sewer Project*;
3. Authorize City staff to Call for Bids for the Neilson Storm Drain and Sanitary Sewer Improvements, (Contract C07-21); and
4. Authorize the City Administrator to negotiate a loan in the approximate amount of \$3,500,000, with repayment being made through annual payments of \$400,000 from Measure F revenues that achieves the most advantageous lending agreement.

BACKGROUND

On February 4, 2008, the City Council authorized an amendment to the City's contract with URS Corporation to prepare plans for an alternative approach for installing a new storm drain in Neilson Street to relieve chronic drainage conditions for the homes in the 1000 block of Curtis and Neilson streets. By developing plans for two acceptable tunneling approaches, the City would then be able to Call for Bids with the intent of awarding a construction contract based upon the lowest bid for either approach.

In response to a concern raised by the public, regarding the condition of the sanitary sewer line located in this portion of Neilson Street, URS Corporation has also completed plans for possible replacement of the sanitary sewer as well. While the sewer was found to be in failing condition, it is not imperative that it be replaced at this time. However, sections of this sewer will need to be relocated to accommodate the new storm drain shafts.

At this time, plans have been completed for basically four (4) approaches that include:

- A1: Microtunneling **without** Optional Sanitary Sewer work
- A2: Microtunneling **with** Optional Sanitary Sewer work
- B1: Pilot Tubing **without** Optional Sanitary Sewer work
- B2: Pilot Tubing **with** Optional Sanitary Sewer work

Either approach (Microtunneling or Pilot Tubing) will accomplish the goal of relieving the chronic drainage conditions. Thus, by asking contractors to bid on either approach, the City will be able to consider the lowest base bid received. Staff and the consultant will then return to Council with a recommendation to award the bid, with or without the sewer project, depending on funds available.

Pursuant to the California Environmental Quality Act (CEQA), a "Notice of Intent (NOI) to Adopt a Negative Declaration" was circulated to applicable agencies and mailed to all residents within a 300 foot radius of the project area. An Initial Study/Negative Declaration, was prepared by the consulting firm of Design, Community and Environment (DC&E). The conclusion of their analysis is that the proposed project would not have a significant impact on the environment.

Included in the NOI was a notice of a public hearing on March 17, 2008. Therefore, at the last City Council meeting, the public hearing was opened to receive public comments on the draft Negative Declaration, and continued to April 7, 2008. Comments were received from two individuals, which are discussed below.

DISCUSSION/ANALYSIS

The issues discussed in this section focus on: a) comments received to date on the Draft Initial Study/Negative Declaration; and b) costs of constructing this project.

Draft Initial Study/Negative Declaration

During the March 17, 2008 City Council meeting, comments were received from two individuals. Responses to comments are not required for negative declarations. However, initial responses are provided here, with a written response from DC&E to be distributed under separate cover.

Comment – Dorothea Dorenz, lives at 1200 Neilson Street in Berkeley, and expressed concern regarding the 70 year old culvert under a portion of her house, which would cost \$7,000/ft. to replace. She expressed her understanding that concrete can last 90 to 100 years but is concerned that if it collapsed, she would be responsible for the damage.

Response – A video survey was performed on the culvert following an exchange of letters and phone calls between the City and Ms. Dorenz in July and August. The video was reviewed by URS Corporation and found to be in good condition. This culvert is a reinforced concrete pipe, rather than the old style box culvert. URS Corporation finds that the projected increase in flow at Neilson Street would be around 7%.

Comment – Ms. Bougae lives at a location on Santa Fe Avenue in close proximity to Codornices Creek. She expressed concern that the creek fills up rapidly during storm events and frequently spills over its banks. Ms. Bougae is concerned that the increase in flows, introduced into the creek as a result of the project, would be significant in relation to existing flows and would increase the potential for soil erosion.

Response – The increase in the creek’s storm water volumes at the location of concern would be less than 7%. Staff will conduct an on-site inspection of this section of creek, and meet with the property owner, prior to the City Council meeting. Staff will report on this meeting to the City Council.

The Hydrology and Water Quality section in the CEQA checklist (2008 CEQA Guidelines) requires that the potential for on and off-site flooding be evaluated as part of project review. Specifically, criteria d) and e) under this issue asks if the project would have a potentially significant impact if it would:

- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

These issues are addressed on page 39 of the Initial Study/Negative Declaration, as follows:

“The effect of additional storm water volumes in Codornices Creek was evaluated in a February 12, 2007 memorandum from URS Corporation. The hydrologic and hydraulic analysis within the memo shows the impact that the Neilson Street connection to Codornices Creek would have on the hydraulic grade line (water surface level) in the Village Creek system and in Codornices Creek. The memo quantifies that the storm water flow in Codornices Creek would increase by approximately 8 inches at Neilson Street and that this rise in the water surface would decrease to approximately 2 inches at Santa Fe Avenue. The increase would be less than 1 percent of the 10-year flow and is well within the capacities of the culverts at Curtis and at Santa Fe. Based on this data, the analysis concluded that Codornices Creek has sufficient capacity to accept the additional flow that will be introduced by the Neilson Street connection. As a result, *a less than significant impact* would occur in relation to flooding on or off-site.”

Therefore, based on the information provided in the February 12, 2008 memorandum from URS Corporation and the conclusions presented in the Initial Study/Negative Declaration, the project would not introduce new storm water volumes into Codornices Creek such that flooding would occur or be substantially exacerbated at the point where it crosses below Santa Fe Avenue.

A letter from Jean Safir, 1129 Neilson Street, posed questions dealing with access during construction. In response, every effort will be made to ensure that residents have access to and from their homes. This project will not involve trenching which significantly reduces the amount of disruption. Instead, shafts (similar to manholes) will be constructed in the roadway to accommodate tunneling equipment access, and future maintenance. Each shaft will be constructed one at a time, thereby allowing access to residents north and south of the construction area. In the evening, any openings in the street will be covered with steel plates.

Project Cost

The table below shows the Engineers Estimate for construction, as well as the estimated total project costs for the four alternatives (including or excluding replacement of the sanitary sewer mains and lower laterals):

	Alt. A-1 Microtunneling without sanitary sewer	Alt. A-2 Microtunneling with sanitary sewer	Alt. B-1 Pilot Tubing without sanitary sewer	Alt. B-2 Pilot Tubing with sanitary sewer
Construction (Engineers Est.)	\$ 2,978,700	\$ 3,269,900	\$ 2,139,500	\$ 2,411,500
Contingency	297,870	326,990	213,950	241,150
Construction Management*	135,000	135,000	135,000	135,000
Total Construction	\$ 3,411,570	\$ 3,731,890	\$ 2,488,450	\$ 2,787,650
Engineering Design	480,619	480,619	480,619	480,619
Total Project Cost	\$ 3,891,589	\$ 4,212,509	\$ 2,969,069	\$ 3,268,269

* Includes project management, engineering inspection, surveying and compaction testing.

Based on a construction cost of \$3.5 million, it is estimated that the financing costs at a rate of 4% would total \$870,000 over 11 years. Financing would be sought only for the storm drain portion, in that sufficient funds exist in the Sewer Fund to construct the sanitary sewer if the bid outcome is favorable.

FINANCIAL IMPACT

In June 2006 the Albany voters passed Measure F, which created a “street paving and storm drain facility” improvement parcel tax. The initial tax levy was \$96.00 per single family equivalent unit, which generates approximately \$825,000 per year. The tax will increase annually by the percentage increase in the Consumer Price Index. The use of the tax is restricted to repair, rehabilitation and improvements of streets and storm drains.

The City’s Capital Improvement Plan of 2006/07 – 2010/11, provides for storm drain improvements of \$1,650,000 funded from Measure F revenues, over the five-year period. The total cost of one of the projects in the CIP is the Neilson storm drain, which was estimated to be \$1,350,000. Based on recent engineering studies, rehabilitation of the Neilson storm drain will cost between \$2,500,000 and \$3,400,000. As a result of the higher cost of this project, it will not be possible to complete and fund the construction from the Measure F moneys on a “pay as you go” basis. This shortfall will require that the City borrow funds to complete the project in a timely manner.

City staff investigated the following options for financing:

- **Statewide Community Infrastructure Program** – This program allows local communities to issue bonds as part of a consortium of entities; thereby obtaining significant savings in costs associated with bond issuance. Staff does not recommend the issuance of bonds for this purpose because the Neilson Storm Drain project is considered too small for the state program, which typically funds projects of significantly greater cost.
- **Certificates of Participation (COPs)** – City staff has discussed the issuance of COPs with a financial advisor, and it appears that the City would be able to issue COPs for this purpose. However, staff does not recommend this option because the estimated interest rate of 5.5% and the issuance cost of the COPs would add significantly to the cost of the project.
- **California Infrastructure and Economic Development Bank (I Bank) Infrastructure State Revolving Fund (ISRF) Program** – This program provides relatively low cost financing with current interest rates of approximately 3.5% and minimal initiation costs. However, the City would be limited to borrowing \$2,000,000 per fiscal year. This means that full funding could not be arranged until 2009; therefore, the project would have to be delayed up to a year.
- **Municipal Lease Purchase Agreement** – This form of borrowing from a private lender can be secured at an annual interest rate of 4.0% to 4.5%, with a term of 131 months. Loan origination costs would be minimal. While the cost of this financing is greater than the ISRF program, it has the advantage of being available on a time frame that will allow completion of the project in 2008.

As an alternative, the City Council could choose to delay the project one year, thereby collecting an added year of revenue that would reduce the loan amount. However, staff continues to recommend that a storm drain be installed in Neilson Street this year because of chronic drainage conditions that have persisted in this area. Another reason for staff’s

recommendation is based on the fact that remediation of this condition was identified in 1998 as being the number one priority project in the Watershed Management Plan.

Based on the investigations into optional financing and approaches above, City staff recommends that the City Council authorize the City Administrator to negotiate a loan in the amount of \$3,500,000, with repayment being made by annual payments of \$400,000 from Measure F revenue, that achieves the most advantageous lending agreement to fund this project. Such an approach would ensure that a consistent level of funding continues to be available for street rehabilitation.

Attachments

1. Draft *Initial Study/Negative Declaration regarding the Neilson Street Storm Drain and Sanitary Sewer Project*
2. March 30, 2008 letter from Karen Bougae, 1199 Santa Fe Avenue
3. July 19, 2007 letter from Dorothea Dorenz, 1200 Neilson Street
4. August 7, 2007 response letter to Dorenz from Randy Leptien
5. March 13, 2008 email from Jean Safir, 1129 Neilson Street
6. February 22, 2008 letter from East Bay Municipal Utility District
7. Response to Comments on Draft Initial Study/Negative Declaration from DC&E

Final Draft

**NEILSON STREET STORM DRAIN AND
SANITARY SEWER IMPROVEMENTS PROJECT**

INITIAL STUDY/NEGATIVE DECLARATION

City of Albany | February 8, 2007



DESIGN, COMMUNITY & ENVIRONMENT

ATTACHMENT 1

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NEGATIVE DECLARATION

The following proposed project has been reviewed pursuant to the provisions of the California Environmental Quality Act (CEQA) for the purpose of determining the likelihood of a significant adverse environmental impact occurring as a result of project completion.

LEAD AGENCY

City of Albany
1000 San Pablo Avenue,
Albany, California 94706

CONTACT PERSON AND PHONE NUMBER

Amber Curl, (510) 528-5765

CONSULTING FIRM

Design, Community & Environment (DC&E)
1625 Shattuck Avenue, Suite 300
Berkeley, CA 94709

PROJECT TITLE

Neilson Street Storm Drain and Sanitary Sewer Replacement Project

DESCRIPTION OF PROJECT

See attached project description

PROJECT LOCATION

Neilson Street between Albany Terrace and Gilman Street
Please see figure 2-2 of this Initial Study.

DETERMINATION

The proposed project would not have a significant effect on the environment. As described in the attached Initial Study, all environmental issue areas have been considered, and any potentially significant impacts would be mitigated to a less-than-significant level through adherence to provisions set forth in the Project General Provisions and the City of Albany's Standard Construction

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Specifications.

See attached Initial Study for documentation to support this conclusion.

MITIGATION MEASURES

There are no-project specific mitigation measures that that would apply to this project. However, as specified in the Initial Study, certain conditions from the City's Standard Specifications/General Provisions (July 1993) and project-specific Special General Provisions have been identified because they would serve to mitigate potential impacts to a less-than-significant level.

The City of Albany maintains a set of Standard Specifications/General Provisions (July 1993) that apply to all construction contracts in the City for which the City is the lead agency. The Specification and Provisions are together a set of conditions that would apply to the proposed Project and that the contractor must abide by. In addition, the City has developed Special General Provisions, which is a more detailed sub-set of conditions that has been developed specifically for this project. Reference to the Standard Specifications/General Provisions and the Special General Provisions is made throughout the Initial Study checklist analysis, which is provided in Chapter 4 of this document.

I INITIAL STUDY SUMMARY

1. **Project title:** Neilson Street Storm Drain and Sanitary Sewer Replacement Project
2. **Lead agency name and address:**
City of Albany
1000 San Pablo Avenue,
Albany, California 94706
3. **Contact person and phone number:**
Amber Curl, (510) 528-5765
4. **Project location:**
Neilson Street between Albany Terrace and Gilman Street
Please see figure 2-2 of this Initial Study.
5. **Project sponsor's name and address:**
City of Albany
1000 San Pablo Avenue,
Albany, California 94706
6. **City General Plan designation:**
General Plan Designation: Low Density Residential (Average 12 dwelling units/acre)
7. **Description of project:**
See attached project description, Chapter 2 of this Initial Study.
8. **Surrounding land uses and setting:**
The project area consists of an approximately 1,500-foot long section of Neilson Street in the southeastern portion of the City. The project corridor in which improvements would take place is bordered to the north, east and west by privately owned, single-family detached residences. The southern edge of the project area is bordered by a commercial retail node at the intersection of Neilson Street and Gilman Street. East-west streets intersecting with Neilson in the Project Area include Albany Terrace, Terrace Street, Francis Street, and Gilman Street.
9. **Other public agencies whose approval is required:**
 - ◆ Albany Department of Public Works

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 INITIAL STUDY SUMMARY

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist on the following pages, involving at least one impact that could have a significant impact, which has been reduced to less-than-significant impacts by incorporation of mitigation measures.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Hazards / Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency) On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

2 PROJECT DESCRIPTION

The following is a description of the Neilson Street Storm Drain and Sanitary Sewer Improvements Project (the project).

A. Regional and Local Setting

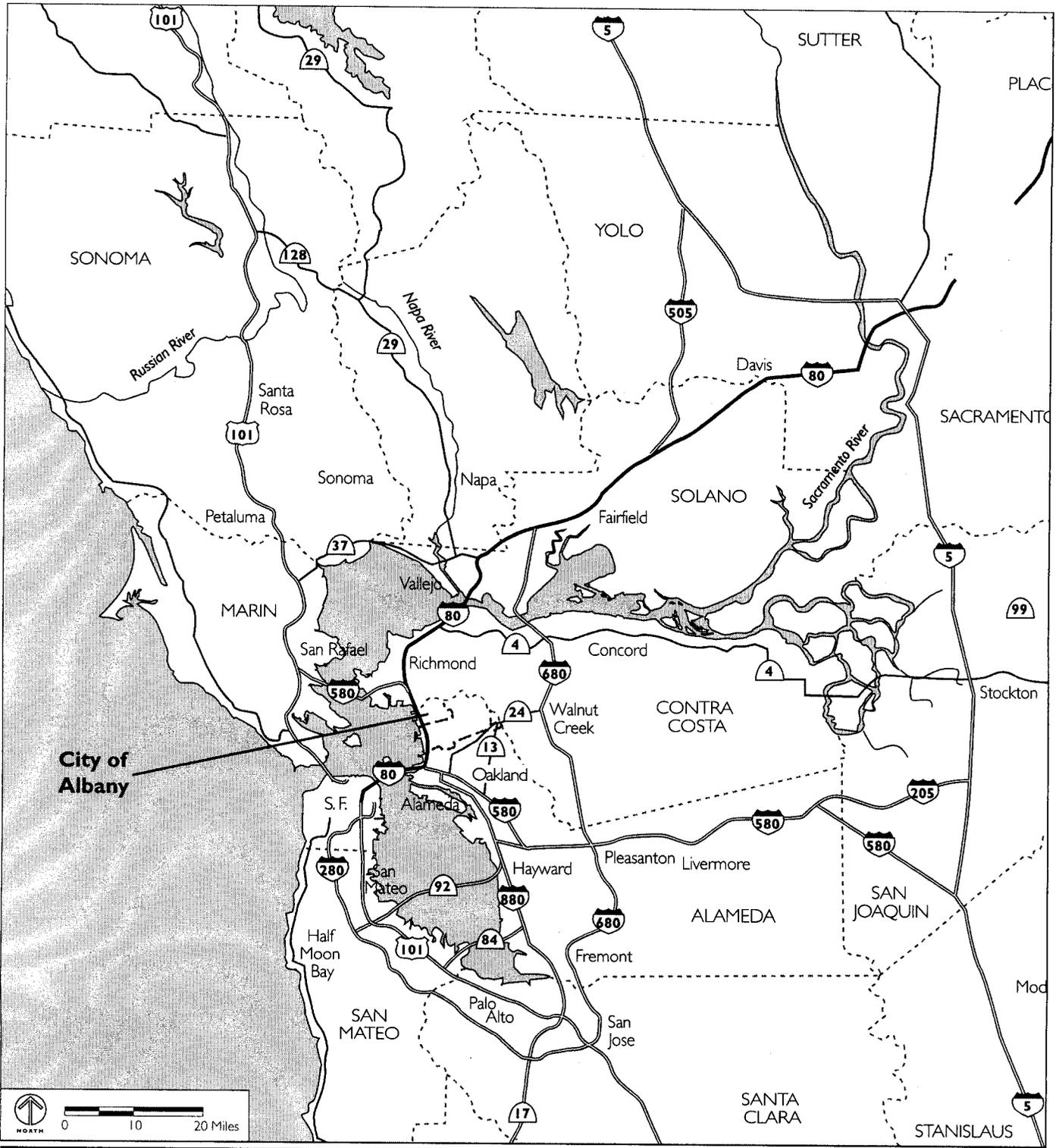
The project site is located in City of Albany; approximately 15 miles to the northeast of San Francisco (see Figure 1). The project site is located in the southeastern portion of the City in the Village Creek neighborhood. Proposed improvements would take place entirely on Neilson Street, between Albany Terrace at the northern end and Codornices Creek at the southern end. Codornices Creek in this location forms the border between Albany and Berkeley. A construction staging area would be located at the corner of Francis Street and Tevlin Street. A local location map is provided in Figure 2.

B. Project Background

The Upper Village Creek storm drain system, which partially overlaps with the project area, is contained entirely within underground pipes and culverts. The pipes are primarily located on private residential properties between City streets. Several pipelines are located beneath existing residences and accessory buildings. Others lie in narrow side yards that are immediately adjacent to or in some cases beneath the footing foundations of existing residences.

Several years ago, residents in the 1000 block of Curtis and Neilson Streets, which is within the project area, reported to the City on drainage problems that had become chronic during wet weather months. The City's 1998 Watershed Management Plan (WMP) determined that the Upper Creek storm drain system does not have the capacity to convey a ten year storm, and that the pipes and culvert should be replaced with ones ranging in diameter from 18 to 36 inches. Enlarging and repairing the Upper Village Creek system east of Key Route Boulevard was identified as the number one priority project in the WMP. The WMP initially identified Marin Creek as the appropriate

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 INITIAL STUDY/NEGATIVE DECLARATION



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FIGURE 1
REGIONAL LOCATION

CITY OF ALBANY
 NEILSON STREET STORM DRAIN AND SANITARY SEWER IMPROVEMENTS PROJECT INITIAL STUDY/NEGATIVE DECLARATION

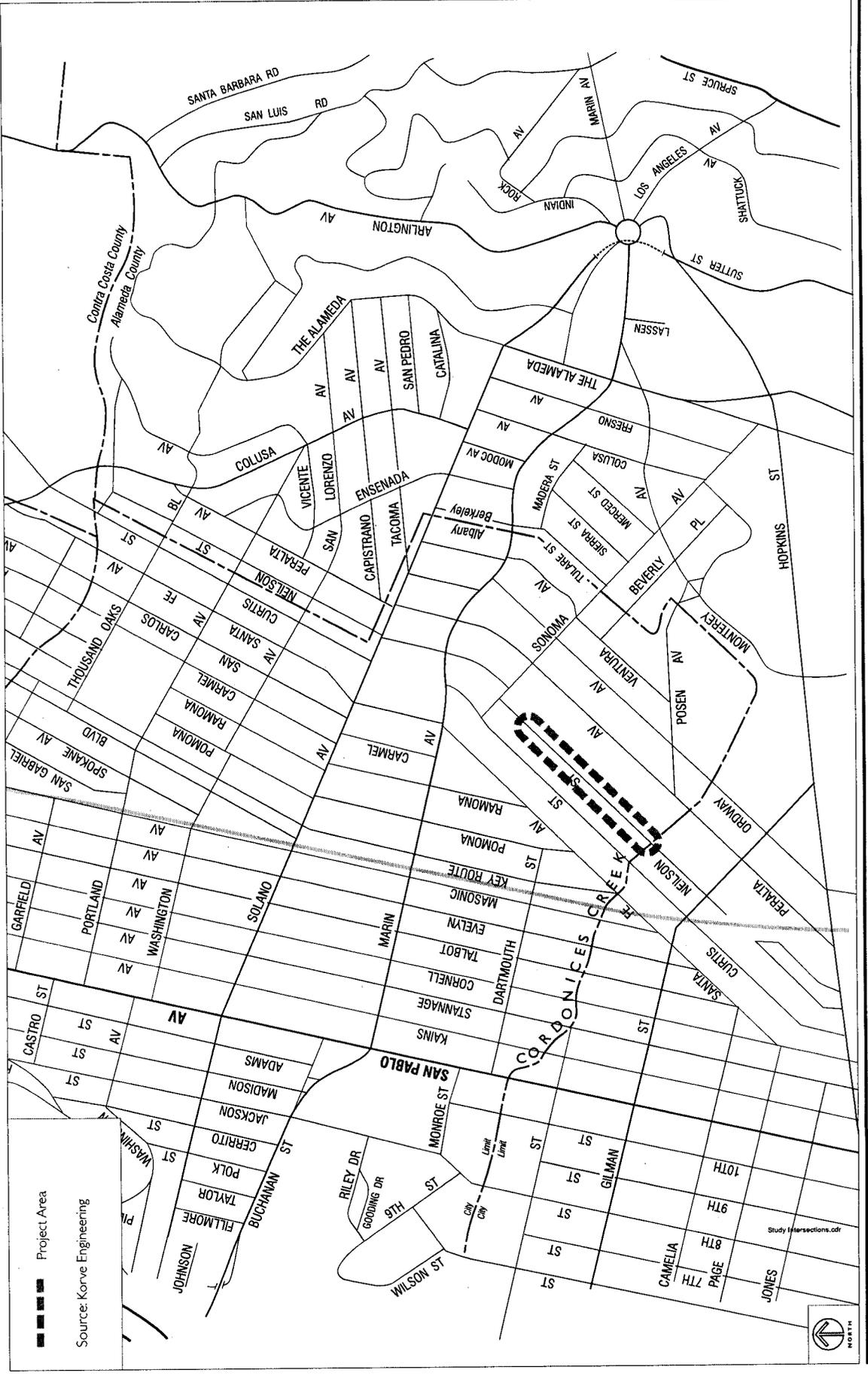


FIGURE 2
 LOCAL LOCATION

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watershed to receive the drainage, however, after further studies following the adoption of the WMP, it was determined that the interim connection to Marin Creek would not be possible. Therefore the City Engineer began to investigate alternative drainage schemes to Codornices Creek.

Subsequently, in June 2006, Albany voters approved Measure F, which identified funding for the Neilson-Curtis Storm Drain project. On September 18, 2006 the City Council approved an agreement with URS Corporation to study alternatives and technical approaches for the construction of storm drain improvements in this area. The scope of the study included reviewing the storm drain alignment identified in the 1998 Watershed Management Plan (WMP), subsequent alignments prepared by the City Engineer, and an alternative route in Neilson Street that would involve deep excavation and/or tunneling.

Five alternatives were considered in relation to right-of-way, cost, feasibility, and the potential for damage to existing utilities. Following this evaluation, it was determined that Alternative E was the preferred option in consideration of several factors including, but not limited to, right-of-way requirements, permitting obligations, possible utility interference, and geotechnical considerations. Alternative E proposes that the Upper Village Creek storm water runoff be collected at this intersection of Albany Terrace and Neilson and conveyed in a new pipe below Neilson Street to Codornices Creek.

C. Existing Site Character

Neilson Street is approximately 26 feet wide from curb-to-curb and includes parallel on-street parking on both sides of the street. When vehicles are parked parallel, the portion of roadway available to passing vehicles can be limited to the point that only one lane of travel remains. Beyond the curb, public sidewalks and private driveways separate the street from adjacent lots.

The section of Neilson Street within the project area is residential in nature and defined by one- to two-story single-family detached homes. Houses on the west side of the street are generally 50 feet from the roadway centerline, whereas houses on the eastern side of the street are generally 45 feet from the centerline. The setback between the edge of curb and the homes is generally 20 feet.

Below grade, soils in the proposed project area are generally clayey and groundwater ranges in depth between 5 and 10 feet. There are several existing sub-grade utilities that follow the alignment of Neilson Street, including a 6-inch sanitary sewer line, an East Bay Municipal Utility District (EBMUD) potable water line, and a PG&E gas line. Pipe burial depths that have been identified are up to 15 feet or more below some portions of Neilson Street. There are also overhead telephone and electrical utilities on both sides of the street.

D. Project Components

The following is an overview of the proposed improvements included under the project.

- ◆ Installation of approximately 1,500 feet of a new 30-inch (diameter) storm drain line below Neilson Street between Albany Terrace and Codornices Creek if a microtunneling boring method is used (see below). If a pilot tube boring method is used, the diameter of the new storm drain would be a maximum of 24-inches;
- ◆ Connection of a new storm drain line to an existing storm drain at Albany Terrace and existing arch culvert that contains Codornices Creek;
- ◆ Installation of new 18-inch Outer Diameter (OD) Reinforced Concrete Pipe (RCP) street-level storm drains using open cut procedure;
- ◆ Installation of four new manhole shafts and manhole covers at the point where Neilson intersects with Francis Street, Terrace Street, Albany Ter-

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race, and a point approximately 10 feet north of the point where the new storm drain would tie in with the Codornices Creek arch culvert.

- ◆ Installation of three Type “A” drain inlets, which are single grate 2x3 foot grated curb inlets at street level;
- ◆ Installation of one Type “B” drain inlet, which is an inlet with two each of 2 x 3 foot grates at street level;
- ◆ Replacement of existing 6-inch sanitary sewer line below Neilson Street with an 8-inch line through a pipe bursting procedure. The bursting and pipe replacement procedure would take place for a section of sanitary sewer line that extends from a point approximately 30 feet north of the Codornices Creek arch culvert to a point approximately 125 feet north of the center of the intersection of Albany Terrace;
- ◆ Connection of the new 8-inch sanitary sewer line to six existing sewer manholes; and
- ◆ Restoration of roadway surface following project, including pavement restoration and roadway striping

1. Construction Methodology

The new storm water collection pipeline would be approximately 27 feet deep at the deepest point. Construction of the storm drain line would follow either the microtunneling or pilot tube boring technique. Each of these methods is described in more detail below.

a. Microtunneling

For trench excavations deeper than about 15 to 20 feet, microtunneling or other trenchless construction methods have several advantages. Microtunneling utilizes remotely controlled equipment that does not require personnel to work underground; microtunneling machines have computer controlled guidance systems which are capable of more accurate control of line and grade; and microtunneling machines have the capability to control groundwater inflows and minimize loss of ground without the need for dewatering or ground improvement. Based on these factors, microtunneling with an auger

machine appears has been identified as the preferred construction method in lieu of open-cut trenching techniques.

During the microtunneling procedure, soil excavated by an auger cutterhead would pass through slots or ports where it would be mixed with slurry in a chamber at the front of the machine. The spoil-slurry mixture would be pumped to a jacking pit through slurry discharge pipes and then to a temporary facility at street-level where excavation spoil, and primarily soils, would be separated from the slurry.

Four shafts (manholes) are proposed for spoil transport. A separation plant would be located at street level at each shaft location. The shafts would be located at Albany Terrace and Neilson Street, Neilson Street at Francis, Neilson Street at Codornices Creek, and Terrace Street and Neilson Street.

b. Pilot Tube Method

The pilot tube method, also commonly referred to as the guided boring method, is used to install small diameter pipes (4 to 24 inches in diameter) in conjunction with a theodolite guidance system. This is typically a three-step process in which hollow pilot tubes are first pushed into place, augers are advanced along the pilot tube path, and the final carrier pipe is then installed behind the augers.¹ The process is described in more detail below.

The first step in this method is the precise installation of the pilot tube on line and on grade. The installation would begin with the excavation and construction of jacking and receiving shafts. Most shafts are 6.5 to 8.0 foot diameter round shafts which fit a compact jacking frame to receive the pilot tubes, augers, and sections of final pipe. During the installation process the spoil is displaced by the slant-faced steering head.

¹ URS Corporation Memorandum to Randy Leptien, Albany City Engineer. February 7, 2007. Evaluation of Alignment Alternatives and Technical Approaches.

Once the shafts are in place, the Pilot Tube machine is then set to the desired height, grade and line from control points established using conventional surveying techniques. The guidance system consists of a digital theodolite w/integrated camera, independent of the jacking frame, and a monitor screen.

The second step is to bore the path of the pilot tube with a reaming head, which is slightly larger in diameter than the final pipe being installed. Following the reaming head are auger casings of the same diameter, which transport the spoil (e.g. soils and water) to the jacking shaft for removal. The spoil may be removed by a muck bucket or vacuum truck, depending on the soil type. This step is complete when the reamer and auger casings reach the reception shaft and all spoil is removed.

The third step is to install product pipe which replaces the auger casings. The product pipes push the auger casings into the reception shaft, where they are removed one by one with the addition of each section of product pipe. There is no spoil to be removed in this step since the product pipe has the same outside diameter as the auger casings, however dewatering is typically required to install pipe in soils below the groundwater level.²

Based on coordination with equipment suppliers, drive lengths (i.e., tunneling reaches) are typically limited to 200 to 300 feet for this type of construction method.

2. Schedule

Construction is expected to begin in late spring/early summer 2008 and to last for approximately 4 to 6 months, depending on which construction methodology is followed. For projects of this nature, the construction period typically is longer when the pilot tube method is employed.

² Pilot Tube Microtunneling explodes in the U.S. Using Vitrified Clay Jacking Pipe: http://www.no-dig-pipe.com/pdf/PTMT_EXPLOSION_2006_TTMAG.pdf. Accessed February 6, 2008.

3. Construction Plan

Figure 3 shows the Construction Plan for the Microtunneling method. Specific components of this plan are described below in items a) – f). While a separate construction plan would be developed for the pilot tube method, the pilot tube plan would be almost entirely consistent with the plan illustrated in Figure 3. Notable differences are that the pilot tube method would require seven shafts at-grade within the project right of way as opposed to four and the size of the shafts would be slightly smaller. If selected by the City as the preferred construction methodology, the pilot tube construction plan would be included in the contractor specification packet as an appendix. Contractor requirements applicable to the pilot tube method are discussed below in Section G of this chapter.

a. Staging Areas

Adequate space would be required for shaft construction and construction operations. Access for trucks must be provided near the shafts for hauling spoils, and for storing pipe sections and microtunneling or pilot tube equipment. Additional surface space is needed to set up and operate slurry separation plants adjacent to shafts. For the pilot tubing method, sub-surface dewatering would be required, which would require the placement of temporary receiving tanks at street level adjacent to the shafts. Smaller space requirements would exist for the receiving shafts, which are needed to retrieve the microtunneling or pilot tube equipment at the end of each drive and construct connections to adjacent pipeline segments.

Staging areas would be established at the following locations as shown on Figure 3 for the micro-tunneling method.

- ◆ Tevlin Street and Francis Street
- ◆ Neilson Street and Francis Street
- ◆ Neilson Street and Terrace Street
- ◆ Neilson Street and Albany Terrace

b. Construction Signage

Construction-zone signage will be strategically placed in the vicinity of the project area to minimize motorist inconvenience. Signage would be placed at the following intersections as shown on Figure 3:

- ◆ Gilman and Neilson
- ◆ Curtis Street and Sonoma Avenue
- ◆ Albany Terrace and Neilson Street
- ◆ Francis and Curtis
- ◆ Peralta Avenue and Tevlin

c. Temporary Closures

During construction, four segments of Neilson Street would be temporarily closed in the interest of public safety and to complete the proposed improvements in the most efficient manner. These closures would affect through traffic only. Access to residences would be maintained at all times, with some delays expected and access to emergency vehicles would be continuously maintained. Closures would be limited to short sections of Neilson Street where it overlaps with the Codornices Creek culvert, and near the intersections with Francis Street, Terrace Street, and Albany Terrace. Pedestrian and bicycle access on sidewalks on all streets, including Neilson Street, would be maintained throughout the construction period. Excavations would be plated during the hours of darkness and on non-working days.

d. Traffic Routing and Truck Traffic

Due to street closures, a traffic detour plan would be implemented to ensure the continuous access of vehicles in the project area throughout construction. The traffic routing plan would be clearly marked through detour signage. The proposed traffic routing plan and locations for detour signage are shown in Figure 3.

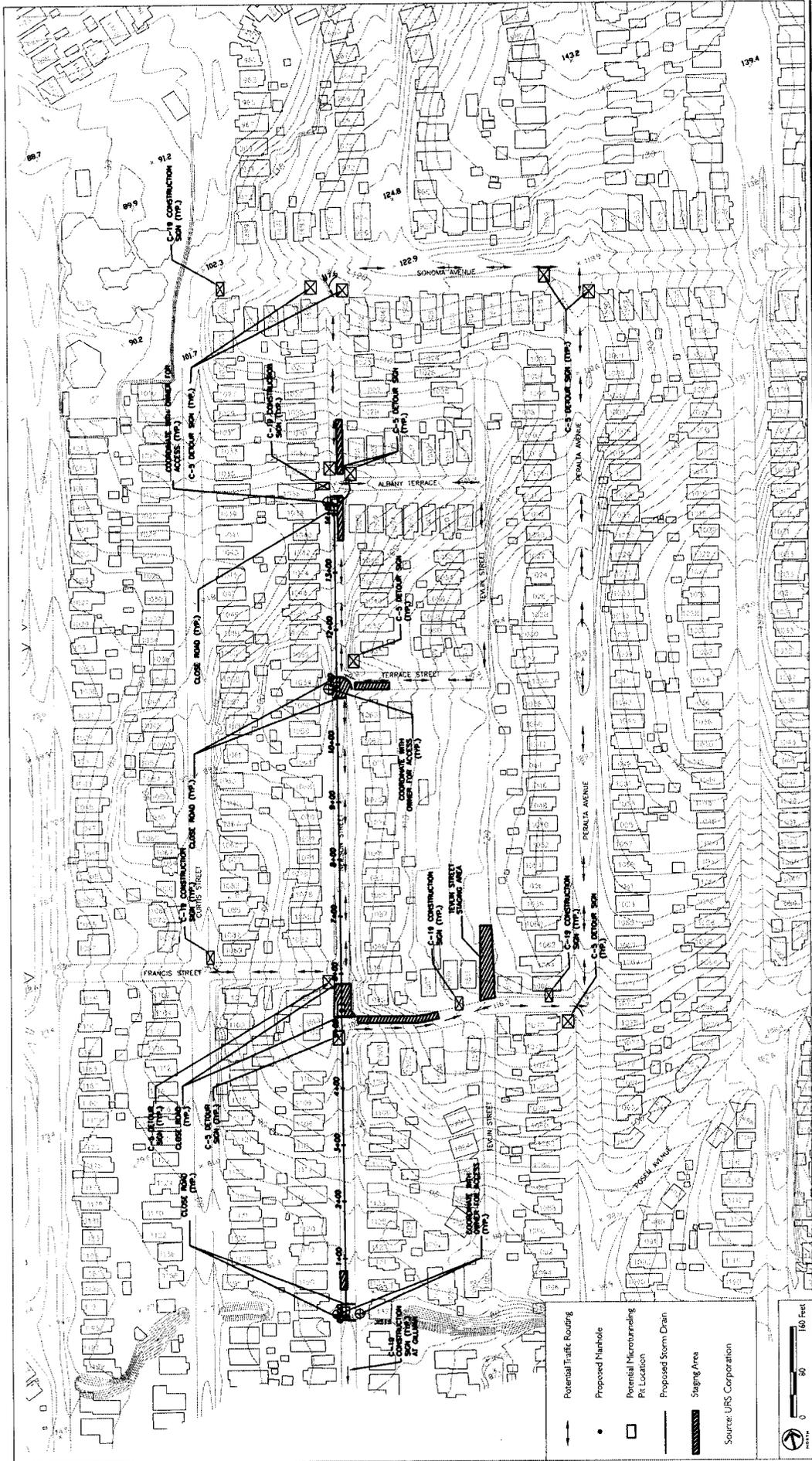


FIGURE 3
 CONSTRUCTION PLAN

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Figure 3: Construction Plan
11x17 (back)

Traffic detour signage would be placed at five locations within or in close proximity to the project area, including the following intersections:

- ◆ Sonoma Avenue and Peralta Avenue
- ◆ Sonoma Avenue and Neilson Street
- ◆ Terrance Street and Neilson Street
- ◆ Francis Street and Peralta Avenue
- ◆ Francis Street and Neilson Street

During construction, approximately 16 daily round trips would be made to and from the project area by delivery trucks and dump trucks.

e. Coordination with Utility Providers

Gas, sanitary sewer, and water lines (owned by PG&E, EBMUD, and the City) are currently located below-grade along the Neilson Street alignment. According to the construction specifications, the contractor is required to coordinate all work involving utilities with the appropriate utility provider, including any work that could damage said utilities or require a temporary interruption in service. Prior to any excavation activity, the contractor will coordinate with these utility providers to confirm the locations of lines, which are presumed to have relatively shallow burial depths.

Relocations of certain sections of the gas line would be required at manhole shaft locations and would be completed by PG&E. Gas line laterals and potable water mains would be protected in place. In terms of sanitary sewer, as explained above, the project would involve bursting a section of the 6-inch pipe that is currently located below Neilson Street.

f. Coordination with Property Owners

On the portions of Neilson Street where temporary closures would take place, the contractor would set up barricades to protect public safety and maintain a work space free of vehicular, bicycle, or pedestrian traffic.

In advance of construction, the City would coordinate with certain residential property owners in the project area to minimize disturbance and interference with access to private driveways.

E. Contract Provisions

1. General Provisions and Standard Specifications

The City of Albany maintains a set of Standard Specifications/General Provisions (July 1993) that apply to all construction contracts in the City for which the City is the lead agency. The Specification and Provisions are together a set of conditions that would apply to the proposed Project and that the contractor must abide by. In addition, the City has developed Special General Provisions, which is a more detailed sub-set of conditions that has been developed specifically for this project. Reference to the Standard Specifications/General Provisions and the Special General Provisions is made throughout the Initial Study checklist analysis, which is provided in Chapter 4 of this document.

The set of General Provisions and Standard Specifications identified in Chapter 4 of this document would apply to either the microtunneling or pilot tube method. As a result, construction of the project under the pilot tube method would not change any of the conclusions set forth in Chapter 4. Regardless of construction methodology, all potentially significant impacts would be reduced to a less-than-significant level through adherence to the aforementioned Provisions and Specifications.

3 ENVIRONMENTAL CHECKLIST

This chapter contains the Environmental Checklist used to evaluate impacts of the proposed project. An explanation of each checklist item is presented in Chapter 4.

Environmental Topic	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Aesthetics				
Would the project:				
a. Have a substantial adverse effect on a scenic vista?				X
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	
2. Agriculture Resources				
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a. Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b. Conflict with an existing zoning for agricultural use, or a Williamson Act contract?				X
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?				X

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3. Air Quality				
Where available, the significance of criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?			X	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under applicable federal or State ambient air quality standards (including releasing emissions that exceed quantitative thresholds for ozone precursors or other pollutants)?			X	
d. Expose sensitive receptors to substantial pollutant concentrations?			X	
e. Create objectionable odors affecting a substantial number of people?				X
4. Biological Resources				
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	

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b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act, through direct removal, filling, hydrological interruption or other means?				X
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or State habitat conservation plan?				X
5. Cultural Resources				
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource?				X
b. Cause a substantial adverse change in the significance of an archaeological resource?			X	
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

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d. Disturb any human remains, including those interred outside of formal cemeteries?			X	
6. Geology and Soils.				
Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?				X
ii. Strong seismic ground shaking?			X	
iii. Seismic-related ground failure, including liquefaction?			X	
iv. Landslides, mudslides or other similar hazards?				X
b. Result in substantial soil erosion or the loss of topsoil?			X	
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

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7. Hazards and Hazardous Materials				
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?			X	
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c. Emit hazardous emissions or handle hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?			X	
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?				X
e. For a project within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people living or working in the project area?				X
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people living or working in the project area?				X
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	

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h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
8. Hydrology and Water Quality				
Would the project:				
a. Violate any water quality standards or waste discharge requirements?			X	
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a significant lowering of the local groundwater table level?				X
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f. Otherwise substantially degrade water quality?				X

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g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j. Potentially be inundated by seiche, tsunami or mudflow?			X	
9. Land Use				
Would the project:				
a. Physically divide an established community?				X
b. Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
10. Mineral Resources				
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X

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b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
11. Noise				
Would the project:				
a. Expose people to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or other applicable standards?			X	
b. Expose people to or generate excessive groundborne vibration or groundborne noise levels?			X	
c. Create a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d. Create a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

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Environmental Topic	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
12. Population and Housing				
Would the project:				
a. Induce substantial unexpected population growth or growth for which inadequate planning has occurred, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b. Displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere?				X
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
13. Public Services				
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or result in the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a. Fire protection?			X	
b. Police protection?			X	
c. Schools?				X
d. Parks?				X
e. Other public facilities?				X

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14. Recreation				
Would the project:				
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
15. Transportation/Traffic				
Would the project:				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system?			X	
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X	
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e. Result in inadequate emergency access?			X	
f. Result in inadequate parking capacity?			X	
g. Conflict with adopted policies, plans or programs supporting alternative transportation?				X

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16. Utilities and Services				
Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g. Comply with federal, State, and local statutes and regulations related to solid waste?			X	

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Environmental Topic	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
17. Mandatory Findings of Significance				
Does the project:				
a. Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects and the effects of probable future projects.)			X	
c. Have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?			X	

4 EXPLANATION OF CHECKLIST FINDINGS

The following provides an explanation of the analysis completed to make the determination of significance contained in the previous checklist in Chapter 3.

For certain sections below, the analysis is preceded by a list of **Relevant Construction Provisions**, which include contractor requirements and/or conditions of approval that apply to the issue being examined. These requirements and/or conditions would apply regardless of whether the microtunneling or pilot tube method is used. As noted in these sections, these requirements and conditions would address potential impacts and reduce them to a less than significant level in all cases for either construction method.

1. AESTHETICS

- a. *No Impact.* The project would not include any buildings, structures, or other facilities of an elevation that could significantly impact a scenic vista. Therefore, implementation of the project would have *no impact* on scenic vistas.
- b. *No Impact.* Neilson Street is not designated a State scenic highway.¹ Therefore, the implementation of the project would result in *no impact* to scenic resources within a state scenic highway.
- c. *Less-Than-Significant Impact.* Upon completion of work during project construction, existing ground surfaces would be restored. The project is such that it would not be visually incompatible with the character and quality of its surroundings, such that long-term aesthetic degradation would occur. Implementation of the project would have a *less-than-significant* impact on the existing visual character and quality of the site and its surroundings.

¹ Source: http://www.dot.ca.gov/hq/LandArch/scenic_highways/, accessed on November 28, 2007.

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- d. *No Impact.* Construction of the project would be restricted to the hours of 8 a.m. to 6 p.m. Monday through Saturdays and 10 a.m. to 6 p.m. on Sundays and legal holidays. These restrictions would require that work be done primarily during daylight hours. Thus, impacts on nighttime views in the area would not be substantially affected. Furthermore, although lighting and reflective surfaces could be used during daylight hours, neither would be of the type to substantially affect daytime views. As a result, there would be a *less-than-significant* impact associated with light or glare.

2. AGRICULTURAL RESOURCES

- a. *No Impact.* The project area is located within a developed, urban residential area. None of the land within the project area is identified as Prime Farmland, Unique Farmland and Farmland of Statewide Importance.² As a result, *no impact* would occur in relation to the irreversible loss of such farmland.
- b.-c. *No Impact.* Because the project area is not located on Prime Farmland, Unique Farmland or Farmland of Statewide Importance, the site is not part of a Williamson Act contract. Implementation of the proposed project would not involve changes in the existing environment that could result in an irreversible conversion of farmland to a non-agricultural use. As a result, *no impact* would occur.

² Source: 2004-2006 Farmland Conversion Data,
<http://www.conservation.ca.gov/>, accessed November 12, 2007.

3. AIR QUALITY

Relevant Construction Provisions

- 1) *Section 6-1 of the Standard Specifications/General Provisions: All project work would comply with applicable regulations and codes of all federal, State and local agencies.*
- 2) *Section 3.J, Dust and Erosion Control, of Project Special General Provisions: All necessary precautions should be taken to prevent dust nuisance due to the generation and emission of PM₁₀ during construction.*
- 3) *General Condition of Approval: Dust shall be controlled and adjoining street and private drives shall be kept clean of project dirt, mud, materials, and debris, to the satisfaction of the Community Development Director.*
- 4) *General Condition of Approval: The contract shall identify a responsible contact person, who is an employee of the contractor, and a 24-hour telephone number to call to resolve problems with noise, dust or other construction-related issues. The sign shall be approved by the City's representatives prior to construction*

- a.-b. *Less-Than-Significant Impact.* Construction of the project has the potential to conflict with the Bay Area Air Quality Management District's (BAAQMD) regulations due to the generation of fugitive dust during construction. Dust, of which Particulate Matter 10 (PM₁₀) is a component, could be a substantial air pollutant, if not adequately controlled.

Compliance with applicable regulations, as required through the contract provisions, would include those established by the BAAQMD. The BAAQMD has identified a set of feasible PM₁₀ control measures for construction activities, regardless of the size of the construction site. These measures include:

- ◆ Water all active construction areas at least twice daily.

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- ◆ Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
- ◆ Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- ◆ Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
- ◆ Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

As stated in the District's Guidelines, if all of the control measures (as appropriate, depending on the size of the project area) are implemented, then air pollutant emissions from construction activities would be considered a less-than-significant impact.³ Therefore, through the implementation of these measures, a *less-than-significant* impact would occur.

- c. *Less-Than-Significant Impact.* The entire Bay Area is designated as a marginal non-attainment area for the national 8-hour ozone standard, as well as a non-attainment area of the State 1-hour ozone, 24-hour particulate matter (PM₁₀) and fine particulate matter (PM_{2.5}). Construction of the proposed improvements could result in a slight, temporary increase of particulate matter, but any increase would not be cumulatively considerable. Similarly, while the operation of equipment during construction could temporarily increase ozone emissions on an intermittent basis, these emissions would not be cumulatively considerable. As a result, project emissions would have a *less-than-significant* impact on cumulative emissions.

³ BAAQMD CEQA Guidelines, December 1999, page 14.

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- d. *Less-Than-Significant Impact.* The project could result in a localized increase of PM₁₀ during construction. However, as noted in item a.-b., measures would be implemented to prevent impacts related to dust generation. Therefore, impacts to sensitive receptors from potentially elevated PM₁₀ levels would be *less than significant*.
- e. *No Impact.* Neither construction nor operation of the project would include uses that would generate objectionable odors. Therefore, *no impact* would occur.

4. BIOLOGICAL RESOURCES

- a. *Less-Than-Significant Impact.* Due to the developed nature of the project area, in which a high level of human activity takes place, there is no potential for candidate, sensitive or special status species to occur. Furthermore, all construction activities would take place within a paved, public right-of-way (Neilson Street), and there would be no temporary or permanent encroachment into the creek bed of Codornices Creek. Therefore, a *less-than-significant* impact would occur.
- b. *No Impact.* As noted in item (a), all project construction would take place within a paved, public right-of-way used for vehicular traffic. There would be no temporary or permanent encroachment into Codornices Creek. As a result, there would be *no impact* on riparian habitat or other sensitive natural communities. Potential impacts to water quality in Codornices Creek are addressed in Section 8, Hydrology, which includes potential pollutants entering the Creek.
- c. *No Impact.* As noted in item (a), all project construction would take place within a paved, public right-of-way. Therefore, there would be *no impact* on federally protected wetlands, as defined by Section 404 of the Clean Water Act.

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- d. *No Impact.* As noted in item (a), all project construction would be located within a paved, public right-of-way. The project would not include any structures that would interfere with the movement of any aquatic or wildlife species. Although stormwater runoff from the proposed pipe would flow into Codornices Creek, no new structures would be introduced into the creek bed, either temporarily or permanently, that could impact the movement of aquatic or wildlife species.⁴ *No impact* would occur. Potential impacts to water quality in Codornices Creek are addressed in Section 8, Hydrology, which includes potential pollutants entering the Creek.
- e-f. *No Impact.* The project would not include any actions or improvements during construction that would conflict with any local, regional or state policies, ordinances or plans. As a result, *no impact* would occur.

5. CULTURAL RESOURCES

Relevant Construction Provisions

- 1) *Section 6-1 of the Standard Specifications/General Provisions: All project work would comply with applicable regulations and codes of all federal, State and local agencies.*
- 2) *Section 15064.5 (f) of the CEQA Guidelines: Accidental discovery of a historical (paleontological) or archaeological resource should be followed by an immediate evaluation of the resource by a qualified archaeologist. If it is determined that the resource(s) is historically significant, contingency funding and a time allotments should be available to allow for implementation of appropriate mitigation.*

⁴ Email Correspondence with Randolph Leptien, Albany City Engineer, November 20, 2007.

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- 3) *California Native American Historical, Cultural and Sacred Sites Act: Upon discovery of human remains, construction or excavation activity would cease and the county coroner would be notified. If the remains are of a Native American, the coroner must notify the Native American Heritage Commission (NAHC). The NAHC would then notify those persons mostly likely to be descended from the Native American remains. The Act stipulates the procedures the descendants may follow for treating or disposing of the remains and associated grave goods.*
- a. *No Impact.* The nature of the project improvements is such that any potentially historic resources in the project area would not be adversely affected. Therefore, *no impact* to cultural resources would occur.
- b-c. *Less than Significant Impact.* Because all project construction would be located within an already paved, public right-of-way, there is limited potential that archaeological or paleontological resources would be encountered during sub-grade construction activities, such as tunnel boring. However, in the event that previously unknown resources are encountered, compliance with Provision 2 above would result in a *less-than-significant* impact.
- d. *Less than Significant Impact.* As noted in response to criteria (b) and (c), all project construction would be located within a paved, public right-of-way. It is therefore unlikely that human remains would be encountered during construction. However, in the event that such remains are encountered, impacts would be reduced to a *less-than-significant* level through adherence to Provision 3 above.

6. GEOLOGY AND SOILS

Relevant Construction Provisions

- 1) *Section 3, Item J(1) of the project Special General Provisions: Provide sediment and erosion control as necessary. Correct any damage resulting from dust or erosion at no additional cost to the City.*

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- 2) *Section 9, Item 24 of the project Special General Provisions: The contractor shall include all bracing, shoring, and sheathing for all excavations, as necessary to protect workers and prevent movement of trench bottom and adjacent improvements.*
- ai. *No Impact.* The project site is not within an Alquist-Priolo Earthquake fault zone.⁵ Thus, there would be *no impact* associated with the rupture of a known earthquake fault.
- aii. *Less-Than-Significant Impact.* The project area is subject to strong ground shaking during a seismic event. However, the project does not include structures or facilities that would be occupied by people and subject to failure during a seismic event. As a result, potential impacts related to strong ground shaking would be *less than significant*.
- aiii. *Less-Than-Significant Impact.* The project site would be located on “firm ground,” defined as hard clays, cemented sand or gravel where a heading (boring) may be advanced several feet or more without immediate support.⁶ Therefore, potential risks from seismic-related ground failure, including liquefaction, would be *less than significant*.
- aiv. *No Impact.* Because the project is located in an area that is largely developed and defined by terrain that is generally even with minor variation, the project is not subject to areas at risk of landslides, such as hillside locations. Furthermore, the project area is generally defined by homes, streets and driveways. There are no steep,

⁵ <http://www.abag.ca.gov/bayarea/eqmaps/mapsba.html>, accessed November 20, 2007.

⁶ Source: URS Corporation Memorandum, “Curtis-Neilson-Santa Fe Storm Drain Improvement, Evaluation of Alignment Alternatives and Technical Approaches.” February 7, 2007.

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exposed slopes that would be likely to experience a slide. Therefore, *no impact* would occur.

- b. *Less-Than-Significant Impact.* The project would not require excavation or grading of any undeveloped, earthen areas at-grade where erosion and the loss of topsoil would be most likely to occur. Excavation and disturbance of soils would be limited to areas below street surface (i.e. cement) and further below grade. However, as required through Provision 1 identified above, erosion control would be implemented, if necessary. Therefore, a *less-than-significant* impact would occur.
- c. *Less-Than-Significant Impact.* As noted in item (aiii), the ground within the project area has been identified as firm ground.⁷ Based on the existing ground condition and compliance with Provision 2 above, a *less-than-significant* impact would occur.
- d. *Less-Than-Significant Impact.* As noted in item (aiii), the project is located on firm ground. Furthermore, the project does not include any structures that would be occupied by people, the collapse of which could pose substantial risk to life or property. The project therefore would not pose a significant risk to property or public safety due to expansive soils, and a *less-than-significant* impact would occur.
- e. *No Impact.* The project would not include any septic tanks or alternative wastewater disposal systems. As a result, *no impact* would occur.

⁷ Source: URS Corporation Memorandum, "Curtis-Neilson-Santa Fe Storm Drain Improvement, Evaluation of Alignment Alternatives and Technical Approaches." February 7, 2007.

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7. HAZARDS AND HAZARDOUS MATERIALS

Relevant Construction Provisions

- 1) *Section 6.12-1 of the Standard Specifications/General Provisions: The contractor shall comply with the rules and regulations pertaining to safety established by the Safety and Health Regulations for Construction under OSHA (Occupational Safety and Health Administration) and the California Division of Industrial Safety and other applicable laws, ordinances, rules, regulations and orders of any public authority having jurisdiction, for the safety of persons or property to protect them from damage, injury or loss.*
- 2) *Section 6.12-1 of the Standard Specifications/General Provisions: If contaminated soil is discovered during excavation or grading, contractor should follow steps outlined in flow chart on page 36 of the Standard Specifications/General Provisions.*
- 3) *Section 6-E of the Special General Provisions: The contractor shall be required to coordinate its work with that of PG&E. The proposed work also requires notification and coordination with East Bay Municipal Utility District (EBMUD) water facilities, PG&E overhead electrical facilities, Comcast overhead television lines, and AT&T telephone lines.*
- 4) *Condition of Approval # 23: Contractor shall expose all potential utility conflict crossings as well as connection points to existing utilities. He shall coordinate with engineer to locate and verify depths. Engineer shall then make any revisions to his design prior to construction. All revisions must be approved by the City of Albany Public Works prior to construction.*
- 5) *Traffic Control Requirement # 3: The contractor shall take all necessary precautions to allow emergency vehicles to pass through the construction zones without any delays.*
- 6) *Approval Coordination Note # 24: Maintain one ten-foot traffic lane in each direction in public street at all times during working hours or provide*

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flaggers per Caltrans requirements unless otherwise specified in approved traffic control plan.

- a.-c. ***Less-Than-Significant Impact.*** The proposed project would not consist of any activities during construction which would require the use, handling, emission, disposal or transport of hazardous materials to the degree that potentially significant impacts would occur. During construction, typical types and volumes of hazardous materials would be used and possibly stored on site, such as diesel fuel for construction equipment. However, as required through the contract specifications identified above, these substances would be handled and stored in accordance with applicable local, State and federal regulations.

In the event of an accidental spill, response action would follow the protocol specified in the California Hazardous Material Spill/Release Notification Guidance, developed by the Governor's Office of Emergency Services. Any contaminated soils identified during excavation would be handled and disposed of in accordance with requirements established in Section 6.12-1 of the Standard Specifications/General Provisions. The release of potentially hazardous substances through damage to the PG&E gas line would be avoided through the requirements set forth in Section 6-E of the Special General Provisions.

Following construction, operation and maintenance of the storm drain and expanded sewer line would not require routine transport, use or disposal of hazardous materials. As a result, a *less-than-significant* impact would occur.

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- d. *No Impact.* The proposed project site is not included among the Hazardous Waste and Substance sites identified by the California Department of Toxic Substances in the Cortese List.⁸
- e.-f. *No Impact.* The proposed project site is not located within two miles of a public airport, in the vicinity of a private airstrip or within an airport land use plan area. As a result, *no impact* would occur.
- g. *Less-Than-Significant Impact.* The project would not impair or physically interfere with an adopted emergency plan because the project would not create substantial, physical obstacles to accessing the project site or other locations in case of an emergency. Provisions 5 and 6 identified at the beginning of this section would also ensure that emergency vehicles could access and pass through the project area throughout construction. As a result, project would have a *less than significant* impact on emergency response or evacuation.
- h. *No Impact.* The project is not located within an area which has a high wildland fire potential.⁹ Therefore, *no impact* would occur.

8. HYDROLOGY AND WATER QUALITY

Relevant Construction Provisions

- 1) *Section 9 (1) of the Special General Provisions: The contractor is required to comply with all the terms, requirements and conditions of the Caltrans National Pollutant Discharge Elimination System (NPDES) permit requirements.*

⁸ Source: <http://www.envirostor.dtsc.ca.gov>, accessed November 16, 2007.

⁹ Source: Natural Hazard Disclosure,
<http://www.fire.ca.gov/ab6/ab6lst.html>, Accessed November 19, 2007.

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- 2) *Condition 27 of Project Plans: Submit Water Pollution Control Plan prior to beginning of Work.*
- 3) *Section 3.K (8) of the Special General Provisions: All groundwater removed from shaft excavations shall be disposed on in accordance with all Federal, State, and local requirements.*

- a. *Less-Than-Significant Impact.* Through compliance with the conditions of the Caltrans NPDES permit and submittal of a water pollution control plan, the project would have a *less-than-significant* impact in regards to water quality standards and water discharge requirements.

Under the requirements of the Caltrans NPDES permit, storm water discharges shall not cause or contribute to a violation of an applicable water quality standard. This permit would require the project to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges through the development and implementation of Best Management Practices (BMPs), which would be specified in the Water Pollution Control Plan required under Provision 2 specified above.

- b. *No Impact.* The project would not rely upon the usage of groundwater supplies either during or after construction. Although excavation work would occur in areas where groundwater is likely to exist, such work would not affect groundwater supplies or recharge. As a result, *no impact* would occur.
- c. *Less-Than-Significant Impact.* The project would not alter the existing drainage pattern of the site in a manner that would result in substantial erosion or siltation. During construction, the contractor would maintain drainage facilities of adequate size for the collection and transfer of stormwater. The contractor would also maintain existing surface drainage conditions in all areas affected by shaft

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excavations. Therefore, a *less-than-significant* impact would occur in relation to erosion and siltation.

- d. *Less-Than-Significant Impact.* As noted in response to criteria (c), the site's drainage pattern would be maintained during and after construction. Similarly, the project would not result in an increase in the amount of surface runoff either during or after construction. The effect of additional stormwater volumes in Codornices Creek was evaluated in a February 12, 2007 memorandum from URS Corporation. The hydrologic and hydraulic analysis within the memo shows the impact that the Neilson Street connection to Codornices Creek would have on the hydraulic grade line (water surface level) in the Village Creek system and in Codornices Creek. The memo quantifies that the stormwater flow in Codornices Creek would increase by approximately 8 inches at Neilson Street and that this rise in the water surface would decrease to approximately 2 inches at Santa Fe Avenue. The increase would be less than 1 percent of the 10-year flow and is well within the capacities of the culverts at Curtis and at Santa Fe. Based on this data, the analysis concluded that Codornices Creek has sufficient capacity to accept the additional flow that will be introduced by the Neilson Street connection. As a result, a *less than significant impact* would occur in relation to flooding on or off-site.
- e. *Less-Than-Significant Impact.* The project would not increase impermeable surface area either during or after construction, which could otherwise lead to an increase in the volumes of stormwater runoff generated in the project area. During construction, groundwater would be generated during boring operations that would require transfer (pumping) from boring tunnels and disposal. Provisions 1 and 3 above would ensure that the disposal of groundwater would not exceed local capacity or introduce substantial additional sources of polluted runoff into the City's

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stormwater management system. A *less-than-significant* impact would occur.

- f. *No Impact.* Beyond the potential impacts to water quality discussed in items (a) and (e) above, the project would not otherwise potentially degrade water quality. *No impact* would occur.

- g.-h. *No Impact.* The project would not place housing within a 100-year flood hazard area. Furthermore, the project does not include structures that will impede or redirect flood flows. As a result, *no impact* would occur.

- i. *No Impact.* The project would not expose people or structures to significant risks from flooding, including possible flooding associated with the failure of a dam or levee. As a result, there would be *no impact* to people or property during a flood event.

- j. *Less-Than-Significant Impact.* The project would not increase the risk of inundation at the site by seiche, tsunami or mudflow. A seiche occurs within a relatively large, enclosed body of water (e.g. a reservoir) and there are no such waterbodies within close enough proximity to the site to pose a significant risk. Regarding a potential tsunami, the project site is approximately two miles upland from San Francisco Bay, which is the closest body of open water. At this distance, potential risks associated with a tsunami are less than significant. Regarding a potential mudflow, the project area is not in close proximity to areas subject to mudflow, such as hillside locations, to be considered at risk. As a result, the potential impacts related to these three phenomena are *less than significant*.

9. LAND USE

- a. *No Impact.* Project construction would not physically divide a community. All improvements would take place below grade within

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the existing Neilson Street right-of-way. Therefore, *no impact* would occur.

- b. *No Impact.* The project would not include a change in existing land uses, nor would it require any changes to the City's General Plan zoning ordinance, or other land use policies. Therefore, implementation of the project would not conflict with any such plans or regulations. *No impact* would occur.
- c. *No Impact.* The proposed project would not conflict with any applicable habitat conservation plan or natural community conservation plans. There are no such plans that apply to the project area. As a result, *no impact* would occur.

10. MINERAL RESOURCES

- a.-b. *No Impact.* The project would take place in a paved, public right-of-way bordered by private, single-family dwellings. The right-of-way is not currently utilized for or known to contain mineral resources. Therefore, *no impact* would occur on mineral resources or a mineral resource recovery site.

11. NOISE

Relevant Construction Provisions

- 1) *General Condition of Approval: The contract shall identify a responsible contact person, who is an employee of the contractor, and a 24-hour telephone number to call to resolve problems with noise, dust or other construction-related issues. The sign shall be approved by the City's representatives prior to construction*
- 2) *Condition of Approval # 9: Construction activity shall be restricted to the hours of 8:00 AM to 6:00 PM on Monday-Friday. No work is permitted Sat-*

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urdays, Sundays or holidays unless otherwise approved in writing by the City representative.

- 3) *Condition of Approval # 19: The project contractor shall comply with all local sound control and noise level rules, regulations and ordinances for any work performed under the contract. Each internal combustion engine used on the project shall be equipped with a muffler recommended by the manufacturer. No internal combustion engine shall be operated on the project without said muffler. Noise levels shall be kept to the satisfaction of the City's representative.*
- a. *Less-Than-Significant Impact.* Through compliance with the Provisions 1, 2, and 3, identified above, the project would have a *less-than-significant* impact on noise levels.
- b. *Less-Than-Significant Impact.* During construction, vibration levels would be highest where the four shafts would be constructed. Sheet piling will be driven into place, causing temporary groundborne vibrations. The excavator, loader, trucks and microtunneling or pilot tube machine would also be sources of temporary groundborne vibration. However, vibration levels would remain within established limits for the construction industry and for the City of Albany Standard Specifications.¹⁰ Following construction, there would not be any activities or features on-site that would cause permanent or excessive groundborne vibration. Therefore, this impact would be *less than significant*.
- c. *No Impact.* The proposed project would not create a permanent increase in noise levels. Potential noise generated by the project would be limited to regulated hours throughout the construction period. Therefore, *no impact* would occur.

¹⁰ Email Correspondence with Randolph Leptien, City of Albany Engineer, November 26, 2007.

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- e. *Less-Than-Significant Impact.* The project would involve construction activities that would result in temporary, intermittent increases in the levels of ambient noise in the project area. Sources of construction noise would include, but are not limited to, operation of a microtunneling or pilot tube device, the driving of sheet piling, and contractor vehicle trips. As stated in the response to criteria a), the contractor would be required to comply with all local sound control and noise level rules, regulations and ordinances. Based on these provisions, there would be a *less-than-significant* impact in regards to temporary noise levels.

- e.-f. *No Impact.* There is no public airport, public use airport or private airstrip located in the vicinity of the project site. The closest public airport is the Oakland International Airport, located approximately 17 miles south of the project site, and due to the urbanized, residential nature of the project area and the surrounding area, there are no private airstrips in the vicinity of the project area.

12. POPULATION AND HOUSING

- a.-c. *No Impact.* The project does not include housing or employment generating land uses, and would not induce substantial population growth in the area. Infrastructure improvements made as a part of the project would be site-specific and would not be of the type that could induce substantial population growth, such as the extension of sewer lines to undeveloped areas. There will be no displacement of housing, residents, or employees as part of this project. Therefore, implementation of the project would result in *no impact* related to population and housing.

13. PUBLIC SERVICES

Relevant Construction Provisions

1) *Condition of Approval # 23: Contractor shall expose all potential utility conflict crossings as well as connection points to existing utilities. He shall coordinate with engineer to locate and verify depths. Engineer shall then make any revisions to his design prior to construction. All revisions must be approved by the City of Albany Public Works prior to construction.*

- a.-b. *Less-Than-Significant Impact.* Because the project would not result in an increase in the City's population and proposed improvements are almost entirely limited to underground utility work, there would not be a substantial change in the demand for police and fire services. While the fire department could be called to the work area during construction, the likelihood of a fire occurring on-site as a result of construction is minimal based on the nature of the work and the location of the project outside of a wildfire hazard zone. The potential for a fire due to disruption of the existing gas line would be minimized through compliance with Provision 1 identified above. As a result, a *less-than-significant* impact would occur in relation to police and fire protection.
- c. *No Impact.* The proposed project would not increase the permanent population in Albany or the number of children that would demand educational services or facilities. Therefore, implementation of the project would result in *no impact* in regards to schools. It would not be necessary to expand existing schools or construct new schools as a result of the project.
- d. *No Impact.* As stated above in the analysis of Population and Housing, the project would not result in an increase in the population in the City of Albany. As a result, there would be no change in the demand for parks as a result of the project and *no impact* would occur.

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- e. *No Impact.* As discussed in the analysis under Section 12, Population and Housing, of this report, the proposed project would not result in a population increase. As a result, there would be *no impact* to other public services.

14. RECREATION

- a. *No Impact.* Implementation of the proposed project would not increase the permanent population in Albany and therefore, would not create additional demand on existing parks or recreational facilities, such that the facilities would be substantially deteriorated. *No impact* would occur.
- b. *No Impact.* As defined in the project Description, the proposed improvements are limited to underground utility work and subsequent street surface repair (e.g. paving and striping). The project does not involve any new or modified recreational facilities, the construction of which could impact the environment. As a result, *no impact* would occur.

15. TRAFFIC/TRANSPORTATION

Relevant Construction Provisions

- 1) *Traffic Control Requirement # 3: The contractor shall take all necessary precautions to allow emergency vehicles to pass through the construction zones with out any delays.*
- 2) *Traffic Control Requirement # 4: During non-working hours, all trenches shall either be backfilled or covered with steel plates and all streets and drive-ways open to normal traffic except locations specified on plans.*

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- 3) *General Condition of Approval # 24: The contractor shall maintain one 10-foot traffic lane in each direction on public streets at all times during work hours.*
- 4) *General Condition of Approval: The contractor shall not utilize parking lanes on both sides of the street at the same time.*
- a. *Less-Than-Significant Impact.* During construction, any increase in traffic would be associated with contractor vehicles and would be negligible in relation to existing traffic volumes on roadways and at intersections adjacent to the site. Following construction, the project would not include any permanent trip-generating uses that would cause an increase in traffic. Therefore, potential impacts would be *less than significant*.
- b. *Less-Than-Significant Impact.* As discussed in item (a), the project would not generate a substantial increase in vehicle trips. Only a temporary, negligible increase in traffic due to contractor vehicle trips would occur during construction. This would result in a *less-than-significant* individual and cumulative impact in relation to a level of service standard.
- c. *No Impact.* The project would not result in a change to air traffic patterns for either commercial or private aircraft. Therefore, *no impact* would occur.
- d. *Less-Than-Significant Impact.* The project would not introduce any features on-site along roadways or at intersections adjacent to the site that would constitute a design hazard. Signage, detours and staging areas would be in place within and adjacent to the project area during construction. However, none of these components would constitute or create a design hazard. Furthermore, as required in Provision 2 above, any excavation areas will be safely secured when work is not in progress. Therefore, there would be a *less-than-significant* impact related to design features or incompatible uses during construction.

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- e. *Less-Than-Significant Impact.* Through compliance with Provisions 1, 3, and 4 above, the project would have a *less-than-significant* impact on emergency access.
- f. *Less-Than-Significant Impact.* A limited number of on-street parking spaces in the project area would be temporarily obstructed for staging areas during construction. However, the majority of on-street spaces and access to and from residential driveways would be maintained during and following construction. Furthermore, as stated in Provision 4, the contractor shall not utilize parking lanes on both sides of the street at the same time. As a result, a *less-than-significant* impact on parking capacity would occur.
- g. *No Impact.* The location and nature of the project is such that neither construction activities nor operation of the improved facilities would conflict with alternative modes of transportation (i.e. transit, bicycling, walking). Access to operation of all alternative transportation facilities would be maintained during construction and operation. Therefore, *no impact* would occur.

16. UTILITIES AND SERVICES

- a. *No Impact.* Although the project would involve improvements to stormwater and wastewater (sewer) facilities, it would not increase wastewater volumes or the demand for wastewater treatment. The project would therefore not exceed requirements of the applicable RWQCB. *No impact* would occur.
- b. *No Impact.* As explained in response to criteria a), although the project would entail the expansion of a sanitary waste water line, it would not increase sanitary wastewater volumes or the demand for wastewater treatment. As a result, the project would not require the

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construction of new water or waste water treatment facilities or the expansion of existing facilities. *No impact* would occur.

- c. *Less than Significant Impact.* The project would involve the construction of new stormwater drainage facilities. Based on the analysis contained in this Initial Study, it is determined that these improvements would not cause significant environmental effects. The project would have a less than significant impact in regards to certain issues, but in no cases would the project have a potentially significant impact requiring mitigation beyond the provisions already established in the Standard Specifications/General Provisions and Project Special General Provisions. Therefore, a *less-than-significant* impact would occur.
- d. *No Impact.* The project would not generate increased demand for water supplies and would not require new or expanded entitlements. Therefore, *no impact* would occur.
- e. *No Impact.* The project would not increase demand for sanitary wastewater (sewer) treatment capacity. During construction, construction workers would use temporary bathrooms on-site, which would not introduce additional volumes into the City's system. Following construction, there would be no increase in demand for sanitary wastewater treatment. As a result, *no impact* would occur.
- f.-g. *Less than Significant Impact.* During project construction, a negligible amount of waste would be generated at the site and properly disposed of by the contractor. The amount of waste created by a project of this nature would not be sufficient to substantially affect the receiving capacity at any disposal facilities (e.g. landfill). Therefore, a *less than significant impact* on solid waste disposal or compliance with applicable laws would occur.

17. MANDATORY FINDINGS OF SIGNIFICANCE

- a. *Less-Than-Significant Impact.* As determined above in Sections 4 and 5 of this chapter, the project would not have potentially significant impacts on biological or cultural resources. All project construction would occur within an already paved, public right-of-way where the potential for such impacts to occur is minimal. In the event that any unknown cultural resource is discovered during excavation, potential impacts would be avoided through contractor adherence to regulations specified in Section 5 (Cultural Resources) of this chapter. A *less-than-significant impact* would occur.
- b. *No Impact.* In that the project would not result in any potentially significant impacts, by itself, it would not contribute to any cumulatively considerable impacts. *No impact* would occur.
- c. *Less-Than-Significant Impact.* The proposed project would not result in any significant impact that would cause substantial adverse effects on human beings, either directly or indirectly. A *less-than-significant impact* would occur.

March 30, 2008

Randolph Leptien, LCC, Inc
City Engineer
City of Albany
1000 San Pablo Ave.
Albany, CA. 94706

Re: Neilson Street Storm Drain and Sanitary Sewer Improvement Project, Initial Study/
Negative Declaration.

Dear Mr. Leptien,

I live on Codornices Creek at 1199 Santa Fe Ave. in Albany. I have lived here for the past 16 years. I have recently become aware of the Neilson Street Storm Drain Project from a flyer I received from the City of Albany announcing a "Notice of Intent to Adopt a Negative Declaration of Environmental Significance" dated February 12, 2008.

I do not believe I have received any prior information from the City about this project and have regrets that I could not make my concerns known earlier in the process.

I attended the City Council meeting on March 17, 2008 where the proposal was briefly discussed and the Negative Declaration mentioned. I made some comments to the Board based on what I had read in the Notice I had received. At the meeting I did get a copy of the "final draft of the Initial Study / Negative Declaration" prepared by the Design, Community and Environment which I read.

My property will definitely be impacted by the increased flow of water flowing into it as a result of the proposed Neilson Street storm drain proposal. Even a "two inch increase at Santa Fe Ave" which is the expected increase cited in the report (see page 42, d) in the rise of the water surface will cause my basement to flood. In the event that debris becomes lodged in the creek at or below my property line the flooding will be worse.

Let me explain: Every winter during the rainy season I have witnessed the rise in the level and speed of the creek and each year the water being carried in the creek has been increasing as it passes my home. I attribute this increase to global warming and increased run off from streets into the storm drainage system, although I really do not know the cause. I have had to sandbag the entrance to my basement in the last few years to prevent my basement from flooding as the creek overflows its bank at the back of my home where the creek makes an almost 90 degree turn. I have had soil erosion and soil swept away by the force of the water when it overflows the creek bank. After the storm of December 31, 2005 soil slipped from the top of my property into the creek leaving a gapping hole and threatening the underpinning of my back patio.

ATTACHMENT 2

I fear further damage to my property if this proposal is accepted by the City without further analysis of the potential damage to my property and some solutions offered to mitigate the situation.

I would like your assistance and expertise in understanding if the report includes an analysis of the impact the increased water flow will have on the creek bank and property bordering my home as well as the other properties which lie below the proposed Neilson Street connection. This is critical as the Report indicates in the areas cited below that there will be "no" or slight impact on the environment.

Section 6. Geology and Soils:

- aiv. Landslides, mudslides, or other similar hazards?
- b. Result in substantial soil erosion or the loss of topsoil?

Section 8. Hydrology and Water Quality

- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in a substantial erosion or siltration on or off site?
- d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?
 - i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

I realize the City of Albany is attempting to solve a very real and longstanding problem for its residents on Neilson Ave, but want to ensure that we are not solving these problems by creating new ones for other residents in another area of Albany.

I look forward to hearing from you and would like to suggest a site visit to my property when I am available to discuss this with you and show you why I am concerned.

Sincerely,

Karen Bougae
1199 Santa Fe Ave
Albany, CA. 94706
H (510) 524-5262
C (510) 717-4892

RECEIVED

DOROTHEA DORENZ
1200 NEILSON ST. B
BERKELEY, CA 94706
510-525-8717
DDORENZ@JPS.NET

JUL 23 2007

**CITY OF ALBANY
PUBLIC WORKS DIVISION**

July 19, 07

Mr. Randy Leptien
Albany City Engineer
Public Works Division
548 Cleveland Ave.
Albany, Ca 94710

Re: Culvert on Neilson Street

Dear Mr. Leptien:

I am writing in regard to your plans to route a sewage drain pipe for storm water runoff into the culvert that runs underneath Neilson Street, and then runs under my property at 1200 Neilson Street.

This culvert that you will be adding a lot more storm drainage to, it quite old. Should there be a collapse of the culvert I, as property owner, will be responsible for the full cost of the repair of this culvert on my property. Most of the culvert is on my property.

To my knowledge, at this time, the city of Berkeley does not take responsibility for the financial cost or physical repair of the part of the culvert that runs under my driveway. Should this very old culvert fail, I will have to pay for the repair. In other words, I am currently responsible for the storm drain runoff of the entire area.

I would like to receive any reports that you make concerning the condition of this culvert. As an engineer you must know that the culvert condition has to be ascertained beyond the street: you will have to inspect it as it runs under my property in order to truly assess whether it has the strength to endure more runoff from the city of Albany, in addition to that of Berkeley. Also, you must determine whether the additional water runoff that Albany contributes to the culvert will not cause further erosion to my property and that of my neighbor on Curtis Street, as it exits the culvert to the open creek. The end of the culvert is at the end of my property.

I would also like to be informed immediately of plans that you have or will make regarding the culvert under Neilson St. at 1200 Neilson Street and given ample time to review them before you undertake any changes.

I was informed by Ms. Ana Bernandez that the culvert is half owned by the City of Albany, and half by the City of Berkeley as it runs under the street. Therefore, I assume

ATTACHMENT 3

that any access you make to the culvert has to be approved and agreed upon by the City of Berkeley. I am sending this letter to Mr. Yee to inform him of my concerns.

I hope that any plans that you make will err on the side of caution, considering the age and vulnerability of this culvert. Thank you very much for your consideration of this issue.

Sincerely,



Dorothea Dorenz

Property owner:

1200 Neilson St.

Berkeley, Ca. 94706

cc: Mr. Haarry Yee: Supervising Engineer city of Berkeley

cc: Ana Bernandez



City of Albany

1000 SAN PABLO AVENUE • ALBANY, CALIFORNIA 94706-2295

August 7, 2007

CITY ADMINISTRATOR
PH. (510) 528-5710
FAX (510) 528-5797

CITY ATTORNEY
PH. (510) 528-5868
FAX (510) 528-9190

CITY CLERK
PH. (510) 528-5720
FAX (510) 528-5797

CITY COUNCIL
PH. (510) 528-5720
FAX (510) 528-5797

COMMUNITY DEVELOPMENT & ENVIRONMENTAL RESOURCES
• Building
• Engineering
• Environmental Resources
• Maintenance
• Planning

PH. (510) 528-5780
FAX (510) 524-9369

FINANCE & ADMINISTRATIVE SERVICES
CITY TREASURER
PH. (510) 528-4730
FAX (510) 528-2743

FIRE & EMERGENCY MEDICAL SERVICES
PH. (510) 528-6771
FAX (510) 528-5774

PERSONNEL
PH. (510) 528-5714
FAX (510) 528-5797

POLICE
PH. (510) 526-7300
FAX (510) 526-1300

RECREATION & COMMUNITY SERVICES
1249 Mann Avenue
PH. (510) 524-9283
FAX (510) 528-8814
• Friendship Club
• Childcare Program
PH. (510) 528-7220
• Senior Center
PH. (510) 524-9122
FAX (510) 524-8840
• Teen Center
PH. (510) 525-0578

Ms. Dorothea Dorenz
1200 Neilson Street B
Berkeley, CA 94706

Re: Proposed Storm Drain in Neilson Street

Dear Ms. Dorenz,

Thank you for your letter of July 19, 2007 regarding the City of Albany's proposal to install a new storm drain in Neilson Street and for providing me with a copy of your letter to Mr. Henry Yee of the City of Berkeley. I would first like to provide you some background on this significant project.

About a dozen years ago, residents in the 1000 block of Curtis Street and Neilson Street approached the City of Albany about recurring flooding problems that they had been experiencing in their neighborhood. In response to these concerns and others, the City Council authorized the preparation of a comprehensive study of drainage problems in the City. This report, prepared by consultants in 1998, is entitled the City of Albany Watershed Management Plan (WMP). The WMP determined that the storm drain lines west of Neilson were undersized and established this location as the highest priority drainage problem in the City.

In the years that have elapsed since the preparation of the WMP the City has studied a number of alignments for proposed new and larger storm drains. Last year the City retained the services of URS Corporation of Oakland to again review the possible alignments and make a recommendation as to a preferred route. The proposal for a storm drain in Neilson Street was selected as the least disruptive and best option for the community. This item appeared before the Albany City Council on May 7 of this year. The link to the City Staff report and the reports by URS may be viewed on the City's website. The link to this agenda item is:

http://www.albanycal.org/archive2/2007/cc_g1178577860.html

The material is voluminous, but if you wade through it you will find PDF files of the preliminary plans for the project that you requested in your letter.

URS has since been retained by the City of Albany to design this drainage facility. The design is still in the early stages and the Community Development Department

\\server1\Data\City\Location Shared Data\Albany\Storm Drain Program\Curtis Neilson Storm PA1290
M:\msn\2006-001-36 Document Drafts\List of Employees.doc

The City of Albany is dedicated to maintaining its small town ambience, responding to the needs of the community, and providing a safe, healthy environment now and in the future.

Post-It® Fax Note	7671	Date	4/1/08	pages	4
To	AMBER	From	GEORGINA		
Co./Dept.	CITY OF ALBANY	Co.	LCC, INC.		
Phone #		Phone #	(925) 228-4218		
Fax #	(510) 524-9359	Fax #			

ATTACHMENT 4

Ms. Dorothea Dorenz
Page 2 of 4
August 7, 2007

is currently making a determination as to the environmental document, if any, that will be required for this project.

Your letter raises several valid concerns, all of which will be addressed in the design and in the environmental documents for this project. The following comments are in direct response to these concerns:

1. **Responsibility for Maintenance and Repair of the Neilson St. Culvert.** The City of Albany also believes that you are responsible for maintaining and repairing the culvert on your property, however, we are currently checking our records to verify this. If you have a preliminary title report for your property, the City would be pleased to review it with you in order to confirm this.
2. **Structural Adequacy of the Neilson St. Culvert.** The City believes that the culvert is approximately 70 years old. This is very old, as you indicate in your letter. The culvert however is constructed of concrete, which generally increases in strength over the first 100 years of its "life" and then begins to deteriorate after that. Nevertheless, the City is concerned about the condition of the culvert and any potential adverse impact that the proposed new connection might have. In conjunction with the design of the project, I have requested a video survey to be performed and have asked URS to review the video and address any issues regarding the structural adequacy of the existing culvert. Any impact to the existing culvert would likely occur at the point of connection on the Albany side of the culvert. The City of Albany will be responsible for any repairs in the public right of way that might be caused by this connection. You may obtain a copy of the video tape or DVD of the culvert survey once it is available. Please contact Ann Chaney, Community Development Director at 510 528 5760 or visit the Community Development Department at 1000 San Pablo Avenue to arrange to obtain a copy.
3. **Hydraulic Adequacy of the Neilson St. Culvert.** According to the City's WMP the ten year flow in Codornices Creek at Neilson Street is approximately 460 cubic feet per second. According to the City's 1998 study, the 10 year stormwater volume in the 1000 block of Neilson St. is

Ms. Dorothea Dorenz
Page 3 of 4
August 7, 2007

approximately 33 cubic feet per second. The WMP also indicates that the flows that escape the culvert system at the 1000 block of Neilson eventually wind up in Codornices Creek west of Santa Fe Ave.

4. The flows added by the proposed Neilson Street connection will represent an increase to the existing flow in Codornices Creek at Neilson Street by approximately 7%. The majority of the flows in Codornices Creek originate in the City of Berkeley beginning at the ridgeline of the Berkeley Hills.

Because the sub-basin that contributes to the 1000 block of Neilson St. is much smaller, the peak flow from this sub-basin will arrive earlier than the peak flow from the Berkeley Hills and the actual impact at the Neilson St. culvert will be less than 7%.

The hydraulic analysis performed by URS that was attached to the May 7 Staff Report indicates that the proposed connection at Neilson St. will increase the ten year water surface by approximately 6-inches and that this increase would decrease to zero at Santa Fe Ave. The analysis also indicates that the existing 6x6 arch culvert in Neilson St. has the capacity to accept the proposed increase. The analysis by URS further concludes that the increase in the creek flows will not increase the erosion of downstream properties.

5. **Copies of Plans for the Project.** You are welcome to review the next set of progress prints of the plans as they become available. Please contact Ms. Chaney to arrange how best to obtain copies. The plans are currently at the 50% level, and will be subject to change depending on the investigations that are currently in progress.
6. **City of Berkeley Review.** The City of Albany and the City of Berkeley cooperate in matters pertaining to Codornices Creek which marks the boundary common to the two Cities. The plans will be forwarded to Mr. Yoc or other appropriate member of the Berkeley City Staff, and permits, if required, will be obtained by the City of Albany from the City of Berkeley for the project.

Ms. Dorothea Dorenz
Page 4 of 4
August 7, 2007

Again, I wish to thank you for your letter and your concerns. Please do not hesitate to contact me by email at rleptien@albanyca.org or by my cell phone at 925/519-9144 as the project progresses.

Very truly yours,

CITY OF ALBANY

Randolph W. Leptien, LCC, Inc.
City Engineer

Copy: City of Berkeley Public Works - Henry Yee, Lorin Jensen, Danny Akagi
Phil Mineart, URS Corp.
Ann Chaney, Community Development Director
Richard Cunningham, Public Works Manager
Long Ly, Project Manager

From: Jean Safir [mailto:jeansafir@comcast.net]
Sent: Thursday, March 13, 2008 4:01 PM
To: Jeff Bond
Subject: Neilson Street project

Jeff: I've just scanned the CEQA document you sent and have no quarrel with it. Also, I'm much relieved that this project is finally getting done. (You may or may not know that I live at 1129 Neilson.)

I do have a few questions—which may be covered by the document and I may have missed those items. First, will garbage trucks come through on their regular schedule—every Monday morning on this street?? Second, will we be able to park on the street or will we be required to park in driveways?

Another concern: I am taking care of my granddaughter at my house fairly often—she is now just one year old—and if I need to take her someplace by car, and it's urgent, but not a medical emergency, will there be a way to work that out during those times when the street is blocked off?? I am sure there are many mothers with young children in this area and they would have this same concern.

Thanks so much for your help.

Jean

ATTACHMENT 5



February 22, 2008

Amber Curl, Associate Planner
City of Albany
Community Development Department
1000 San Pablo Avenue
Albany, CA 94706

Re: Notice of Intent to Adopt a Negative Declaration – Neilson Storm Drain and Sanitary Sewer Project, Albany

Dear Ms. Curl:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Negative Declaration for the Neilson Storm Drain and Sanitary Sewer Project in the City of Albany. EBMUD has the following comments.

Please note that EBMUD owns and operates water mains within Neilson Street, Francis Street, Terrace Street, and Albany Terrace. These water mains provide continuous service to EBMUD customers in the area. The integrity of these pipelines needs to be maintained at all times. Any proposed construction activity associated with the Neilson Storm Drain Sanitary Sewer Project involving EBMUD water mains needs to be coordinated with EBMUD and would be subject to the terms and conditions determined by EBMUD including relocation of the water mains and/or right-of-ways, if needed.

If you have any questions concerning this response, please contact David J. Rehnstrom, Senior Civil Engineer, Water Service Planning at (510) 287-1365.

Sincerely,

A handwritten signature in black ink, appearing to read 'W.R. Kirkpatrick', is written over a horizontal line.

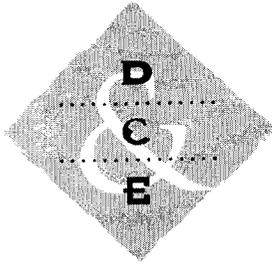
William R. Kirkpatrick
Manager of Water Distribution Planning

WRK:TNS:sb
sb08_049.doc

CITY OF ALBANY

FEB 23 2008

COMMUNITY DEVELOPMENT
DEPARTMENT



1625 SHATTUCK AVENUE
SUITE 300
BERKELEY, CA 94709
TEL: 510 848 3815
FAX: 510 848 4315

MEMORANDUM

DATE April 3, 2008

TO Amber Curl

City of Albany Planning Department

FROM Ted Heyd

RE **Responses to Comments on Draft IS/MND for the Neilson Street Storm Drain and Sanitary Sewer Replacement Project**

Amber:

The following memo provides responses to comments received on the Draft Initial Study/Negative Declaration (IS/MND) during the 30-day public review period for the Neilson Street Storm Drain and Sanitary Sewer Replacement Project (the Project). This memo should be included in the City Council's packet when the document is considered for certification.

In accordance with the California Environmental Quality Act, the City of Albany conducted a 30-day public review period for the Initial Study and Proposed Negative Declaration (IS/MND) for the Project. The 30-day review period began on February 12, 2008 and ended on March 12, 2008.

During this period, no written comment letters were received; however two individuals attended the public hearing at Albany City Hall on March 17, 2008 and provided oral comments on the proposed project. The information presented in the comments did not constitute any new data requiring changes to the findings or conclusions set forth in the Draft IS/ND.

The following are responses to the comments received at the hearing.

Speaker 1: Dortehea Dorenz, Resident of 1200 Neilson Street, Berkeley.

Comment(s) – Ms. Dorenz expressed concern about the age of the culvert, its structural integrity, and the effect on increased flows. The below-grade culvert runs below her residence and she is concerned that structural damage or failure of the culvert, which

could occur in part due to increase stormwater flows, would result in damage to her property.

Response – On August 15th, 2007, City of Albany Associate Engineer Long Ly conducted a site visit of the project area with Peter Smith, structural engineer from URS Corp. The purpose of the site visit was to evaluate the conditions of the existing 6 feet x 6 feet arch culvert and the downstream 60-inch reinforced concrete pipe that runs under Mr. Dorenz 's residence, and the proposed connection to the arch culvert. As confirmed by Mr. Smith, the proposed connection is on the arch culvert, not the 60-inch pipe. As a result, there would be no direct or indirect impact to the Dorenz residence either during or after construction. The potential impact of the increased flows is explained below in the response to comments received from Karen Bougae.

Speaker 2: Karen Bougae , Resident of 1199 Santa Fe Avenue in Albany.

Comment(s) – Ms. Bougae lives at a location on Santa Fe Avenue in close proximity to Codornices Creek. She expressed concern that the creek fills up rapidly during storm events and frequently spills over its banks. Ms. Bougae is concerned that the increase in flows introduced into the creek as a result of the project would be significant in relation to existing flows and would increase the potential for soil erosion and flooding of her property.

Response – The Hydrology and Water Quality section in the CEQA checklist (2008 CEQA Guidelines), requires that the potential for on and off-site flooding be evaluated as part of project review. Specifically, criteria d) and e) under this issue specify that a project would have a potentially significant impact if it would:

- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

These issues are addressed on page 39 of the Initial Study/Negative Declaration, as follows:

“The effect of additional stormwater volumes in Codornices Creek was evaluated in a February 12, 2007 memorandum from URS Corporation. The hydrologic and hydraulic analysis within the memo shows the impact that the Neilson Street connection to Codornices Creek would have on the hydraulic grade line (water surface level) in the Village Creek system and in Codornices Creek. The memo quantifies that the stormwater flow in Codornices Creek would increase by approximately 8 inches at Neilson Street during peak events and that this rise in the water surface would decrease to approximately 2 inches at Santa Fe Avenue.

The increase would be less than 1 percent of the 10-year flow and is well within the capacities of the culverts at Curtis and at Santa Fe. Based on this data, the analysis concluded that Codornices Creek has sufficient capacity to accept the additional flow that will be introduced by the Neilson Street connection. As a result, *a less than significant impact* would occur in relation to flooding on or off-site.”

Additional quantitative information provided by URS more directly relates to the open section of channel that is referred to in Ms. Bougae’s comments. Based on its hydraulic analysis, URS determined that the proposed project would result in an increase of the 10-year peak flow in this open channel section to 495 cubic feet per second (cfs), or 5.5%, from 469 cfs under the existing conditions. The XPSWMM hydraulic model used by URS predicted a rise of the water surface elevation at the 10-year peak flow from 62.76 ft to 62.83 ft, or less than 1 inch. The 10-year peak flow is lower than the flow capacity of this channel section of 539 cfs, as reported in the City’s Water Management Plan

Therefore, based on the information provided in the February 12, 2008 memorandum from URS Corporation, the conclusions presented in the Initial Study/Negative Declaration, and the additional quantitative information supplied by URS, as referenced above, the project would not introduce new stormwater volumes into Codornices Creek such that flooding would occur or be substantially exacerbated at Ms. Bougae’s property.