



LAMPHIER-GREGORY

MEMO

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FROM: John Courtney, Senior Planner
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SUBJECT: **RESPONSES TO COMMENTS RECEIVED ON THE SMCHS USE
PERMIT APPLICATION IS/MND**

DATE: August 31, 2012

I have reviewed the comments received on the IS/MND prepared for the Saint Mary's College High School Use Permit Application, and developed responses to these comments, as shown below. As comment letters were often found to repeat concerns raised in other comment letters, the concerns have been summarized (*bold italic text*) and placed in categories, with responses following each brief comment summary.

CEQA Issues

Project Description is not stable: should have been a Program EIR. inconstant, changeable and unbounded.

The Use Permit Application (April 2011), submitted to the City of Albany by the Applicant (Saint Mary's College High School, or SMCHS) and presented as Appendix A to the Initial Study/Mitigated Negative Declaration (IS/MND), provides the basis for the Project Description which serves as the starting point for the analysis of potential environmental effects associated with approval of the requested Use Permit presented in the IS/MND. As indicated in Appendix A, if the requested Use Permit is approved, it would allow a phased development project that would be constructed over a period of about twenty years, as funds become available. At present, it is not known when funds for each project identified in the Use Permit Application may become available, and detailed plans for each of those proposed projects have not yet been developed as part of the Use Permit Application. In the absence of such plans, it is not possible to provide project-specific analysis of the potential environmental effects that may be associated with the construction and use of each of those individual projects. However, the Project Description defines the maximum level of development that could be anticipated at the campus during the next twenty years or so were the requested Use Permit to be approved. Since funding for these projects is not currently assured, it is possible that some of the individual projects identified in the Use Permit Application might not be constructed during the next ten years, and if this proves to be the case, potential environmental effects associated with development on

campus could be less than described in the IS/MND. Given this funding uncertainty/unavailability (which apparently limited the ability of SMCHS to prepare detailed plans for each proposed project identified in the Use Permit Application submission), there is uncertainty regarding the level of development that may actually take place at the campus were the Use Permit Application to be approved. The IS/MND can only evaluate environmental effects associated with the Use Permit Application as submitted, and while it can be argued that a more complete Application could have provided a more stable, constant, unchangeable and bounded Project Description as the basis for the environmental evaluation, the City of Albany determined that this Application provided an adequate basis to serve as the Project Description for use in the IS/MND.

A Program EIR for the environmental evaluation would have been required if there were significant impacts associated with implementation of the requested Use Permit that could not be reduced to a level of less than significant through implementation of feasible mitigation measures.

The IS/MND is a mish-mash of project level and program level analyses intended to cover five building projects, only one of which is currently proposed for Design Review (music building).

As indicated above, the IS/MND evaluates the environmental effects associated with implementation of the requested Use Permit as defined in the Use Permit Application submitted by SMCHS. Where more detailed information about one project identified in the Use Permit Application (the Music Building) is presented as part of that Application, the IS/MND has been able to evaluate specific environmental effects that would be associated with pursuit of that particular project, and the IS/MND could be considered a “project-level” environmental evaluation for that project. However, where specific plans and design elements for other projects identified in the Application are not presented in the Application materials, the IS/MND can only provide an evaluation of the types of environmental effects that may be anticipated with pursuit of those projects (a “program-level” review of the overall development anticipated under the requested Use Permit), with the understanding that the City of Albany can be expected to require some form of project-specific environmental review for each of those individual projects (e.g., the rain garden, the Cronin Hall renovation, the Shea Student Center renovation and kitchen addition, the Chapel, and the Saint Joseph’s Hall renovation and addition) when funding for them has been secured and SMCHS submits detailed construction plans for each project (including floor plans) over the course of the planning period.

What will IS/MND be used for? Everything other than CUP approval for Design Review? Is this the only review over the 20 year period (vested rights)?

The IS/MND is intended, under the California Environmental Quality Act (CEQA), to provide City of Albany decision-makers with the environmental review information that they need to determine whether the requested Use Permit Application should be approved as submitted, rejected, or modified for subsequent approval. If the City of Albany further determines that the IS/MND provides sufficiently detailed environmental review to address the proposed construction of the Music Building proposed as the initial project under the requested Use Permit, the City may then rely on the IS/MND for that purpose as well. As detailed plans for all

other projects identified in the requested Use Permit are submitted to the City of Albany for review, the City will determine the appropriate level of project-specific environmental review necessary to comply with CEQA requirements.

What discretionary actions beyond Use Permit are anticipated? Is this a project level review for all proposed buildings? If so, needs more detailed information (rain garden, visual simulations). Used for grading permit? IS/MND contains inadequate detail to permit its use for approving any subsequent buildings.

The IS/MND was prepared to account for the full proposal of new facilities as well as related construction on campus. It is anticipated that if the requested Use Permit were to be approved, additional discretionary actions would be limited to Design Review for each individual construction project identified in the Use Permit Application. At the present, the School only has funding for the Music Building.

Piecemealing?

“Master Plan process” is not defined in the Albany Municipal Code. Consequently, the City required SMCHS, as part of this application request, to provide plans which show their anticipated campus build out and all future construction. The IS/MND reviews the environmental effects associated with the requested Use Permit Application, which, if approved by the City of Albany, would control and conditionally permit future land uses on the campus.

As indicated in the IS/MND, although the Use Permit Application identifies the type of structures which SMCHS intends to build or modify in the future, each of these construction projects would only be able to move forward once adequate funding has been obtained. In the absence of such funding at present, no detailed building elevations or floor plans have been submitted for construction projects identified in the Use Permit Application. Plans for the Music Building project have been provided, as SMCHS is seeking Design Review approval for that particular project. This would be the first structure to be developed at the campus under the requested Use Permit).

In the absence of a Master Plan, and without a firm construction phasing schedule for the improvements anticipated under the Use Permit (due to funding uncertainty), the IS/MND evaluates the environmental effects associated with development of all of the on-campus construction projects anticipated under the Use Permit. It is assumed that the projects will be completed during a twenty-year period (despite SMCHS’s current lack of funding for all of these projects, except the Music Building). As formal development plans for each of the construction projects identified in the Use Permit Application are submitted to the City for review, the City will be responsible for evaluating the project-specific environmental effects of each of those individual projects within the context of the environmental evaluation provided in the IS/MND for the requested Use Permit Application, in order to comply with CEQA requirements. Subsequent project-level environmental review, once project-specific construction details have been provided for each project identified in the Use Permit Application, will ensure that a meaningful assessment of the environmental effects associated with construction of these projects and additional mitigation options will not be foreclosed.

Improper baseline based on enrollment cap (600 minus 5% for attrition, not added to get up to 630). Need past enrollment numbers and future enrollment numbers. Improvements increase enrollment capacity (NO – maximum enrollment under current restrictions is 630, regardless of the amount of space in new or renovated facilities to be provided at the campus.) Enrollment cap increase may be requested.

SMCHS enrollment is currently capped by the existing Use Permit 93-27, approved by the Albany City Council on April 14, 1994. The permit allows 600 students which may be exceeded on an absolute basis by up to five percent to allow for attrition and other student body changes. This means the maximum number of students that would be allowed to be present at SMCHS at any time under current City of Albany regulations would be 630 students.

The IS/MND evaluated the environmental effects associated with implementation of the projects identified in the requested Use Permit Application under the assumption that the total number of students enrolled at SMCHS and present on the campus would never exceed 630. To date, SMCHS has not requested any modifications to the existing enrollment cap in the requested Use Permit Application. If SMCHS were to ask for an enrollment increase, they would have to amend their Use Permit through the City of Albany and initiate a new public review process.

It is speculative to suggest that SMCHS would request an enrollment increase at some future date, despite the increased floor space that would be provided if all of the construction projects identified in the requested Use Permit Application were to be completed during the planning period. School enrollments for the past five academic years are included for reference.

Academic Year	Enrollment	
	Beginning	Ending
2011-2012	619	609
2010-2011	626	619
2009-2010	617	611
2008-2009	624	616
2007-2008	628	623

Comment that the school presently has sufficient space to accommodate enrollment currently permitted is noted.

Impacts related to non-student use of campus not evaluated in IS/MND.

The IS/MND evaluates the environmental effects associated with the construction and use of new and modified structures proposed under the requested Use Permit Application. The use of the proposed structures would frequently involve those who are not students at SMCHS (e.g.,

faculty, staff, parents, alumni, visitors, event spectators, etc.), and although these non-student users are not formally isolated in the text of the impact discussions presented in the IS/MND, the IS/MND evaluation addresses the environmental effects associated with all uses and users of the campus, including non-students.

IS/MND states that current uses of the site would be unchanged and thus no impact will occur – wrong, since Chapel is new (used outside of school sessions). New spaces frees up old spaces for new uses.

The IS/MND does not indicate that current uses at the campus would remain unchanged with construction and use of the projects identified in the requested Use Permit Application, but does indicate that there would be no significant changes in existing local traffic patterns or traffic congestion resulting from implementing the projects listed in the Use Permit Application. Since future uses of the proposed Chapel have not been formally restricted to students, faculty and staff only or formally restricted to normal school operating hours under the requested Use Permit Application, it is possible that members of the public not directly affiliated with SMCHS may have occasion to attend events at the Chapel outside of normal school operating hours in the future. However, with a maximum seating capacity of 200 at the proposed Chapel, traffic and parking effects directly associated with such events would be anticipated to be of a magnitude considerably less than similar effects associated many athletic events and performances which currently take place on the campus. As indicated in the IS/MND, the proposed Chapel is intended primarily for student and faculty use, and it will not be used for regular Sunday services. The IS/MND also indicates that based on information provided by SMCHS, on-campus parking for special events at the Chapel is expected to be sufficient to meet parking demand generated by such events. However, such events held in the Chapel would represent additional occasions when local residents would notice temporarily increased traffic congestion and temporarily increased parking demand. While noticeable, these temporary increases would not be considered significant, as they would not be likely to exceed City of Albany level of service standards for traffic operations, and would not be likely to exceed available public on-street parking space in the vicinity of SMCHS (although competition for those public parking spaces would increase in the time before, during and after such events).

No evidence that City consulted with any expert or responsible agencies – should have been completed before circulation of IS/MND. Biological Resources agencies should be consulted.

Suggestion that the City of Albany, as lead agency for the IS/MND, should have consulted with responsible public agencies (particularly those agencies with responsibility for biological resources) is noted. The only public agency that submitted comments on the IS/MND during the public review period was the East Bay Municipal Utility District, providing contact information and procedures to be followed if additional water service is ultimately required at the campus.

Consultant has made numerous assumptions without a firm and documented basis, relying in too many instances on the School's assurances for other unsupported assumptions, so IS/MND cannot therefore yield supportable conclusions.

Those involved in preparation of the IS/MND relied on information provided by SMCHS in the Use Permit Application (April 2011), information provided by staff at the City of Albany and SMCHS, information referred to in the “Source References” section of the IS/MND, and several site inspections (the most current one by John Courtney in August 2011). Comment that the use of this information has led to “numerous” unsupported IS/MND assumptions that rely in too many instances on SMCHS’s assurances, which precludes supportable conclusions, is noted.

It is acknowledged that there are long-standing neighborhood concerns regarding traffic, parking, security and noise, even in the absence of any changes from existing conditions at the SMCHS campus. However, the IS/MND evaluated the environmental effects associated with the development of the projects identified in the Use Permit Application using the significance criteria provided in the CEQA Guidelines, and determined that environmental effects associated with construction of these projects would be either less than significant, or could be reduced to a level of less than significant through implementation of identified mitigation measures. Since the area in the vicinity of the SMCHS campus is already fully developed, and no new development projects are currently under consideration in that area, and since no significant environmental effects associated with development of the projects identified in the Use Permit Application would remain following effective implementation of the mitigation identified in the IS/MND, there would be no “cumulatively considerable” impacts associated with development under the Use Permit.

Needs to provide details on use of all space (times, numbers of people) on campus.

A comprehensive listing of the use of all space at the SMCHS campus (existing and proposed under the requested Use Permit Application), identifying the exact times of use, the numbers of people using each specific space during each time period, etc. (for past, present and future) has not been requested by the City of Albany, and has not been developed or submitted by SMCHS. Although SMCHS has been able to summarize some information of this nature related to the number events that could be expected to affect those living in areas adjacent to the campus in response to neighborhood concerns, it is not possible for SMCHS to accurately project details of future use patterns for all on-campus space (existing and proposed under the requested Use Permit). SMCHS has not tracked past use of all on-campus space in sufficient detail to provide requested information of this nature, although the Use Permit Application provides some details regarding facility capacity that are useful in addressing the types of environmental effects that may be anticipated when those facilities are used as proposed. Attempts to project future times of use of specific spaces, actual numbers of people using those spaces during specific times, etc., would be purely speculative, given the uncertainty associated with the timing of the construction of projects identified in the Use Permit Application.

Mitigations left uncertain (encouraged..., treatment of runoff...).

The City of Albany is required under CEQA to develop and implement a Mitigation Monitoring and Reporting Program, which will enable the City to ensure that mitigations identified in the IS/MND are effectively implemented to the satisfaction of the City. While design details of specific elements of projects identified in the Use Permit Application that are intended to mitigate environmental effects associated with implementing projects identified in the requested

Use Permit (e.g., the rain garden, the SWPPP and SWCP BMPs, etc.) have yet to be finalized, once formally adopted by the City as mitigation measures the City of Albany assumes responsibility for ensuring that such plans are completed to the satisfaction of the City and implemented effectively either prior to actual construction, during construction (as would be the case for the SWPPP), or post-construction on an on-going basis. The use of the word “encourage” does not appear in any of the mitigation measures identified in the IS/MND, although under the SMCHS traffic and parking management plan, parents who drive their children are encouraged to carpool, and the IS/MND indicates that the school should encourage all visitors for events in the Chapel to use only on-campus parking, and parents should be encouraged to use the Monterey Avenue drop-off zone. The school encourages parents to drop-off students on arterial streets and encourages having students walk the remaining distance (on residential streets). These words of encouragement do not represent formally identified mitigation measures intended to reduce potentially significant impacts to a level considered less than significant.

Sunday services “likely” won’t be offered in the Chapel?

As indicated in the Use Permit Application, the list of specific Chapel uses anticipated does not include Sunday services.

Enrollment is irrelevant to after-hours use of campus, so assumptions that stable enrollment will not increase use in erroneous.

The enrollment at SMCHS is directly related to the level of activity conducted on the campus, both during normal school hours and after normal school hours. Attendance at most events held on-campus after normal school hours (e.g., athletic events, dances, performances, etc.) can be expected to include large numbers of SMCHS students and their parents, some faculty and staff, and some visitors. While a limited number of annual events outside of normal school hours are intended to draw the public at large (e.g., Open House, Crab Feed), most events after normal school hours focus on serving the students of SMCHS (and frequently their athletic opponents).

Full kitchen could permit additional events beyond what SMCHS can now conduct.

The expansion of kitchen facilities proposed under the Use Permit Application could allow SMCHS to support new or expanded activities that rely on food preparation at the campus. SMCHS has indicated that the intent of these kitchen improvements at Shea Student Center is to accommodate both a snack bar and catering for occasional larger gatherings. Although SMCHS has not identified any additional events that it would expect to conduct as a result of the proposed kitchen expansion, in the absence of formal restrictions on the use of the expanded kitchen for supporting additional food-related events on campus additional events that rely on the use of a full kitchen could be anticipated.

Simultaneous events not considered.

Under “Non-Athletic Events”, the SMCHS Parking Management Plan states: “Do not schedule simultaneous events that together would create a parking demand that exceeds the parking capacity on campus and the south side of Posen Avenue.” Although this would not absolutely prevent the scheduling of simultaneous events on campus, it is evidence of SMCHS awareness

that such scheduling simultaneous events on campus has the likelihood of exceeding available on-campus parking availability, with the potential to create conflict with neighbors competing for public on-street parking space in the local area. This concern would tend to limit SMCHS's interest in scheduling simultaneous on-campus events. Were simultaneous events to take place on-campus (perhaps utilizing space created as a result of implementation of the requested Use Permit Application), this could be expected to result in temporary increases in local traffic congestion and a temporary increase in demand for off-campus parking space along adjacent streets in the vicinity. Given the limited number of occasions when this would be likely to take place (and the fact that simultaneous scheduling of events on campus can currently take place in the absence of the development anticipated under the requested Use Permit, with similar temporary traffic and parking impacts), it would not be considered a significant impact associated with development anticipated under the requested Use Permit.

Flexibility = Increased Programs?

In the absence of formal regulations which could restrict future use of facilities proposed under the Use Permit Application, it is possible that the increased floor space sought in the Use Permit Application (which SMCHS states is intended, in part, to provide additional scheduling flexibility) could be used to support new programs not currently available given the size of existing campus facilities. The types of programs provided on-campus would be expected to shift over time either with or without approval of the requested Use Permit, as educational needs and technology change, and some new programs could be anticipated in the future (although the character and details of such programs could well be unclear at this time). However, with student enrollment capped, the number of students that would be expected to participate in any new or increased programs on-campus would not be expected to change in any substantive way, and environmental effects associated with the development of new or increased programs that could take advantage of the additional space that may be provided under the requested Use Permit would not be considered significant.

IS/MND did not address past SMCHS projects (piecemealing and cumulatively incremental impacts).

Existing buildings at the SMCHS campus are listed on page 1 of the Use Permit Application, and these (along with the athletic field and parking areas) could be regarded as "past projects" on the campus. The most recent project completed on the campus was the athletic field improvements, which was the subject of an Initial Study/Mitigated Negative Declaration. As all of these on-campus projects were completed prior to submission of the Use Permit Application (April 2011), they have been considered as part of the "Existing Conditions" at the campus in the IS/MND, and have not been addressed as projects considered within the discussion of cumulative impacts in the IS/MND.

Description of the Project

Use Permit Application – identifies intended uses at site, but is not a Master Plan. No Master Plan for the site is currently proposed.

The Use Permit Application identifies existing and future uses at the site, as well as proposed structures, building modifications and other improvements. As stated previously, the Albany Municipal Code does not contain provisions specific to a Master Plan. Consequently, the City has required as part of the Use Permit Application that SMCHS show all future construction, campus improvements, and any additional uses that would be anticipated under the requested Use Permit (if approved) over approximately the next twenty years.

There are no building plans for any of the possible structures at this point, so assuming that Use Permit Application is approved, some level of additional environmental review will be required for each structure once formal plans have been developed and submitted to the City of Albany for review.

The IS/MND evaluated the types of environmental effects that could be anticipated with implementation of the projects identified in the Use Permit Application, and where potentially significant environmental impacts were identified, provided mitigation that, if effectively implemented, could reduce those impacts to a level considered less than significant. No formal building plans were submitted by SMCHS as part of the Use Permit Application. There is no definite timing for the formal submission of building plans for individual structures identified in the Use Permit Application. SMCHS has indicated that building plans for individual structures will be developed and presented to the City of Albany for review as funds for each structure become available. At that time, the City will need to determine the appropriate level of environmental review for each specific construction project needed to comply with CEQA requirements. While the City may determine that the IS/MND can provide adequate discussion of potential environmental impacts associated with some individual projects, it is possible that the review of formal building plans may require additional environmental analysis not provided in the IS/MND (e.g., project-specific visual simulations, etc.), analysis that cannot now be provided by the IS/MND (given the absence of detailed building plans for projects identified in the Use Permit Application).

Consider reuse of existing athletic and music facilities for other higher priority academic uses to reduce future development in an already congested portion of the campus.

The suggestion that SMCHS consider the reuse of existing athletic and music facilities for other higher priority academic uses in order to reduce the need for future development in portions of the campus that are already congested is noted.

Need for Chapel not provided. Need detailed list of Chapel events (number, dates, frequency, size, etc.). Focus on higher priority academic uses. No commercial uses (large weddings, funerals, etc.).

Information supplied in the Use Permit Application provides SMCHS's understanding of the need for the proposed Chapel. The Use Permit Application indicates that the Chapel is intended to serve as a focal point for the campus, symbolizing the faith life and mission of the school and emphasizing the religious beliefs and values of the school community. It is intended to replace the chapel that was present in De La Salle Hall, which was lost when that structure was demolished 35 years ago.

Although the Use Permit Application provides a listing of the specific types of events that may be expected to be supported by the proposed Chapel, it is not possible at present to develop a detailed listing of the actual uses of the Chapel (assuming that funding for this project can be obtained during the planning period). For example, it would be speculative to attempt to identify the number of people that would be gathered for a specific type of event (a memorial service?, a group prayer service?, a world religion class?, etc.) for a given date in the future (November 2, 2021).

Weddings and funerals (and other “commercial” uses not directly related to SMCHS students, faculty and staff) are not identified in the Use Permit Application as uses that may be included at the Chapel. Comment that Chapel use be limited to preclude those types of events, and that SMCHS focus on higher priority academic uses, is noted.

Does Chapel have a basement or mezzanine (for lost 344 square feet)? Will Chapel have permanent seating for up to 200 people? Used nights and weekends or summers (impacts on noise light, traffic, parking)?

Building plans for the proposed Chapel have not yet been prepared, and will not be developed and submitted to the City of Albany for review until funding for this project has been obtained by SMCHS (in the event that the requested Use Permit is approved). Although the maximum capacity of the Chapel would allow for gatherings of up to be 200 people, seating for those people has not been defined in the Use Permit Application. In the absence of formally adopted regulations that would preclude the use of the proposed Chapel at night and on weekends, such use could potentially take place (with environmental effects similar to those associated with the use of other campus structures beyond normal school hours).

Which of the listed Chapel functions take place outside of normal school hours/involve persons other than students?

SMCHS has no plans for regular use of the Chapel on Sundays or other times outside of school hours. The chapel will not be a parish church. SMCHS has also indicated that it does not intend to lease the space to members of the general public for religious or other purposes. The chapel is intended for use by the school as a place for worship, religious services, quiet prayer and meditation, religious instruction and a place for the Blessed Sacrament. The interior is expected to include an Altar, Sacristy, parlor, vestibule, toilets, and storage space. Religious events currently held in the gymnasium would be held in the new Chapel. On occasion, the chapel might be used for religious events involving members of the extended school community, such as memorial services for alumni.

If Chapel is 40 feet tall, it is a three story building (even if it is one floor) – big difference in size. Cannot move forward under the current IS/MND without more detailed information.

Although the Use Permit Application identifies the proposed Chapel as a one-story building, the proposed maximum height of 40 feet would make it as tall as many three-story buildings. In the absence of formal building plans for the proposed Chapel (not included as part of the Use Permit Application, and not expected to be developed and submitted for City of Albany review until SMCHS has raised the funding necessary to proceed with this proposed project), it is understood

that the City will need to provide the appropriate level of additional environmental review based on detailed information on the Chapel project when that information is made available to the City.

Opposition to 2,500 square foot expansion of Brothers' Residence. Why would 4 people need so much space? City should not allow this exception to zoning regulations, since need is highly questionable. City should not allow this exception to zoning regulations, since need is highly questionable. Why expand Brothers' Residence? Who else could use it? When would it be used (hours, days, seasons)? If this site is zoned Public Facilities, aren't residences prohibited? What is the basis for this exception?

Further historic review of the Brothers' Residence reveals that it was a conditionally allowed use which was approved in 1977 under Use Permit No. 488. Upon further review, it was determined that the Residence is legal non-conforming use, as the current Municipal Code does not permit residential uses in the PF-Public Facilities zone. Consequently, SMCHS has omitted any expansion of the Brothers' Residence from the Use Permit request. The existing structure will continue to be used as a private residence, 24 hours a day by the Brothers living there and any guests, just as any other residence.

Who maintains the Albina Avenue bridge? What happens if it is lost in an earthquake – alternative emergency access? Can it handle construction/emergency loads? Why has City restricted emergency access from the Albany side of campus? What provisions are proposed to improve emergency access on the Albany side?

The bridge is maintained by SMCHS in the same manner that property owners are typically responsible for maintenance of sidewalks adjacent to their property. Any work that might be needed is subject to applicable requirements of the Cities of Albany and Berkeley.

Emergency access is provided from the Albina Avenue entrance and the Posen Avenue side. Knox boxes are at both locations. In the event that the Albina Avenue Bridge is compromised, access is still provided from Posen Avenue and provides complete access for public safety.

For Music Building, it will take 260 truckloads, not 200 (30% greater impact).

The Use Permit Application (Emissions Analysis) indicates that construction of the proposed Music Building would require approximately 200 truck trips with 15 cubic yards per load. This table also indicates that there would be 3,000 cubic yards of earth off-haul leaving the site during earthmoving operations (see Note #3), and 3,000 cubic yards to be off-hauled divided by 15 cubic yards per truckload equals 200 truckloads to conduct the off-haul operation.

No consequences for not following agreement? Violations affect enrollment or use? Can be no legitimate objection to adding conditions.

As indicated in the IS/MND, SMCHS is committed to limiting weekday use of Panther Park for practices, limiting weekend use of Panther Park for practice, limiting use of Panther Park for interscholastic athletic contexts (held on weekdays and Saturdays), and limiting summertime use (June 1 through August 15) of Panther Park. Information provided in comments on the IS/MND indicate that SMCHS has, on occasion, violated the limits specified in the agreement. Comment

that SMCHS can have no legitimate objection to the City of Albany adding conditions to the requested Use Permit is noted.

Increased square footage could easily parlay into increasing the number of activities possible, increasing noise, traffic and parking demand.

It is possible that the proposed increase in floor space available to support student activities under the requested Use Permit could result in an increase in the total number of activities that could be provided on campus. However, the types of activities provided on-campus would be expected to shift over time either with or without approval of the requested Use Permit, as educational needs and technology change, and some new activities could be anticipated in the future (although the character and details of such programs could well be unclear at this time). However, with student enrollment formally capped by the City of Albany, the number of students that would be expected to participate in any new or increased activities on-campus would not be expected to change in any substantive way, and environmental effects associated with the development of new or increased programs that could take advantage of the additional space that may be provided under the requested Use Permit would not be considered significant.

No neighbor should have been required to anticipate that SMCHS would one day build a state-of-the-art music building or increase field use or add any other project (expected to suffer the consequences).

Comment expressing the difficulty for those living near the SMCHS campus to anticipate possible future changes to the campus is noted.

Music Building application should state exactly how the building will be used (hours, vocal/instrumental, recorded music, simultaneous rehearsals and performances), then IS/MND can evaluate noise, traffic and parking.

Since the total number of students involved in music education on campus would not be expected to change substantively with the construction of the proposed Music Building, use of this structure would not be expected to substantively change existing traffic conditions or parking demand. As indicated in the IS/MND, Charles M. Salter Associates conducted an acoustic text at the campus and concluded that the noise from the existing music building was attenuated by the distance from the building to the nearest residence and the ten-foot tall sound wall between the, and that noise from the proposed Music Building is likely to have the same acoustical result of no increase in the background noise level. While the proposed Music Building is larger in size than the existing facility, the sound wall and distance will provide sufficient attenuation.

Why are the other buildings (multi-use building, classroom building and athletic training and weight room facilities) not being discussed? They are still on the site plan as future development, and the intention is to build them at some point. Application (page 30) shows multi-use building, but it is not on Figure 2 – clarify. Attachment 3 shows decrease of 15,520 square feet, but buildings not included (26,300 square feet) are not off the table, just not part of this project.

The multi-use building, classroom building, and athletic training facility were removed from the April 2011 Use Permit Application submittal. Those buildings were previously proposed as part of the 2008 submittal. However, SMCHS decided to revise the previously proposed development.

As submitted, the Use Permit Application proposed construction of a Music Building to replace the existing Music Pavilion (which would also involve construction of a parking area and a rain garden), a Cronin Hall renovation, a Shea Student Center renovation, a Chapel, Saint Joseph's Hall renovation and addition. An earlier illustration showed the outline of previously proposed structures in an effort to juxtapose the previous plan with the reduced plan. Since the rendering caused confusion, the plan was modified to only show proposed construction on campus. IS/MND Figure 2 is an updated and corrected version of the "Proposed Site Plan" figure that was attached to the Use Permit Application when it was submitted in April 2011.

How would revised schedules extend school day/school year?

The school year and day schedule are not proposed to change.

Is increase 32,000 square feet (Appendix A) or 35,700 square feet (P&Z)?

With the omission of the Brothers' Residence from the Use Permit Application, the total building area proposed to be added is 33,320 square feet.

Oppose any shift in field use, unless it is reduced. Violating agreement must have consequences.

Opposition to any shift in current use of the athletic field is noted. The Use Permit Application does not include any proposed modifications to existing use of the athletic field. Comment that violation of the conditions of the agreement related to limitation on SMCHS use of the athletic field must have consequences is noted. The agreement did not specify consequences for SMCHS failure to comply with the limitations identified in the agreement.

On permit, enrollment should be limited to 600, not a blanket 630 to account for attrition.

Comment that the Use Permit should limit enrollment at SMCHS to 600 students is noted.

Increased use is certain (IS/MND says there may be some...8-9). Need details on times of day, number of days, numbers of people expected for various events (a worst case scenario). What is the maximum number of events after school? What is current baseline of events – provide this?

Comment that increased use of the campus is certain if the proposed Use Permit Application projects are completed is noted. Request for detailed information on future use of the campus (e.g., time of use and type of use for each structure on campus, number of people expected to attend various event, etc.) in order to develop a "worst case scenario" is noted. Request for information on the maximum number of events held after normal school hours is noted. Request for a current baseline of SMCHS events is noted.

Use of website for school event updates puts ongoing burden on citizens.

Comment that SMCHS's use of the school's website to update the periodic summaries of scheduled events which it distributes to those living in the neighborhood surrounding the campus puts a burden on citizens who have to make an effort to check that website for updates to the distributed summaries is noted.

SMCHS can publish list of past activities and project future activities (especially for newly available space) – can establish a baseline for assessing impacts on parking, traffic and noise.

SMCHS maintains a list of on-going and upcoming campus activities on their website.

Can we prevent future requests for increases in square footage?

There is nothing to prevent SMCHS from requesting further modifications to the campus beyond those identified in the Use Permit Application at some point in the future. Given on-going changes in educational methods and technology, it is likely that at some point in the future, SMCHS will approach the City of Albany with additional requests for modifications to the campus, and these requests could include expansion of existing structures or construction of new structures. The City of Albany has no power to prevent such requests, but does have the authority to either grant them or deny them.

Are monitors permanent or temporary? Concern is that they are only in place while Master Plan is being implemented.

The placement of traffic monitors on Posen, Monterey and Albina at peak traffic times before school, during lunch and after school is an element of the SMCHS Traffic and Parking Management Plan, and is intended to continue on a permanent basis.

When would outdoor covered dining be used, and for how many people – what are the limits (parking, traffic, noise).

Outdoor dining is anticipated to be used by students on campus during school hours at lunch time. Since students will already be on campus during mid-day, it is not expected to generate any additional traffic.

What are hours for multi-use facility – specific limits? Evening and at night? In use up to 11:00 PM (or is it 10:30 PM)? Would doorways open to the neighborhood? How are we to be protected?

A multi-use facility is not proposed as part of the current project description.

Could we get a more accurate schematic showing multi-use building relationship to homes and landscaping? Any tree removal required?

Request for a more accurate schematic showing the relationship between the Music Building (referred to in the comment as the "multi-use building") to homes and landscaping is noted. As indicated in the IS/MND, development of the projects identified in the Use Permit Application would involve the removal of 4 existing acacia trees.

Will existing softball field be moved? If so, where (athletic field)? Field neighbors already overwhelmed.

Under the requested Use Permit, the existing softball field would be replaced with a parking area adjacent to the proposed Music Building, and would not be replaced elsewhere on campus.

At Chapel, no weddings, funerals or similar community offerings listed – are there limits on use?

No limits on the use of the proposed Chapel have been included in the Use Permit Application, although weddings, funerals and similar community offerings are not listed as specific uses that may take place at the Chapel in the Use Permit Application.

How could construction not affect a sleepy little street (Albina Avenue)? What actions are being taken on behalf of those neighbors?

As indicated in the IS/MND, there could be potential off-site environmental impacts associated with construction at the SMCHS campus if the projects identified in the Use Permit Application are approved by the City of Albany. These include increased exposure to fugitive dust and increased exposure to diesel emissions, although these potentially significant impacts could be reduced to a level considered less than significant through implementation of the mitigation measures identified in the IS/MND. The operation of construction vehicles moving to and from the campus during construction would result in increased noise exposure for those living along roadways used by these vehicles, although compliance with City Code requirements identified in the IS/MND would be expected to reduce these temporary impacts to a level considered less than significant.

Would construction really be taking place seven days a week? How can that not be viewed as excessive to neighbors?

Under City regulations, construction at any site in Albany can take place between the hours of 10:00 AM and 6:00 PM on Sundays and holidays. Comment that the effects associated with construction activity that occurs on Sundays and holidays could be considered “excessive” by the neighbors is noted.

No noise-related restrictions on use of athletic field or campus buildings? Won't existing agreement restrictions on athletic field be rolled into the MP? Clarify.

Current operating conditions related to the use of the athletic field will carry forward as part of the new Conditional Use Permit. SMCHS will continue to follow the existing practices of using amplified sound for football games and, when appropriate, at NCS playoff games. Volume will be kept at a level so that neighborhood impacts are minimized. Amplified music will not be used on the field, with the exception of half-time cheerleader routines at football games. Non-amplified live music (e.g., pep bands) is allowed.

Can individuals use the field on Sundays? This has happened several times. Correct language to prevent field use by anyone on Sunday.

Currently, Sunday use of the field by SMCHS or individuals is prohibited. This condition will carry forward as part of the new Use Permit.

What strategies will be in place to address parking, traffic and noise problems? Agreements need to be enforceable with penalties.

As indicated in the IS/MND, SMCHS has developed a REVISED Traffic and Parking Management Plan (December 2010), which is included as IS/MND Appendix E. This Plan provides the strategies that SMCHS has developed to address traffic and parking issues related to the use of the campus. There is no corresponding Plan to address noise issues related to the use of the campus, and none has been developed by SMCHS (although the agreement on the use of the athletic field in October 2007 was developed largely to address concerns related to noise associated with the use of that facility). Comment that there need to be penalties associated with violations of the Traffic and Parking Management Plan and the October 2007 agreement to ensure adequate enforcement is noted.

Did school explore option of using athletic field for event parking? Has SMCHS added language to Student Handbook that lays out strict, enforceable conditions for the privilege of driving to campus (as Head-Royce does)? Has SMCHS limited the option for teens to drive off-campus at lunch (reducing traffic on Albina Avenue during lunchtime)? Is it fair that one property owner should be able to negatively affect the lives of so many other residents?

SMCHS did not actively consider the use of the recently-renovated athletic field to support event-related parking, given problematic vehicle access to the athletic field and the potential for damage to the facility if used as a vehicle parking area. Language in the Student Handbook does not include enforceable penalties related to student use of motor vehicles. There are currently no limitations on students that wish to drive off-campus during the lunch break. Suggestion that it is unfair that one property owner (SMCHS) negatively affect the lives of other residents is noted.

Need strict, measurable and enforceable conditions regarding traffic, parking and frequency of events to address school traffic and parking problems.

Comment that strict, measurable and enforceable conditions related to SMCHS-related traffic, parking and event scheduling are needed as a means to address local traffic and parking problems is noted.

School has offered to limit major non-athletic events to a total of 10, which is 25% more than it currently and historically has had – this is clear evidence that it does not require an increase in enrollment for there to be an impact on the neighborhood.

The IS/MND does not indicated that implementation of the proposed projects identified in the Use Permit Application would not have an impact on those living in the surrounding neighborhood. The IS/MND evaluates the environmental effects associated with the development anticipated at the campus. In some instances, where potentially significant environmental impacts have been identified, the IS/MND identifies mitigation measures which, if effectively implemented, would reduce those impacts to a level considered less than significant. However, for most of the types of potential environmental effects considered in the IS/MND, those related to campus development anticipated under the proposed Use Permit would be considered less than significant without mitigation, given that the total number of students using the campus over the course of a year would not increase beyond that allowed under the

City of Albany's enrollment cap, and that the level of school-related activity at the campus would not increase in any substantive way from current use patterns. If the total number of annual major non-athletic events on campus were to increase from the current 8 (as suggested by the comment) to 10, this would mean that there would be 10 days on which such events would occur each year (10 events/365 days = 2.7 percent of all days per year) instead of 8 days on which such events would occur each year (8 events/365 days = 2.1 percent of all days per year). While this would represent an absolute increase in the total number of non-athletic events held at the campus each year, this increase would not be considered significant in terms of the potential environmental effects that could be temporarily generated by 10 major non-athletic events versus 8 major non-athletic events annually.

Hopkins Court can barely handle traffic and parking of the people who live there – use of Chapel will make existing problems worse (blocked driveways, etc.).

Comment that Hopkins Court can barely handle the traffic and parking demand of those living on that street, and that use of the Chapel will make existing problems worse is noted.

Need to be assured that SMCHS will not have an easier time of getting approval for an enrollment increase because the facilities are in place.

Comment that there needs to be assurance that SMCHS will not have an easier time getting approval for a future enrollment increase once facilities proposed under the Use Permit Application are in place is noted. SMCHS is not requesting an increase in the City of Albany's enrollment cap, and in the event that such a request were to be made in the future (either with or without the facilities proposed under the Use Permit Application), a new application request for the enrollment increase would have to be filed and an amendment to the Use Permit would be required. A request of this nature would require a public hearing process through the City of Albany Planning and Zoning Commission. The Commission would have the final decision on whether or not to formally grant that request or not.

Assertions about square footage in 2011 Application incorrect and misleading. Should be evaluated on what enrollment could be accommodated (850 students) = worst case, growth inducing.

Comment regarding the accuracy of the square footage values provided in the 2011 Use Permit Application is noted. Comment that the IS/MND should evaluate the environmental effects associated with development proposed under the Use Permit Application based on the assumption that such development would ultimately allow the campus to support a student population of 850 is noted. However, as SMCHS has not requested any modifications to the current City of Albany enrollment cap as part of the Use Permit Application, it would be inappropriate for the IS/MND to speculative assume that the student population on campus would somehow increase to 850 with the current enrollment cap in place.

Figure 2 is unclear on which buildings are existing and which are proposed for construction/modifications.

Comment regarding the clarity of IS/MND Figure 2 is noted. Where the title identifying a building shown on Figure 2 includes a number (i.e., 1. Music Building, 2. Cronin Hall, etc.), that

indicates buildings which are either proposed as new construction or subject to modification under the requested Use Permit. Structures shown without numbers are existing structures that would not be modified or replaced under the requested Use Permit Application.

Chapel description fails for include quantified description of proposed uses or floor plans.

Since detailed plans for the Chapel would not be developed and submitted to the City of Albany for review until after adequate funding to pursue that project has been obtained by SMCHS, no floor plans have yet been developed for this structure (although a basic description of the anticipated capacity size, bulk and height of the Chapel is provided in the Use Permit Application). A listing of specific uses that may take place at the Chapel is included in the Use Permit Application, although this listing is not “quantified” in terms of scheduling listed events and identifying the total number of people that might be expected to attend each type of listed event.

What about expanded dining facilities and non-school hours use?

The Use Permit Application indicates that the Shea Student Center improvements would include replacing the existing snack bar with a fully equipped kitchen, which could accommodate both a snack bar and catering for occasional larger gatherings. The Use Permit Application does not specify when “occasional larger gatherings” would be expected to take place, although it is possible that some could occur outside of normal school hours. Currently, there is not a fully equipped kitchen facility on campus.

How many people will live at the Brothers Residence? It may well be the largest house in Albany. What are the visual impacts?

The existing Brothers’ Residence is a considered a single-family home by the City of Albany, and was approved by Conditional Use Permit #488 in 1977. Upon further review, it was determined that the Residence is legal non-conforming use as the current Municipal Code does not permit residential uses in the PF-Public facilities zone. Consequently, SMCHS has omitted any expansion of the Brothers’ Residence from the Use Permit request.

Rain garden outlet structure details (and potential for effects on Codornices Creek) not provided. What are actual plant choices (popularity is not the issue). What is minimum size (not “up to 2,500 square feet”).

Although the basic design features of the proposed rain garden have been discussed in the IS/MND, final design will not be completed until after the requested Use Permit has been approved and sufficient funds to enable construction of the proposed Music Building project have been obtained by SMCHS. Rain garden outlet structure details, information on the actual size of the rain garden, and identification of the actual plants to be used will not become forthcoming until the final design for the rain garden has been completed and reviewed by the City of Berkeley. As indicated in the IS/MND, SMCHS will be required to comply with the all of the requirements of Provision C.3 of the Municipal Regional Permit issued by the California Regional Water Quality Control Board for the San Francisco Bay Region, which would reduce potential development-related effects on Codornices Creek associated with implementation of

the requested Use Permit to a level considered less than significant. The proposed rain garden is intended to contribute to SMCHS compliance with the C.3 requirements.

What are existing trees on site, which will be removed (in Application, not in IS/MND).

Although no formal tree survey of the campus was conducted for the IS/MND, Figure 1 indicates the presence of a considerable number of trees located on the campus, with the majority in the immediate vicinity of Codornices Creek. The IS/MND indicates that a total of four existing acacia trees would need to be removed (to enable the development of the Music Building as proposed). It is possible that other trees may need to be removed to accommodate development of the proposed Chapel, although the identification of specific trees that might require removal cannot be determined in the absence of detailed building plans for that structure (which would not be developed until sufficient funds have been raised by SMCHS to pursue that project).

No plans/elevations for evaluation of aesthetic effects – deferral is not permissible.

The types of aesthetic effects anticipated with development under the requested Use Permit Application are addressed in the IS/MND, and no substantive changes in the visual appearance of the campus or substantial degradation of the visual character of the campus would be expected to result from development of the projects identified in the Use Permit Application. In the absence of formal building plans for the structures proposed under the requested Use Permit (not to be developed by SMCHS and submitted to the City of Albany for review until sufficient funding for each individual project has been obtained), it is not currently possible to carry out detailed visual simulations to present the visual appearance of the individual structures proposed. Comment that deferring such analysis until such time as detailed building plans for each individual structure become available is not permissible is noted.

Page 11 of Use Permit phasing is inconsistent with timing of structures presented in the earlier descriptions of the proposed buildings.

As indicated in the IS/MND, although SMCHS is requesting zoning and design review approval of the Music Building to allow this project to begin construction at the earliest possible date, the construction of all other buildings and improvements is directly related to the availability of funding for those projects, and actual phasing cannot be defined with certainty.

Additional parking needed for Brothers' Residence? Additional staff at expanded school? Chapel? Expanded kitchen facilities?

The Use Permit Application indicates that there are currently eight parking spaces associated with the Brothers' Residence. The Use Permit Application does not indicate that there would be any increase in the current number of SMCHS staff on campus to support activity at the proposed Chapel or the proposed expanded kitchen facilities.

What will and will not be carried over from the current Use Permit? Should include a listing of all Permit conditions, and explanation of why earlier mitigation is not needed, since anticipated impacts were mitigated.

It is expected that current conditions related to the school operation and athletic fields will carry over to the new use permit. Additionally, new conditions as well as a Mitigation Monitoring and Reporting Program (MMRP) will also be prepared to reflect the current application request.

The IS/MND needs to address worst case (summer, weekend and evenings, expanded enrollment), or augment Project Description.

Comment that the IS/MND needs to address a “worst case” situation for a number of different scenarios (e.g.; during the summer, during weekends and evenings, with an assumption of expanded enrollment) is noted.

Aesthetics

Significant loss of visual character.

Comment that development of the campus as proposed under the Use Permit Application would result in a significant loss of visual character is noted.

Needs visual analysis of Chapel and potential visual effects of Chapel on Codornices Creek. Chapel effects on scenic resources and historic setting needs to be evaluated. Needs architectural drawings and photo simulations for Chapel, with screening effects (with native plants) shown.

Comment that a visual analysis of the proposed Chapel, including potential visual effects of development of the proposed Chapel on Codornices Creek and other scenic resources) is noted. Since detailed plans for the Chapel would not be developed and submitted to the City of Albany for review until after adequate funding to pursue that project has been obtained by SMCHS, no detailed building/landscaping plans have yet been developed for this structure (although a basic description of the anticipated capacity size, bulk and height of the Chapel is provided in the Use Permit Application). This makes it infeasible to conduct the requested visual analysis at present. Comment that the effects of Chapel development on the historic setting of the area needs to be evaluated is noted. Development of the Chapel as proposed under the Use Permit Application would not be expected to substantially affect the “historic setting” of the local area (see discussion of the historic setting of the campus in IS/MND Appendix D).

Chapel needs to balance natural light and ventilation versus noise and glare. Prohibit windows, balconies and patios on the creekside adjacent to Albina Avenue.

Comment that the proposed Chapel needs to balance natural light and ventilation with the potential to generate noise and glare is noted. Suggestion that windows, balconies and patios be prohibited along the creekside of the proposed Chapel is noted. Building plans for the proposed Chapel have not yet been developed.

Chapel use must be restricted to school-oriented events (not rented or loaned for non-student activities once built)

Comment that Chapel use must be restricted to school-oriented events only, and that the Chapel should not be rented out for non-student activities, is noted.

Don't appreciate looking at parking area from back window, and won't like a bigger lot there.

Lack of appreciation for the existing view of a parking lot at the SMCHS campus from the back window of a nearby residence, and expression of dislike for anticipated view of a parking area proposed under the Use Permit Application are noted.

Where is 1992 Albany General Plan found? It should be updated every 10 years. What happened on John Courtney's site visit? What are his qualifications? What are the Use Permit Application materials provided by SMCHS (see APPENDIX A) – provide specific pages for reference in Aesthetics discussion.

A copy of the Albany General Plan (1992) is available at the City of Albany, 1000 San Pablo Avenue, Albany, CA 94706. Comment that the City's General Plan should be updated every ten years is noted. During John Courtney's site visit in August, 2011, he toured the campus with the use permit documentation in hand, evaluating the existing conditions, the relationships of proposed structures to existing structures, and considering the responses to his questions provided by SMCHS staff. He has been conducting environmental analysis under CEQA for more than 20 years, and has extensive experience in preparing environmental review documents for jurisdictions throughout the Bay Area (including documents for the City of Albany and the City of Berkeley while employed at Lamphier-Gregory). The Use Permit Application (and related attachments) was provided to the City of Albany in April 2011, and is included in the IS/MND as Appendix A. Request that the Aesthetics discussion in the IS/MND provide specific page references to the Use Permit Application is noted.

Need pictures of the Project site.

Comment that pictures of the campus should be included in the IS/MND is noted. See IS/MND Appendix D (Historic Resources Inventory and Evaluation Report) which provides several photographs of structures evaluated at the campus.

Need input from residents whose views will be altered.

Comment that input from residents whose existing views would be altered through development proposed under requested Use Permit is noted.

Analysis of lighting provides very few facts – no evidence to support conclusion – must disclose past, present and future lighting conditions (car headlights, buildings, parking area lighting).

The IS/MND indicates that the construction of the proposed Music Building and Chapel (and related parking areas) and additions to existing structures would result in changes in the existing lighting patterns on the campus. As indicated in the IS/MND, although some living near the campus (particularly those living in homes above Posen Avenue) may be able to see light coming from the campus under existing conditions or following development anticipated under the Use Permit, the proposed increase of existing floor space under the Use Permit would not be expected to represent a new source of substantial light or glare, given the intent of Saint Mary's College High School to maintain its current approach toward facility lighting on campus, the level of visual screening present around the campus and compliance with City height limitations.

New parking space is higher on the hill and will be lit - if shielding fails, these lights would be visible to residents along Albina Avenue and Hopkins Court (lighting from the lower lot already is). Aesthetic effects of a three-story Chapel have not been evaluated.

Concern related to possible exposure to lighting in parking areas if the anticipated shielding fails is noted.

In the absence of detailed building plans for the Chapel, it is not currently possible to provide a detailed evaluation of the site-specific aesthetic effects associated with that structure. However, as indicated in the IS/MND, the campus is already developed, and the basic visual elements of the campus following development under the requested Use Permit would remain visually similar in appearance to what is observed from off-site now, although the placement of individual structures some parking areas would be modified to some extent.

Lights (parking lots and cars) may flow down from the parking lot which is higher on the property.

Concern that lighting from the proposed parking area may be visible off-site (since the proposed parking area is located on higher ground than the existing parking area in the vicinity) is noted.

Hours of Music Building use would affect light and glare, affecting people on Posen Avenue, Beverly Place and possibly Sonoma Avenue.

Concern that use of the Music Building in the evenings and at night would increase light and glare observed along Posen Avenue, Beverly Place and possibly Sonoma Avenue is noted.

I now see parking lot lights from my home – this will get worse.

Comment that existing light from parking areas on campus will get worse following development under the requested Use Permit is noted.

Which four acacia trees are to be removed? – could result in straight views into the parking lots and Music Building.

The four acacia trees to be removed are those which appear in Figure 1 in the vicinity of the existing Music Pavilion in a line which begins adjacent to the lower edge of the athletic field. Comment that removal of these four trees could result in direct views into the proposed parking area and Music Building from off-site locations is noted.

No photos or simulations, story poles or light analysis – no evidence supporting IS/MND statements of no substantial changes. CEQA deals with facts, not intentions. Include detailed visual simulations and light trespass analysis, using building massing.

In the absence of detailed building plans for structures proposed under the Use Permit Application, it is not currently possible to develop visual simulations or conduct lighting analysis as requested. The campus has been developed and used to support SMCHS for over 100 years, and as indicated in the IS/MND, currently includes numerous structures and several parking areas which can be seen from off-site locations and generate light when used after dark. Development under the proposed Use Permit Application would result in the modification of some existing structures and the placement of several new structures on the campus, as all

structures would be required to comply with City of Albany building codes and height restrictions, although the actual location of structures and parking areas on-campus would be modified, the visual and lighting effects would not be changed in any substantive way.

It should also be noted that story poles were installed on the campus and a publicly noticed tour (this included the Albany Planning & Zoning Commission, residents, City staff, and school officials) to view the story poles was conducted on campus at 6:30 pm on October 11, 2011. Public hearing notices were sent on September 30, 2011 to residents and property owners within 300 feet of the subject site. Photos of the story poles are available for review.

Air Quality

Wouldn't parking reduction be important given the City's Climate Action Plan (going into effect in 2015) – not addressed in IS/MND?

Suggestion that parking space reduction should be considered for the campus, consistent with goals, policies and objectives of the City's Climate Action Plan, is noted.

Discussion of Air Quality impacts is not sufficient – since it assumes an enrollment cap is in force (an enrollment cap IS in force). Should not have been based on traffic study that did not take increase level of use into consideration. Must disclose past, present and likely future traffic levels (nights, weekends, summers). Back-ups at Albina Avenue and other local roads = hotspots. Where is March 17, 2005 Traffic Study.

Comment that the IS/MND discussion of potential air quality impacts is not sufficient, due to the assumption that the current City of Albany enrollment cap for SMCHS will remain in force, is noted. SMCHS has indicated in the Use Permit Application that no request to increase the current enrollment cap is included as part of the Application, and the IS/MND evaluates environmental effects associated with the proposed development of the campus under the requested Use Permit under those conditions. The IS/MND provides data related to past traffic surveys, and includes information related to the most current analysis of existing traffic conditions as Appendix E. With no change in school enrollment anticipated, it is expected that future traffic levels in the vicinity of the campus will remain similar to what is currently experienced, including during periods when school-related events may take place in the evenings, on weekends and during the summer. Comment that traffic back-ups along Albina Avenue and other local roadways currently create air quality "hot spots" is noted. The March 17, 2005 Traffic Study is available for review at the City of Albany, 1000 San Pablo Avenue, Albany, CA 94706.

All construction emissions need to be addressed, not just those associated with the music building.

Since the proposed Music Building would represent the first (and largest) construction project expected to be pursued by SMCHS under the requested Use Permit, the construction emissions associated with that project have been evaluated as a "worst case" in the IS/MND. Since other construction projects would not be initiated until after sufficient funding has been obtained by SMCHS, it is unlikely that more than one construction project would be in progress at the campus at any one time, and since all other projects involve less construction activity that that

associated with the proposed Music Building, construction emissions associated with that project could be expected to exceed construction emissions associated with any of the other proposed projects.

No support for assumption that construction emission effects can be reduced to a level of less than significant – approval should be conditioned on credible evidence that reduction will be accomplished.

The analysis presented in the IS/MND indicated that construction-period emissions associated with the development of the proposed Music Building (the first and largest project anticipated under the requested Use Permit) would be below thresholds for regional air pollutant emissions that had been established by the Bay Area Air Quality Management District (BAAQMD), so that those effects would be considered less than significant in the absence of mitigation. However, mitigation of fugitive dust during construction to a level considered less than significant by BAAQMD would require implementation of Basic Construction Best Management Practices (identified as a mitigation in the IS/MND). In addition, the mitigation related to diesel emission reduction during construction activity would require a particulate emissions reduction of a minimum of 49.6 percent for PM 10 and PM 2.5 compared to the most recent California Air Resources Board (CARB) fleet average. Effective implementation of those reductions would reduce the health risk associated with these emissions to levels below the thresholds of significance that had been established by BAAQMD.

Concern over TACs, dust associated with traffic (and construction vehicles) along Albina Avenue.

Concern regarding the emission of toxic air contaminants and dust associated with the movement of automobiles and construction vehicles along Albina Avenue is noted.

Assumption that no substantial increase in use of campus not substantiated. No studies showing larger facilities do not get utilized more than existing facilities – only possible if usage is capped at its current level (SMCHS has not proposed this).

SMCHS has not requested any increase in the existing enrollment cap established by the City of Albany as part of the Use Permit Application, and with a stable student population ensured by the on-going enforcement of that cap, the IS/MND evaluation of environmental effects associated with implementation of the requested Use Permit is based on the assumption that activities at the school would remain basically unchanged for the most part on a day-to-day basis. While there are no studies presented as part of the IS/MND which demonstrate that expanded facilities get more use than existing facilities, there is no evidence to support the assertion that expanded facilities generate more use than existing facilities. In this case, the total number of students that would be using the expanded facilities cannot be increased under the enrollment cap.

Cooking odors from new kitchen – need details on the ventilation system.

Detailed information regarding the ventilation system to be incorporated in the kitchen expansion portion of the proposed Shea Student Center Renovation project has not been developed by SMCHS, and would not be expected to become available for City review until

after the requested Use Permit has been approved by the City and adequate funding to pursue that project has been obtained by SMCHS. Ventilation of the expanded kitchen would be expected to meet the building code requirements current at the time construction is approved as well as compliance with the Alameda County Department of Environmental Health, which regulates commercial/public kitchen facilities throughout the County. Compliance with these regulations would be expected to reduce potentially objectionable odors that could adversely affect a substantial number of people (on-campus and off-campus). If cooking odors from the proposed kitchen expansion were to create objectionable odors (despite building code compliance for ventilation), those objecting to the odors would have the ability to file a formal complaint with the Bay Area Air Quality Management District, which has the power to investigate such complaints and require the offender to eliminate or reduce the objectionable odors.

Construction may overlap – should be addressed in AQ analysis.

Given the need to raise sufficient funds for each of the projects identified in the Use Permit Application, and the difficulty in accomplishing this, it is unlikely that construction activity associated with more than one project identified in the Use Permit Application would take place at any one time. Suggestion that construction periods for the projects may overlap, and that this possibility should be evaluated in the IS/MND air quality analysis, is noted.

Support TAC mitigation effectiveness with evidence – as stated, there is no way to evaluate mitigations effectiveness. Construction air quality mitigation is also vague and unenforceable.

Although the Diesel Emissions Reduction mitigation identified in the IS/MND defines the level of reduction that would be required to bring emissions of particulate below the threshold of significance that had been established by the Bay Area Air Quality Management District (BAAQMD), it identifies the types of actions that might be taken to achieve the reduction required to reduce the impact to a level considered less than significant. If these actions cannot be implemented effectively, the reduction might not be accomplished, and potential impact would remain significant during construction activity at the campus. The necessary reduction of particulate emissions identified in this mitigation can be achievable using a combination of the identified actions (to be determined by the construction contractor, as approved by the City of Albany). Health Risk Assessment modeling conducted for the IS/MND (see Appendix B) indicates that if the particulate emissions during construction can be reduced by 49.6 percent compared to the most recent California Air Resources Board (CARB) fleet average, then particulate emissions would be below the threshold of significance that was established by BAAQMD, reducing potential impacts associated with diesel emissions during construction to a level considered less than significant. Comment that construction-related air quality mitigation measures identified in the IS/MND are vague and unenforceable is noted.

GHG based on no enrollment increase – invalid. Also assumes compliance with existing building codes to conform with CAP – erroneous.

SMCHS has not requested any increase in the current enrollment cap established by the City of Albany, so the IS/MND evaluation of the environmental effects associated with implementation

of the requested Use Permit (including the analysis of potential impacts related to greenhouse gas emissions) is based on the assumption that current student population at the campus remains stable during the planning period. Comment that this is an invalid assumption is noted. Projects identified in the Use Permit Application would be required to comply with building codes that are in force at the time construction of each project is approved by the City of Albany. The building codes that would be in force at that time may or may not be in compliance with the City's Climate Action Plan. Comment that it is erroneous to assume that compliance with existing building codes is necessary in order to conform to the Climate Action Plan is noted.

Biological Resources

Loss of raptor and wildlife habitat.

Concern that development of the campus as proposed under the Use Permit Application would result in the loss of raptors and wildlife habitat is noted. As indicated in the IS/MND, trees on the SMCHS campus may provide raptor habitat, and since tree removal is likely to be required to enable development of some of the projects identified in the Use Permit Application, the IS/MND identifies a mitigation measure that, when effectively implemented, would protect nesting raptors (or any other nesting species covered by the Migratory Bird Treaty Act) from potentially significant effects associated with tree removal. Those portions of the campus that would support development of the projects identified in the Use Permit Application are at some distance from Codornices Creek, mostly in areas that have supported previous campus development, and would not substantively affect any wildlife habitat areas that may be present in or near the creek.

Creek supports sensitive anadromous fish, and is utilized by deer, skunks, opossum and raccoons. Demonstrate no adverse effects on sensitive species and fisheries. *Consult NMFS and USFWS on fish effects.

As shown in IS/MND Figure 2, no new construction is proposed in the immediate vicinity of the creek. The nearest portion of the proposed Chapel would be approximately 60 feet from the top edge of the bank of the creek. Recommendation that National Marine Fisheries Service and U.S. Fish and Wildlife Service be consulted on potential effects on fish in the creek is noted. The National Marine Fisheries Service and U.S. Fish and Wildlife Service did not comment on the IS/MND.

Brothers Residence is in a grove of oaks and eucalyptus that provides nesting habitat for raptors. Should conduct wildlife survey and contact GGRO for breeding study. Are any trees "legacy/heritage trees"?

IS/MND Figure 1 presents an aerial view of the campus, showing the existing Brothers' residence located near a number of existing trees. Following additional City review, modifications proposed to the Brothers' Residence as part of the Use Permit Application have been withdrawn by SMCHS. As indicated in the IS/MND, it is possible that tree removal at the campus to enable development of projects identified in the Use Permit Application could adversely affect birds (including raptors) that might nest in existing trees, a potentially significant impact. To reduce this potential impact to a level considered less than significant, the

IS/MND has identified the need for pre-construction surveys if project construction were to occur during the March through July breeding season, with additional measures to be undertaken in the event that nests or incubation behavior are observed. Recommendation that GGRO be contacted to conduct a breeding study at the campus is noted. The City of Albany has no current ordinance in force related to the preservation of trees, including those which might be identified as legacy/heritage trees, and no trees at the campus have been formally identified by the City of Albany as legacy/heritage trees.

Wildlife will be affected by new (more intense) level of activity at the site.

Comment that existing wildlife on or in the vicinity of the campus would be adversely affected by increased levels of activity at the campus as a result of construction and use of the proposed structures and modifications identified in the Use Permit Application is noted.

How will rain garden affect wildlife? What species currently use that area, and how would that change?

The proposed rain garden would be developed on two lots that front on Monterey Avenue: one that supports an access path to the remainder of the campus, and one that currently supports a residential structure. As both lots are currently developed, no known candidate, sensitive or special-status species are known to inhabit those areas, and development of the proposed rain garden is not expected to have any adverse effects on any candidate, sensitive or special-status species. Operation of the rain garden after it has been constructed could be expected to retain surface water for variable periods of time (depending on rainfall levels). However, the rain garden would be dry for extended period between rainfall events, and would not be expected to provide habitat for any candidate, sensitive or special-status species.

No biologist consulted or surveys completed?

In light of the urbanized character of the campus and the surrounding areas, no biologists were consulted in developing the IS/MND. No wildlife surveys or other surveys of biological resources on the campus were conducted as part of the IS/MND. Given the possible presence of nesting birds that may utilize existing trees on campus for nesting, the IS/MND identifies pre-construction surveys when construction would take place during the March through July breeding season breeding periods, with follow-up action necessary if nests or incubation behavior are observed during those surveys.

Impacts of noise on wildlife (construction and operational) – important because it will be introduced in a riparian area.

Construction at the campus would entail temporary noise effects during the construction period. The nearest portion of the proposed Chapel would be approximately 60 feet from the top edge of the bank of the creek. If construction is anticipated during the March through July breeding season, pre-construction nesting surveys will be conducted, with follow-up action necessary if nests or incubation behavior are observed during those surveys. These measures would limit excessive noise exposure for any nesting birds that may be found at the campus during the construction period. Other urban-adapted wildlife that may be found at the campus may move elsewhere if adversely affected by noise during the construction period, but would be likely to

return following construction, as the general activity at the campus would not be substantively changed following development of the projects proposed in the Use Permit Application.

No analysis of potential noise, traffic and lighting impacts (car headlights and parking area lighting) on wildlife.

As indicated in the IS/MND, no candidate, sensitive or special-status species are known to be present at the SMCHS campus. This area has been in active use since it was first developed as an education facility more than 100 years ago (and the site supported a large hotel before that). Urban-adapted wildlife that may be found on the campus have been able to adjust to campus activity, including the noise, traffic and lighting associated with day-to-day campus operations. While there would be temporary increases in vehicle traffic and noise during construction activity as individual projects identified in the Use Permit Application are built, on-campus wildlife that might be adversely affected would be expected to move to other areas where impacts might be less noticeable, although they could return with the completion of construction.

Will restoration work or habitat improvement be impeded by the project?

Since no construction is proposed in the immediate vicinity of Codornices Creek, development of the projects identified in the Use Permit Application would not be expected to affect creek restoration or habitat improvement projects in any substantive way.

Were surveys completed for trees supporting special status species? What about soil, creek and vegetation other than trees?

Although a mitigation measure that would require pre-construction surveys when proposed tree removal would take place during the March through July breeding season has been identified in the IS/MND, no tree surveys have been completed. No candidate, sensitive or special-status species are known to occur at the campus. Organisms found in soils at the campus could be adversely affected during soil movement as part of the grading/construction process associated with some construction projects, but this has not been identified as a potentially significant impact. Development of the projects identified in the Use Permit Application would have no significant effects on wildlife that utilize the Codornices Creek area, as no development is proposed in the immediate vicinity of the creek and compliance with Regional Water Quality Control Board and Alameda Countywide Clean Water Program regulations would reduce potential runoff effects to the creek and its habitats to a level considered less than significant. Vegetation other than trees (e.g., grasses, other ground cover, shrubs, etc.) that might be adversely affected during construction activity are not identified as candidate, sensitive or special-status species, and vegetation damaged or destroyed during construction would be replaced as part of the landscaping plans for each project.

All birds do NOT nest in trees (California Towhees). IS/MND needs to identify species likely to be found at the site, and when and where they nest – breeding season surveys need to identify all species protected by Migratory Bird Act.

Comment that the IS/MND needs to identify all species likely to be found at the campus is noted. Although the Inyo California Towhee has been listed as an endangered species, California Towhees generally have not been identified as candidate, sensitive or special-status species, and

in the East Bay have proven very adaptable to urban environments. The IS/MND has identified a mitigation measure that would require pre-construction surveys when proposed tree removal would take place during the March through July breeding season has been identified in the IS/MND.

No support for conclusion that no surveys are needed for certain times of the year.

Comment suggesting that there is no support in the IS/MND for the conclusion that pre-construction surveys would be needed only when proposed tree removal would take place during the March through July breeding season, and not during other times is noted. As indicated in the IS/MND, no candidate, sensitive or special-status species are known to exist on the campus.

No description of existing resources on the site. Trees not identified. Nesting species not identified. Nesting seasons and existing nests not discussed. Bald Eagle Protection Act applies to other raptors – needs discussion. FESA and CESA. Address effects of tree removal.

The campus is located in an urban area, fully developed and surrounded by residential development which has been in place for many years. A detailed description of existing biological resources was not provided in the IS/MND, as species found on the campus would generally be those commonly found in other urbanized portions of the East Bay, and no candidate, sensitive, or special-status species are known to exist on-campus. Although the presence of trees can be seen in IS/MND Figure 1, there has been no formal survey or inventory of trees on the campus that could be incorporated into the IS/MND. Acknowledging that nesting patterns may change from one year to the next, to address potential tree removal the IS/MND calls for pre-construction surveys in the event that tree removal is proposed during the breeding season (March through July), with follow-up actions to be taken if nests or incubation behavior is observed during those surveys. No nesting survey has been completed for the IS/MND, as no formal construction period would be known until after the requested Use Permit has been approved and the construction for the initial project identified in the Use Permit Application has been authorized by the City. Compliance with the MBTA requirements (as per the mitigation to protect nesting birds identified in the IS/MND) would also ensure compliance with the Bald Eagle Protection Act. In terms of FESA and CESA, no candidate, sensitive or special-status species listed in association with either of those two Endangered Species Acts are known to be present at the campus.

Construction noise effects on off-site nests. Mitigation/buffer requirements – what is appropriate?

The limitations that would come into effect in the event nests or incubating behavior are observed during the pre-construction surveys identified as a mitigation when tree-removal is proposed during the breeding season (March through July) would also limit potential off-campus noise effects on nests that may be present off-site. Distance attenuates construction noise to some extent, but no formal buffer requirements have been identified for construction noise that could adversely affect nesting birds beyond the campus.

What is the Codornices Creek habitat, and how would it be affected? Lack of detail on increased runoff and no SWPPP available for evaluation in IS/MND.

Because development proposed under the Use Permit Application would not take place in the immediate vicinity of Codornices Creek, a detailed evaluation of existing habitat features within the portion of the creek adjacent to the campus has not been presented in the IS/MND. All development that takes place at the campus under the requested Use Permit would be required to comply with the water quality protection/runoff control requirements established by the Regional Water Quality Control Board and Alameda Countywide Clean Water Program, reducing potential effects on habitat values that may be provided by Codornices Creek to a level considered less than significant. Comment that there is currently insufficient detail on runoff control measures to be implemented during and after construction at the campus is noted. Detailed drainage plans and runoff control measures (including a formal SWPPP) will be developed by SMCHS and submitted for City of Albany review following approval of the requested Use Permit, as part of building plans for each individual project identified in the IS/MND.

Cultural Resources

The Chapel site is just across Codornices Creek from approximate site of the Domingo Peralta Adobe homestead – large trees on Albina Avenue side of creek may be considered legacy trees. Should do a survey.

Recommendation that survey of legacy trees at the campus is noted. The City of Albany currently has no tree protection ordinance, and does not formally identify legacy trees. Development of the campus as proposed under the Use Permit Application would have no substantive effect on the approximate site of the Domingo Peralta Adobe homestead, which is not located on the campus.

Geology/Soils

Can the Albina Avenue bridge withstand a large earthquake?

The extent to which the bridge may be able to resist the effects of a large earthquake in the vicinity has not been evaluated by the City of Berkeley, the City of Albany, or SMCHS.

Hazards & Hazardous Materials

How can campus function as a disaster center for the community – explain which buildings are seismically resistant. Which engineering professionals will do post-earthquake assessment? Has SMCHS ever had buildings/bridge assessed? Are there any URM buildings? Do they meet current California Code requirements for school buildings? What criteria will be used for new buildings? Is a report of seismic findings available to the public? Any provisions for bracing or anchoring nonstructural components?

Detailed structural assessment of existing buildings are not normally part of an IS/MND review.

What elements of the school's emergency plan are consistent with those required for a disaster center? What about sanitary waste disposal if sewer system is compromised and "shelter in place" for an extended period is necessary? Any provisions made for protecting creek from broken sewer line? What provisions have been made for releasing students to leave campus after BART and AC Transit have been disabled following an earthquake? Do they wait for a

parent to get them? Does SMCHS maintain an out-of-area contact list if local telephone lines are down? If Brother's Residence is damaged, would this affect staff's ability to cope with disaster? Does school have emergency generator, communications equipment, medical supplies to cover 700-800 people on campus, plus others in the community?

The IS/MND evaluates the environmental effects associated with construction and normal operation of the proposed facilities, but under CEQA, there is no requirement to provide an evaluation of effects on the environment resulting from a major disaster.

Expand to discuss asbestos insulation and lead-based paints entering the environment through demolition/modification.

Given the age of some buildings that would be modified under the requested Use Permit, asbestos-containing materials may be present. Investigations would be required to identify these materials prior to any construction activities. Demolition activities would require permits from the BAAQMD if removal or disturbance of hazardous materials were to occur. For instance, the handling of asbestos containing materials is subject to BAAQMD Regulation 11 – Hazardous Pollutants, Rule 2 – Asbestos Demolition, Renovation and Manufacturing. Asbestos is a TAC that has been known to cause a number of disabling and fatal diseases such as asbestosis, lung cancer, and mesothelioma. There is no identified safe level of exposure to asbestos; therefore, all exposure to asbestos should be avoided. SMCHS would be required to consult with the BAAQMD's Enforcement Division prior to starting handling of materials that may contain asbestos. Adherence to this requirement on a project-by-project basis ensures that asbestos-related impacts would be less than significant. The regulation is designed to employ the best available dust mitigation measures in order to reduce and control dust emissions for both onsite workers and the public.

Older buildings (particularly those built before January 1, 1978) may also have lead-based paints present that could pose a health hazard if exposed during demolition or remodeling (there is no formally-identified safe level of lead exposure). Under Cal-OSHA, the Lead-in-Construction Standard is in place to protect the health and safety of employees who engage in lead-related construction work, including construction, demolition, renovation and repair. Contractors disturbing more than 100 square feet or more than 10 linear feet of lead-containing materials must take steps to prevent worker exposure to lead and are required to notify the Department of Industrial Relations at least 24 hours prior to beginning work (<http://222.cdph.ca.gov/ee/programs/oippp/Pages/Links.aspx>). California Code of Regulations, Title 17, Division 1, Chapter 8, Sections 35001 – 36100 Accreditation, Certification, and Work Practices for Lead Based Paint and Lead Hazards requires that work on any structure built before January 1, 1978 must use lead-safe work practices including containment and clean the work area after the project is completed. The revised state law went into effect on April 30, 2008 and applies to everyone using contractors, painters, homeowners, renters, and maintenance staff. The regulations also cover accreditation of training providers and certification of individuals to perform lead abatement and sets work practice standards for lead hazard evaluations and the abatement of lead hazards. California EPA requires that presumed (pre-1978) lead-based paint chips and dust be

disposed of as hazardous waste. Everyone who handles lead-based paint debris should follow several common sense measures:

- Collect paint chips, dust, dirt, and rubble in 6-mil plastic trash bags for disposal.
- Store larger lead-based painted building parts in containers until ready for disposal.
- If possible, use a covered, locked, mobile dumpster to store lead-based paint debris until the job is done. Alternatively, plastic-wrapped lead-based painted debris can be kept in a locked room or yard until the job is done and the waste is ready to be disposed.
- Contact the Alameda County Household Hazardous Waste Program for sites where lead-based paint debris can be disposed.

Hydrology/Water Quality

Maximize rainwater harvesting and use of permeable surfacing to reduce sheet flow and runoff from new construction areas. Implement BMPs. Public review for SWPPP prior to approval of CUP.

Suggestion that rainwater harvesting be maximized is noted. Suggestion that permeable surfacing be utilized to reduce sheet flow and runoff from new construction areas is noted. Request for public review for the SWPPP prior to issuance of the requested Use Permit is noted. Generally, SWPPPs are not subject to public review, and in the case of proposed campus improvements under the requested Use Permit, an SWPPP for each construction project would not be developed by SMCHS and submitted for City of Albany review until after the requested Use Permit has been approved and plans for each individual construction project identified in the Use Permit Application have been developed.

SMCHS should consult USACOE on creek buffer requirements.

Suggestion that SMCHS consult with the U.S. Army Corps of Engineers regarding creek buffer requirements is noted. No portion of any of the proposed construction projects identified in the Use Permit Application is within the jurisdiction of the U.S. Army Corps of Engineers, and the Corps did not comment on the IS/MND during the public review period.

The rain garden will negatively impact neighbors and creek. Water table is near the surface. Area of rain garden appears insufficient to deal with runoff from larger non-absorbing area. Some rainwater will end up in the creek – needs to be fully analyzed scientifically.

Comment that the proposed rain garden will negatively affect neighbors and the creek is noted. Although the property along the lower portion of Monterey Avenue near Codornices Creek is in FEMA Zone 500x (areas subject to flooding during a 500-year storm event), the threshold of significance under the CEQA Guidelines for potential flooding impacts is keyed to the 100-year storm event, and according to current FEMA mapping, no property in the immediate vicinity of

the campus is subject to flooding during a 100-year storm event. Observation that the water table is near the surface in the area of the proposed rain garden is noted. Comment that the proposed rain garden would be of insufficient size to deal with runoff generated on-campus following the development of projects proposed under the Use Permit Application is noted. Observation that some rainwater will end up in the creek, which needs to be evaluated scientifically, is noted. All projects developed on campus under the requested use permit would be required to comply with the regulations of the Regional Water Quality Control Board and Alameda Countywide Clean Water Program in terms of limiting runoff and potential adverse water quality effects that could affect the creek, which would be expected to reduce potential adverse site drainage impacts to a level considered less than significant.

What volume of water are we talking about with the rain garden? Will it handle 80% of any amount of rainfall, without raising the water table and affecting nearby homes?

As indicated in the IS/MND, the rain garden would be designed to detain 80 percent or more of the average annual rainfall from the impervious portions of a drainage area that includes the proposed new Music Building, the existing athletic field and the existing parking lot. The IS/MND indicates that during final design, the elevations of the rain garden overflow and underdrain will be compared to the basement floor elevations of nearby structures, and if the comparison shows reason for concern, the rain garden could be designed to incorporate an impermeable cut-off wall to prevent movement of groundwater temporarily perched beneath the rain garden toward the structures of concern. In this case, a drainage trench should be placed on the outboard side of the cut-off wall. Drain pipes within this trench could daylight downslope or be connected to the existing pipe leading to the existing creek outfall.

What are the popular plant choices in the rain garden? What is the wildlife value of vegetation, and is it invasive?

The final selection of plants to be utilized in the rain garden has not been finalized. The City of Albany, when reviewing final design plans for the proposed rain garden, can regulate the types of plants to be used, with consideration for their possible value to wildlife and potential invasive properties.

What pollutants will enter the rain garden (petroleum hydrocarbons, fertilizers, and pesticides)? Will they be left in place or removed periodically? Is there a connection back to the creek/Bay?

The proposed rain garden is intended to detain runoff from impervious surfaces related to the proposed new Music Building, the existing athletic field, and the existing parking area. While runoff from the proposed Music Building and the existing athletic field would not be expected to contain significant quantities of petroleum hydrocarbons, fertilizers and pesticides, such contaminants could flow from the existing parking lot, since it supports automobile parking and related landscaping. By detaining runoff, the rain garden would allow these pollutants to settle to the base of the rain garden, to be taken up by the plants that would be in place within the rain garden. These plants would be cut back periodically, and organic debris accumulating in the rain garden would be disposed of as part of routine maintenance of the facility (which would include

sediment removal near rain garden inlets). There would be a system of buried perforated pipes in place that would direct some treated runoff back to the existing drainage system and to an existing outfall into Codornices Creek just upstream of Vellesian Hall during sustained rainfall.

Actual figure of rain garden is needed, not “Typical” Figure 4.

Comment regarding the need to replace IS/MND Figure 4 with a figure showing the final design for the proposed rain garden is noted. The final design for the rain garden will not be prepared by SMCHS until after the requested Use Permit has been approved and design plans for the Music Building have been finalized.

Data on groundwater levels and flow need to be provided for the analysis.

Request for detailed data on groundwater level/flow is noted. Although no groundwater studies have been provided by SMCHS in relation to the proposed rain garden, as indicated in the IS/MND, during final design, the elevations of the rain garden overflow and underdrain will be compared to the basement floor elevations of nearby structures, and if the comparison shows reason for concern, the rain garden could be designed to incorporate an impermeable cut-off wall to prevent movement of groundwater temporarily perched beneath the rain garden toward the structures of concern. In this case, a drainage trench should be placed on the outboard side of the cut-off wall. Drain pipes within this trench could daylight downslope or be connected to the existing pipe leading to the existing creek outfall.

Will regular sweeping of parking areas occur to minimize pollutants in runoff?

The school typically sweeps the parking lot on Saturday using blowers and a motorized vacuum. Note that the drop inlets have filters to catch debris and some hydrocarbons.

Mosquito abatement needs to be addressed.

Request to have the IS/MND address mosquito abatement needs related in the proposed rain garden is noted. It is unlikely that the rain garden would retain standing water for the length of time necessary to allow mosquitoes to complete their life cycle (the length of time required varies with species and temperature from 4 to 30 days, but for common local mosquitoes the life cycle could be expected to take 10 to 14 days). Were mosquitoes to become a problem associated with the operation of the proposed rain garden, a biorational larvicide could be applied when needed to kill mosquito larvae that might be present in the water.

The City of Berkeley needs to be more involved, since the rain garden is located in Berkeley.

As indicated in the IS/MND, a permit will be required from the City of Berkeley to complete construction of the rain garden as proposed. Since a formal design for the proposed rain garden will not be developed until the requested Use Permit has been approved by the City of Albany, City of Berkeley consideration of the final plans for the proposed rain garden will not be possible until they have been developed by SMCHS and made available to the City of Albany for review.

Homes near the rain garden may suffer increased incursions of water due to inadequate planning.

Suggestion that homes located near the proposed rain garden might suffer increased incursions of water due to inadequate planning is noted. As indicated in the IS/MND, during final design, the elevations of the rain garden overflow and underdrain will be compared to the basement floor elevations of nearby structures, and if the comparison shows reason for concern, the rain garden could be designed to incorporate an impermeable cut-off wall to prevent movement of groundwater temporarily perched beneath the rain garden toward the structures of concern. In this case, a drainage trench should be placed on the outboard side of the cut-off wall. Drain pipes within this trench could daylight downslope or be connected to the existing pipe leading to the existing creek outfall. This is intended to preclude the possibility of increased incursions of water into homes located near the proposed rain garden.

Additional parking lot increases lot coverage, runoff, and flows into creek, could raise the level of the creek during winter storms.

Development and operation of the rain garden as proposed would detain runoff from the proposed new Music Building, the existing athletic field and the existing parking area, reducing runoff flowing into Codornices Creek during winter storms. The impervious area associated with the proposed parking area near the Music Building would be expected to generate additional runoff during storms, but this runoff would also be directed to the rain garden, which would delay the flow of runoff from this area entering Codornices Creek. Delaying the flow of runoff from these areas by detaining it in the rain garden would reduce the current contribution of this runoff to higher water levels in the creek during storm events.

How much more runoff? Will the rain garden have sufficient capacity for no net increase in peak runoff or contaminants?

A summary of the proposed increases in impervious surface area associated with the proposed development projects identified in the Use Permit Application is presented in IS/MND Table 2 and Table 3, although the actual volume of runoff associated with these changes in impervious surface area would be dependent on the level of rainfall received on-campus during any single storm event. As indicated in the IS/MND, the rain garden would be designed to detain 80 percent or more of the average annual rainfall from the impervious portions of a drainage area that includes the proposed new Music Building, the existing athletic field and the existing parking lot. It would not be designed to ensure no net increase in peak runoff, although it could be expected to aid in the capture of potential contaminants present in the runoff coming from the drainage areas served.

No SWPPP, so no evaluation of effectiveness. No Storm Water Control Plan, no Low Impact Development treatment measures identified, so no support for conclusion that no potentially significant impacts on sensitive resources in creek. Needs conceptual drainage plan and DRAFT SWPPP. Evaluate changes in outlet structure to Codornices Creek for erosion and biological impacts.

Comment that a conceptual drainage plan and SWPPP are needed as part of the IS/MND is noted. SMCHS will develop individual SWPPPs and Storm Water Control Plans for each project identified in the Use Permit Application as design plans for those individual projects are

developed following City of Albany approval of the requested Use Permit. The types of Low Impact Development treatment measures commonly applied in controlling stormwater will not be identified for each specific project identified in the Use Permit Application until final plans for each structure have been developed, but those types of measures have shown effectiveness in addressing stormwater impacts for a range of other development projects, and can be evaluated by the City of Albany for effectiveness when final drainage plans are presented for City review. There are no changes proposed to the existing outlet structure directing stormwater flows to Codornices Creek under the Use Permit Application, so there would be no environmental effects associated with any modifications to the existing outlet structure.

Land Use

There is no evidence to support compliance with City regulations, plans and policies. The Brothers' Residence conflicts with zoning (in PF zone), prohibits expansion or enlargement of structures used for non-conforming uses. A variance would be inappropriate – zoning change would be necessary.

None of the proposed structures identified in the Use Permit Application would exceed the dimensions allowed under the current zoning regulations. As noted previously, the original request to expand the Brothers' Residence has now been omitted from the requested Use Permit.

Chapel WILL NOT BE USED for Sunday services – not “likely” (PF does not allow Religious Assemblies).

Sunday services have not been identified in the Use Permit Application (page 6 or 22) as a specific use that may be included at the Chapel, although in the absence of a formal prohibition on the use of the Chapel for Sunday services, there is a possibility that SMCHS could conduct such services. The definition of what would constitute a “Religious Assembly” under the Zoning Ordinance would require consideration by the City of Albany decision-makers, as many of the specific uses of the Chapel identified in the Use Permit Application could be considered “assemblies”, and all would have some relationship to meeting the religious educational needs of SMCHS students, faculty and staff.

Should address Berkeley Land Use policies, plans and regulations.

Comment that the IS/MND should address City of Berkeley land use policies, plans and regulations is noted. The only campus development identified in the Use Permit Application that would take place on land regulated by the City of Berkeley, would be construction of the proposed rain garden, which would require a permit from the City of Berkeley prior to construction and operation.

Noise

Soundproof practice rooms, double paned windows, restrict evening and weekend use.

Suggestions that SMCHS soundproof practice rooms at the proposed Music Building, incorporate double paned windows at the proposed Music Building, and restrict evening and weekend use of the proposed Music Building to reduce potential noise effects associated with the use of the proposed Music Building are noted.

The City should prohibit construction activity on weekends.

Comment that the City of Albany should prohibit all construction activity at the SMCHS campus on weekends is noted. Weekend construction hours are permitted at all construction sites within the City of Albany under the current Noise ordinance.

Where can the noise analysis be found?

The Charles M. Salter Associates noise analysis associated with operation of the Music Building referred to in the IS/MND, the noise analysis conducted by Salas O'Brien Engineers, Inc., and the outdoor noise analysis related to the IS/MND on the earlier athletic field renovations are available for review at the City of Albany, 1000 San Pablo Avenue, Albany, CA, 94706.

Concern about noise from traffic (and construction vehicles) along Albina Avenue.

Concern related to the noise generated by the movement of automobile traffic and construction vehicles along Albina Avenue as a result of construction activity and facility use associated with development of the projects identified in the Use Permit Application is noted.

Noise measurements for Music Building at 2:30 are meaningless, since we don't know how much more activity will be taking place in the expanded facility (evenings), or what hours it will be used.

Comment that the noise measurements conducted by Charles M. Salter Associates in relation to the use of the Music Building are meaningless is noted. Specific hours of operation at the proposed Music Building have not been established by SMCHS, but the noise evaluation conducted by Charles M. Salter Associates indicates that ambient noise levels could be expected to remain at 45 dBA at the campus property line with the proposed Music Building in operation, since the sound wall and the distance to the property line provide sufficient attenuation.

Noise (parking lots and cars) may flow down from the parking lot which is higher on the property.

The noise associated with the operation of the parking area proposed under the Use Permit Application in the vicinity of the proposed Music Building might be heard by receptors off-campus, although this noise is not expected to increase day-night average noise level by 3 dBA, and would not be considered a significant impact.

SMCHS detracts from neighborhood quietude. Unreasonable to have noise intrusion during evenings and weekends.

Comment that SMCHS detracts from neighborhood quietude is noted. Comment that it is unreasonable to have noise intrusion resulting from SMCHS operations during evenings and weekends is noted. Completion of the projects identified in the Use Permit Application would be unlikely to result in a substantive increase in the extent to which all facilities on campus would be used during the evenings and on weekends.

Music Building noise study incomplete and irrelevant. Were windows/doors open or closed (IS/MND mentions doors closed and doors open, no mention of windows). Did Ms. Kahn misspeak? Noise study conducted at peak time, so ambient noise covers noise from Music

Building – what about noise from use after school hours? Soaring height of 33 feet means windows will be higher, with skylights and vents allowing more noise to escape. More interior space means more noise generated. Five rooms could be used concurrently – raucously discordant sound would be created. Different window orientation would affect direction of noise. Need to contrast day and night norms - new gym neighbors noted a cacophonous shift.

Comment that the Charles M. Salter Associates noise analysis related to the Music Building is incomplete and irrelevant is noted. The state of the windows at the Music Building during the noise study is not specified in the report. Comment that since the noise study was conducted at a peak use period at the campus, noise from the Music Building would have been covered by ambient noise generated elsewhere on- and off-campus is noted. Comment that a relatively tall building (with vents and skylights) will allow more noise to escape the proposed Music Building is noted. Comment that more interior space essentially ensures that more noise to be generated is noted. Observation that five rooms in the proposed Music Building could be used concurrently, creating raucous and discordant sound is noted. Comment that different window orientations at the proposed Music Building would affect the direction of noise dispersal is noted. Suggestion that a comparison of day and night norms for noise exposure is noted. Observation that those living near the gymnasium noted a cacophonous shift in noise patterns following completion of the new facility is noted.

Noise from slamming car doors, noise from people walking down the street talking loudly after an event, amplified noise, noise from trucks moving to and from events – all worrisome (not analyzed in any way).

Concern related to noise associated with people and vehicles moving to and from events at SMCHS is noted. While these temporary noises might be regarded as a nuisance by some sensitive noise receptors, they would not be considered a violation of the City's Noise Ordinance, and would be likely to continue without substantive increase following completion of the projects identified in the Use Permit Application.

No mention of weekend or evening use for new and existing buildings. Noise associated with travel to events is ignored. Current noise from gym/auditorium? Brother's Hospitality noise? Noise from Chapel? Noise from 26-space parking lot? Noise at Shea Student Center (covered outdoor dining and "occasional" dining). Noise ordinance exempts athletic noise, but no other school-generated noise.

The IS/MND indicates that with enrollment at SMCHS effectively capped by the City of Albany regardless of the facilities located at the campus, the level of activity at the campus (including activity during evenings and weekends) would not change from existing patterns in any substantive way with completion of the projects identified in the Use Permit Application, with noise-related effects remaining generally unchanged from current noise conditions on- and off-campus (no development-related increase in current day-night average noise levels above 3 dBA). Most events scheduled beyond normal school hours involve the movement of people and their vehicles to and from the campus area, and with no substantive increase in facility use anticipated following completion of the projects identified in the Use Permit Application, noise associated with this movement would be expected to be similar to what is currently experienced

during such events held now. No changes in the gymnasium/auditorium are proposed as part of the Use Permit Application, and no substantive changes in the current use of that facility are anticipated, so current noise levels related to events there would not be expected to change in any substantive way following completion of the projects identified in the Use Permit Application. Since the number of residents at the Brothers' Residence would not be expected to increase, noise levels associated with the use of that single-family residence would be expected to remain unchanged for current conditions. The Chapel would represent a new noise source to be located on campus, but as activity at the Chapel would take place inside the building, it is unlikely that such noise would exceed local noise standards established in the City's Noise Ordinance. Noise levels associated with the operation of the proposed parking area in the vicinity of the proposed Music Building would be similar to those associated with the operation of other parking areas currently located on the campus, and would not be expected to exceed local noise standards established in the City's Noise Ordinance. Specific uses of the expanded kitchen facility proposed at the Shea Student Center have not been identified in the Use Permit Application, although it is indicated that this kitchen would be able to support the snack bar and catering for occasional larger gatherings (it is not indicated that these "occasional larger gatherings" would be held outdoors, where they would be more likely to generate noise that could be heard beyond the campus than events held indoors). Although noise associated with school-related athletic events is exempt from the City's Noise Ordinance standards, general campus activity is not, and when noise-sensitive receptors suspect that the standards of the City's Noise Ordinance are being violated by any non-athletic activity on campus, their complaints will need to be addressed by the City of Albany to determine whether a Noise Ordinance violation has occurred, and if so, what subsequent action need be taken to prevent future Noise Ordinance violations which could result from similar on-campus activities.

***Size of door opening at Music Building same as existing? Open in same direction?
Comparable window openings?***

Final design plans for the proposed Music Building have not been submitted to the City of Albany for review, so the proposed size and location of door window openings at the Music Building has not been specified.

Is Sunday construction a significant noise impact?

Since the City Noise Ordinance has established permitted hours for construction activity on Sunday, compliance with the limitations of the construction hours on Sundays during construction associated with the projects identified in the Use Permit Application (or any other construction project in Albany) would not be considered a significant noise impact.

Cumulative noise impacts related to past projects (not just during construction).

Construction activity is temporary, and lasts only as long as needed to complete a proposed development project. Once construction for each individual development project has been completed, the noise associated with that construction no longer contributes to the noise environment in a cumulative sense. In situations where there may be multiple construction projects taking place within a limited area simultaneously, the additional of another construction

project within the same area could be considered a cumulative considerable increase in construction-related noise levels. In the case of the SMCHS Use Permit Application projects, however, individual projects will only be pursued as funding for each becomes available, which makes it very unlikely that more than one major construction project would be taking place on campus at any given time. The area surrounding the campus is largely built-out in residential uses, and no new development projects are currently proposed in the vicinity of the SMCHS campus that would be expected to represent a cumulatively considerable contribution to construction noise while construction at the SMCHS campus is in progress.

Noise assessment uses inappropriate parameters, metrics and methodologies, downplaying noise impacts. Documented noise complaints have not been disclosed or assessed.

Comment that the noise assessment downplays potential noise impacts associated with the development and use of the facilities identified in the Use Permit Application, due to the parameters, metrics and methodologies used in addressing potential noise impacts, is noted. The standards established by the City's Noise Ordinance provided the basis for addressing potential noise effects associated with development of the campus as anticipated under the Use Permit Application, and no alternative parameters, metrics or methodologies for evaluating these impacts have been defined in the comment suggesting that the IS/MND use of the standards established by the City are downplaying noise impacts. As indicated in the comments received on the IS/MND, a number of local residents have on-going concerns related to noise generated by SMCHS-related activities, but formal noise complaints have not been listed in the IS/MND, as any such complaints have been made prior to the existence of any of the projects proposed in the Use Permit Application (since these do not yet exist, their future use cannot provide the basis for any formal noise complaints received by the City of Albany).

Single event noise is the main issue, not addressed in the IS/MND. Single event noise can constitute a significant impact requiring mitigation. This IS/MND focuses on time-averaged noise levels. Oro Fino says mere compliance with City noise ordinance requirements cannot be used to determine significance on impacts – must use actual effects of the noise on the local population.

Comment regarding the importance of evaluating single-event noise is noted. As indicated in the comments received on the IS/MND, a number of nearby residents have concerns related to the noise associated with individual events that take place periodically on the SMCHS campus, which they characterize as problematic. Because the City of Albany has effectively capped enrollment at SMCHS, the increase in the availability of facilities following completion of the projects identified in the Use Permit Application would not be expected to result in a substantive increase in the types of events hosted at the campus or the number of people that might be expected to attend such events, so the single-event-related noise levels that currently concern nearby residents would be unlikely to change in any substantive way.

3 dBA increase is the wrong metric – use one that addresses repeated, single event noise sources/construction trucks, late night traffic, weekend chapel use.

Comment that the City of Albany's use of a 3 dBA increase from existing day-night average noise levels as a means of identifying potentially significant noise effects associated with proposed projects (at the SMCHS campus and city-wide) is noted. The comment does not suggest an alternative metric to be used for evaluating potential noise effects associated with such projects.

Music Building will have high windows and skylights = more noise. No restriction on hours of use – noisy in evenings. On resident distinctly heard the acoustic test, despite the IS/MND fact that the ambient level stayed at 45 dBA with or without the band playing.

Comment that the windows and skylights that may be included in the final design of the proposed Music Building would result in more noise being heard off-campus is noted. No limitations on the use of the proposed Music Building have been included in the Use Permit Application, and comment that in the evening noise levels related to activity in the proposed Music Building would increase in the absence of prohibitions on evening use of that structure is noted. Observation that a nearby resident heard the band playing during the noise evaluation conducted by Charles M. Salter Associates (even though the noise level measured did not exceed 45 dBA) is noted.

Public Services

What Albany Fire Station responds to emergencies at SMCHS? How many blocks must they travel, and how long does it take?

The Albany Fire Department maintains one fire station, located at 1000 San Pablo Avenue, and emergency vehicles from this station respond to emergencies at SMCHS. The fire station is located approximately 0.8 mile from the SMCHS campus. Depending on staff/equipment availability and traffic conditions, it could take several minutes for emergency vehicles to arrive in response to an emergency call originating at the SMCHS campus.

EBMUD serves the existing parcel. If additional water service is needed, EBMUD should be contacted. (No additional water service is anticipated)

Information from the East bay Municipal Utility District (EBMUD) indicating that the SMCHS is currently served by that utility, and procedures for contacting EBMUD in the event additional water or sewer service is required is noted.

Blocking driveways – told to call police for towing. Problem will be exacerbated with more use.

Observation regarding the need to call police in the event a vehicle is found blocking a private driveway is noted. Comment that development anticipated under the requested Use Permit would increase the use of the campus, and thus increase the number of incidents in which private driveways become blocked by vehicles is noted.

More use will affect Albany and Berkeley fire and police. What is alternative access if Albina Avenue bridge fails? Worried about emergency access via Albina Avenue bridge – no alternative route specified in IS/MND.

Comment that development under the requested Use Permit will result in increased use of the campus, leading to increased demand for fire and police services, is noted. In the event that the Albina Avenue bridge were to fail, public safety emergency access can be provided from Posen Avenue. Knox boxes are located on both sides of the campus. The Albany Fire Department indicated that sufficient access in the event of an emergency is provided from Posen Avenue. Additionally, temporary emergency access to the campus could be provided via the pathway leading from Monterey Avenue to the existing parking area.

Transportation/Traffic

Increase in young children living/playing along Albina Avenue. Address traffic/parking impacts associated with increased use from Music Building and Chapel.

Observation that there has been an increase in the number of young children living and playing along Albina Avenue is noted. Because the City of Albany has effectively capped current enrollment at SMCHS, it is not anticipated that use of the campus would increase in any substantive way following completion of the projects identified in the Use Permit Application. Request to address traffic and parking impacts associated with the proposed Chapel and Music Building is noted. The proposed Chapel would be primarily intended to serve students, faculty and staff that would already be present at the campus (although in the absence of formal use restrictions, it could be used for other events that might draw visitors to campus beyond current levels). The use of the Music Building would be unlikely to generate substantive additional vehicle traffic, as it is primarily intended to provide more room for activities that already take place on campus.

Public and PPNA needs to comment on construction truck routing prior to CUP approval, Limit truck movement hours to off-peak periods and limit speeds – provide monitors.

Comment that the public and Peralta Park Neighborhood Association need to review and comment on proposed construction truck routing prior to City approval of the requested Use Permit is noted. Requests that truck movement during construction be limited to off-peak hours, that special speed limits for trucks be limited during construction on the campus, and that monitors be provided to enforce hours of truck movement and speed limits are noted.

Do a new traffic observation, since 2008 indicated an increase over 2005.

Request for a new observation of current traffic conditions in the vicinity of the SMCHS campus is noted.

Is the Albina Avenue bridge strong enough to support construction trucks? Evaluate this.

Request that the strength of the Albina Avenue bridge be evaluated is noted. The Albina Avenue bridge has been in place for many years, and has supported the movement of heavy construction vehicles going to and from the SMCHS campus during that time as earlier on-campus construction projects have been completed.

Parking should be reduced on campus, not increased.

Comment that the number of parking spaces provided at the SMCHS campus should be reduced, rather than increased is noted.

Albina Avenue is already overloaded with traffic and should not be forced to handle more.

Comment that Albina Avenue is currently overloaded with traffic, and should not be forced to handle more traffic is noted.

SMCHS should reduce car trips via incentives to use buses. BART, shuttles.

Suggestion that SMCHS should reduce car trips through the provision of incentive for the use of buses, BART and a campus shuttle is noted. Currently, SMCHS offers discounted BART passes to students on campus.

Students should use Posen, non-rush-hours side AC bus stop at Monterey/Hopkins and other low impact locations for pick-up and drop-off to reduce impact on Albina and Monterey gate – safe for students to walk there. Residents next to school should not bear the brunt of this noise, traffic and distraction so disproportionately.

Suggestion that students use the Posen Avenue, the non-rush-hours side AC Transit bus stop at Monterey Avenue and Hopkins Street , and other low impact locations for pick-up and drop-off is noted. Comment that residents living near the SMCHS campus should not disproportionately bear the brunt of noise, traffic and distraction related to the dropping off and picking up of SMCHS students is noted.

SMCHS provides more parking than any other local school.

Observation that SMCHS provides more on-campus parking than any other local school is noted.

Reliance on old traffic studies was improper.

Comment that the IS/MND reliance of traffic analysis dating to 2008 and earlier was improper is noted.

Residents question the timing of the past traffic study – was it based on an adequate sample? Not based on normal traffic patterns (SAT testing, enrichment week and spring vacation – student retreats)? Data now four years old, and does not account for changed conditions.

Concern regarding the adequacy of the traffic studies used in the preparation of the IS/MND is noted. Suggestion that the 2008 study was not conducted during a period of normal traffic patterns is noted. Comment that the 2008 study does not account for changed conditions since it was conducted is noted.

Traffic mitigation discussion is troubling. Continues methods (non-binding) that have proven ineffective. Mitigation lacks criteria for compliance – what is encouragement?

Concern regarding the discussion of traffic mitigation in the IS/MND is noted. Comment that current efforts to resolve perceived traffic problems in the vicinity of the SMCHS campus have proven ineffective is noted. The only traffic-related mitigation identified in the IS/MND is related to addressing increased on-campus parking demand temporarily during construction activity, and measuring to ensure that there is no net reduction in the amount of available on-site parking from one Use Permit development phase to the next would be well within the capabilities of SMCHS staff. Measures identified in the SMCHS Traffic and Parking Management Plan (IS/MND Appendix E) are not mitigating any significant environmental

impact identified in the IS/MND, but are intended to address neighborhood concerns regarding School-related traffic and parking issues. SMCHS efforts to resolving perceived traffic and parking problems are encouraged when such efforts may result in fewer complaints from neighbors regarding school activities that generate vehicle trips.

Speeding not significant = not credible. (Observes speeding now – how would that change?)

Comment that speeding in the vicinity of SMCHS is significant, is noted. In the absence of any specific measures to reduce perceived speeding on local by the City of Berkeley or the City of Albany, development of the projects identified in the Use Permit Application would not be expected to change existing speeds observed on local roadways in any substantive way.

Parking and speeding restrictions are not enforced on a normal basis. Enforceable mitigation is needed (monitoring and mandatory penalties). THIS IS A CITY STREET – City of Berkeley Police Department is responsible for enforcing existing speed limits and parking regulations.

Observation that parking and speeding restrictions along local roadways are not enforced on a normal basis is noted. The City of Berkeley and the City of Albany are responsible for enforcing speed limits and parking regulations along roadways in their respective jurisdictions in the vicinity of the SMCHS campus. Although SMCHS does provide monitors who watch the movement of school-related vehicles in the interest of safety, these monitors are not responsible for the enforcement of traffic laws or parking regulations, or the imposition of penalties.

No impact on traffic = a canard. Address traffic impacts in a meaningful manner.

Comment that development proposed under the Use Permit Application would have no impact on traffic is a canard is noted. The IS/MND does not indicate that completion of these projects would have no impact, but does indicate, that given the enrollment cap established by the City of Albany, there would be no change in the number of students served at the campus, and no substantive change in the number of vehicles that would be coming to and from campus via local roadways. Request that traffic impacts associated with development of the projects identified in the Use Permit Application be addressed in a meaningful manner is noted.

Traffic on Albina Avenue = a big issue. Concerned that there is nothing in place that would restrict these new buildings to curricular activities during the academic year (to limit traffic on weekends, summers and holidays). If students increase, or Chapel is used at non-school hours, there would be increased traffic along Albina Avenue.

Observation that the level of traffic along Albina Avenue is a big issue is noted. Concern that there is nothing in the Use Permit Application that would restrict the use of new buildings proposed to limit traffic on weekends, holidays or during the summer is noted. No increase in the student enrollment cap established by the City of Albany has been requested as part of the Use Permit Application, so the number of students on campus would be expected to remain unchanged following completion of the Use Permit Application projects. Use of the proposed Chapel beyond normal school hours (unless formally restricted by the City of Albany – no restrictions have been identified in the Use Permit Application) could be expected to result in increased traffic along local roadways, although given the maximum capacity of the proposed Chapel (200), the movement of vehicles to and from the campus for Chapel-based events beyond

normal school hours would not be expected to result in significant adverse traffic impacts on local roadways.

Cars associated with SMCHS should be registered with the school and owners sign a contract to obey school traffic and parking regulations.

Suggestion that all vehicles associated with movement to or from SMCHS should be registered with SMCHS, with owners required to sign a contract stipulating obedience to all school traffic and parking regulations is noted.

How do you know who commits traffic infractions? What are the consequences?

The City of Berkeley and the City of Albany are responsible for the enforcement of traffic laws in the vicinity of the SMCHS campus. When a violation of traffic law is committed, the City of Berkeley Police Department or the City of Albany Police Department record the infraction, which then becomes public information. Depending on the nature of the infraction, a fine may be paid or a court may order additional penalties, which also become available for public review.

If 40 students were using the #688 bus three years ago, most have already left school. How does this make us confident that SMCHS is trying to reduce traffic in our neighborhood?

Lack of confidence in SMCHS's efforts to reduce school-related traffic is noted.

If parking spaces increase by 24, SMCHS may issue more parking permits so more people can drive to school = more traffic along Albina Avenue. Needs a mitigation measure prohibiting issuance of any additional parking permits.

Observation that increasing the number of parking spaces available on-campus would encourage SMCHS to issue more on-campus parking permits, creating more traffic along Albina Avenue, is noted. With the number of students authorized to be on campus limited by the enrollment cap established by the City of Albany, the number of faculty and staff supporting the education of those students would be expected to remain as it is now, with no substantive increase in demand for parking space. The provision of additional on-campus parking space (and the issuance of permits for the use of those new spaces) could reduce the demand for off-campus parking, without substantively changing existing traffic patterns along local roadways. Suggestion that the issuance of new on-campus parking permits be prohibited is noted.

Traffic will increase at the worst performing intersections – we already handle too much traffic for our winding and narrow streets.

Comment that traffic at the worst performing intersections would increase with completion of the projects identified in the Use Permit Application is noted. The IS/MND indicates that any increase in SMCHS-related traffic would not be considered significant, since student enrollment at SMCHS would remain capped by the City of Albany and the activity level on the campus would remain similar to what it is today. The traffic analysis presented in the IS/MND does not indicate that any intersections in the vicinity of SMCHS currently operate at levels of service that are below acceptable conditions established by the City of Berkeley or City of Albany, and any traffic increases related to completion of the proposed Use Permit Project would not degrade

those intersection levels of service to levels considered unacceptable. Comment that local narrow and winding streets already handle too much traffic is noted.

Basically given up reporting infractions to SMCHS. Morning monitors are ineffectual. Stopping speeders would revolve around an armed gate at the bridge, which would slow people coming out of SMCHS without inconveniencing any of the neighbors.

Statement that the person making the comment has basically given up on reporting infractions to SMCHS is noted. Comment that the morning SMCHS traffic monitors are ineffectual is noted. Suggestion that an armed gate be provided at the Albina Avenue bridge as a means of slowing traffic leaving the SMCHS campus without inconveniencing any of the neighbors is noted.

The effects of truck traffic has not been fully measured or mitigated.

During construction periods, individual trucks moving to and from the SMCHS campus would pass existing residences and other structures located along construction routes. Although the noise associated with the movement of these trucks would generate noise levels similar to that associated with the movement of trucks which current pass along local roadways, during the construction period there would temporarily be more truck movements than currently along those roadways. This movement would take place during the construction hours authorized in the City's Noise Ordinance, and there would be intervals between the trucks, resulting in occasional noise increases during days when construction is in progress on campus. Given the temporary and intermittent nature of the noise effects of trucks passing noise receptors while moving to or from the campus while construction activity is in progress, this impact is considered less than significant.

More cars will be coming to SMCHS, since SMCHS does not keep track of the number of people arriving by alternate modes.

Comment that more vehicles will be coming to the SMCHS campus following completion of the projects identified in the Use Permit Application because SMCHS does not actively track the number of people that arrive using alternate modes of transportation is noted.

More cars will access campus by way of Albina Avenue and Hopkins Court because of the additional parking lot.

Comment that more drivers will access the SMCHS campus by way of Albina Avenue and Hopkins Court due to the proposed increase in the number of on-campus parking spaces is noted.

Three-way stop at Albina Avenue is harebrained idea.

Comment that the installation of a three-way stop sign where Albina Avenue intersects with Hopkins Street is a hare-brained idea is noted. Such a measure is not proposed to mitigate any potentially significant impacts associated with the development of the projects identified in the Use Permit Application.

Speeding (especially morning) is a problem on Albina – monitor is usually there, but does not do anything about the traffic or speeding.

Comment that speeding is a problem along Albina Avenue, especially in the mornings, is noted. Comment that even though a monitor is usually present, nothing is done about traffic or speeding along Albina Avenue is noted.

How could use of the Chapel not increase traffic (noise and congestion)?

Depending on how and when the proposed Chapel is ultimately used, since it is would be a new structure on campus, use of the Chapel could be expected to result in some increase in traffic along local roadways beyond that currently generated by SMCHS campus activities. However, the Chapel would be intended to primarily serve students, faculty and staff that are already present on the campus, and given the maximum capacity of the Chapel (200), traffic related to use of the proposed Chapel beyond normal school hours would be unlikely to result in significant adverse traffic (or noise) effects along local roadways.

More parking on campus means more traffic along Albina, and that is not good.

Comment that the availability of more on-campus parking under the requested Use Permit would result in increased traffic along Albina Avenue (and that this would not be good) is noted.

Morning drivers very aggressive, too fast and too numerous. Difficult to get across the street during drop-off and pick-up times (no crosswalks). Monitor doesn't do anything about traffic or speeding. Feels like a commercial district. How could there not be increased traffic/noise/congestion with the addition of a 200 seat Chapel (no restrictions on Chapel use seen in IS/MND)?

Comment that morning drivers using local roadways in the vicinity of SMCHS are very aggressive, drive too fast and are too numerous is noted. Observation that it is difficult to cross the street (in the absence of crosswalks) during student drop-off and pick-up times is noted. Comment that SMCHS traffic monitors do nothing about traffic or speeding is noted. Traffic enforcement along roadways in the vicinity of the SMCHS campus is the responsibility of the City of Berkeley and the City of Albany. Observation that the area in the vicinity of the SMCHS campus feels like a commercial district is noted. Depending on how and when the proposed Chapel is ultimately used, since it is would be a new structure on campus, use of the Chapel could be expected to result in some increase in traffic along local roadways beyond that currently generated by SMCHS campus activities. However, the Chapel would be intended to primarily serve students, faculty and staff that are already present on the campus, and given the maximum capacity of the Chapel (200), traffic related to use of the proposed Chapel beyond normal school hours would be unlikely to result in significant adverse traffic (or noise) effects along local roadways. Observation that the Use Permit Application proposed no restrictions on the use of the proposed Chapel (and that no such restrictions are identified in the IS/MND) is noted.

How could additional parking space not result in changes in traffic patterns (transfer from existing spaces)? Host larger events without overflowing into the neighborhood? Another parking lot implies additional car trips during the school day along Albina Avenue and Hopkins Street (already congested), plus evenings and weekends. Shifts traffic from Posen side to Albina Avenue side – impact not measured in IS/MND. I refuse to let some neighbors suffer for the benefit of others.

The IS/MND does not indicate that the creation of additional on-campus parking space would not result in changes in local traffic patterns. However, given the enrollment cap established by the City of Albany, the number of people using campus facilities after completion of the proposed projects identified in the Use Permit Application is expected to remain substantively unchanged from the number currently using on-campus facilities. While the addition of more on-campus parking space could mean the movement of some additional vehicles along Albina Avenue and Hopkins Street as they move to use those spaces (and possibly a reduced demand for on-street parking in the vicinity of the campus), with a limited number of new spaces proposed, such an increase in traffic would not be considered significant. With more on-campus parking available, there could be some reduction in the demand for off-campus parking during large events. The addition of new on-campus parking as proposed in the Use Permit Application would not be expected to shift existing traffic along Posen Avenue to Albina Avenue in any substantive way. Refusal to let some neighbors suffer for the benefit of others is noted.

No evidence that cars parked in the area are not associated with the school – monitors pushing parking from Monterey to Carlotta and Ordway. Too many students are driving to school. Are monitors permanent? What does SMCHS request of families, consequence for violating agreements? Use Head-Royce as a model.

Observation that there is no evidence that cars parked on-street in the vicinity of the SMCHS campus are not associated with SMCHS is noted. Unless formally restricted, public parking spaces along public streets are available for use by any motorist, whether those motorists are associated with SMCHS or not. Comment that there are too many students driving to school is noted. Although the permanence of SMCHS traffic monitors is not specifically indicated in the SMCHS Traffic and Parking Management Plan (IS/MND Appendix E), there is no indication that the presence of these monitors would not be permanent. The SMCHS Traffic and Parking Management Plan identifies the actions that SMCHS takes to ensure that the families of students are encouraged to make efforts to reduce the causes of neighborhood traffic and parking concerns. As the SMCHS Traffic and Parking Management Plan is not a law, there are no formal consequences for failure to comply with Plan provisions. Traffic and parking enforcement along local roadways is the responsibility of the City of Berkeley and the City of Albany, both of which deal formally with violation of existing traffic laws and parking regulations. Suggestion that the parental agreement used by Head-Royce School be used as a model for SMCHS is noted.

Odd to consider public parking spaces as part of SMCHS parking management program, especially after normal school hours. Don't neighbors have equal claim to those spots? Are neighborhoods expected to just absorb all of this extra noise, traffic and parking? Are people still discouraged from parking on certain streets in the evenings? Will there be monitors in evenings/nights too? What is the worst case scenario, and what recourse do the neighbors have?

Comment that it is odd to consider the use of public parking spaces as part of the SMCHS parking management program is noted. Since these parking spaces along Posen Avenue are public property, any motorists (including those living nearby) may use these spaces at any time. Any increase in traffic and parking demand that may be generated by campus development

proposed as part of the Use Permit Application is expected to be “absorbed” by those living along adjacent streets in Berkeley and Albany. As indicated in the SMCHS Traffic and Parking Management Plan (IS/MND Appendix E), employees and students are required to refrain from parking in front of residences on Posen Avenue and from parking on those streets and sections of streets that surround the school (Albina Avenue, Hopkins Court, Hopkins Street, Monterey Avenue, Beverly Place, Ventura Avenue, West Place, Ordway Street, and Peralta Avenue). This policy does not apply to those visiting the school who are not SMCHS employees or students. The Traffic and Parking Management Plan also indicates that SMCHS would post security personnel on Posen Avenue and Albina Avenue during school dances to monitor traffic and ensure safety and orderly behavior, but does not specify whether monitor would be posted during scheduled evening/night events other than school dances. The IS/MND does not speculate on the definition of a “worst case scenario” in terms of the maximum possible traffic and parking demand that may adversely affect those living off campus. However, in any “worst case scenario, the supply of on-street parking in the immediate vicinity of the SMCHS campus would remain unchanged, so competition for temporary use of those public parking spaces could be expected to intensify as more motorists coming to the campus arrive to compete for them. As long as visitors utilize public on-street parking spaces in accordance with local parking regulations, those living near the campus have no recourse for eliminating the increased local parking demand (if vehicles are parked illegally, however, anyone living in the area has recourse to alerting law enforcement to resolve those problems).

No measures to resolve traffic, speeding and parking along Albina have worked – conclusion of “no additional impact” falls short, since neighbors are presently impacted. Must include CUP mitigation that obligates SMCHS to perform calming measures for traffic, speeding and parking.

Observation that no measures to resolve traffic, speeding and parking along Albina Avenue have worked is noted. Although those living near the SMCHS campus indicate that they are adversely impacted by current operation of the campus facilities, the IS/MND does not anticipated a substantive increase in the use of the campus following development as proposed under the requested Use Permit. For this reason, although traffic and parking demand could increase following completion of the projects proposed, this increase is not expected to be significant. Comment that the Use Permit must include required calming measures to address traffic, speeding and parking is noted. Comment that an agreement between the PPNA and SMCHS following the April 24th College Fair event should be included as part of the IS/MND is noted.

Speeds too fast along Albina Avenue. Albany should require Berkeley to post 15 MPH speed limit (as a condition of CUP approval). School should measure speed each semester and post this to provide feedback.

Comment that vehicles travel too fast along Albina Avenue is noted. Suggestion that the City of Albany should require the City of Berkeley to post a 15 MPH speed limit along Albina Avenue as a condition of the requested Use Permit is noted. Suggestion that SMCHS should measure speeds along Albina Avenue each semester and publicly post the results to provide feedback to the City of Albany and local residents is noted.

Monitor at Albina Avenue and Hopkins Court is completely ineffectual in reducing speed – more of a greeter, CUP condition should be – post monitor closer to the Hopkins entrance on Albina, as well as the Hopkins Court entrance, stay until at least 8:05 (speeders late to school). Also during lunch and after school and events.

Comment that SMCHS monitoring at Albina Avenue and Hopkins Court is completely ineffectual at reducing vehicles speeds is noted. Suggestion that a condition of Use Permit approval should be the posting of a monitor closer to the Hopkins entrance on Albina Avenue as well as the Hopkins Court entrance, who would be required to stay in position until 8:05 AM (as well as during lunch, after school and at school-related events) is noted.

Monterey Market is not an effective alternative parking area between 5:00 and 7:00 PM.

Comment that the use of the Monterey Market parking area is not a viable alternative for school-related off-campus parking demand between 5:00 PM and 7:00 PM is noted.

IS/MND grossly underestimates current traffic impacts, with no additional mitigation measures.

Comment that the IS/MND grossly underestimates current traffic impacts, and does not identify additional mitigation measures is noted. The only traffic-related mitigation identified in the IS/MND is related to the management of on-site parking and the placement of staging areas during construction related to the projects identified in the Use Permit Application. As the IS/MND did not identify other potentially significant traffic or parking impacts associated with development proposed under the Use Permit Application, no additional mitigation measures were identified.

Enforce previous CUP conditions such as preventing the use of Hopkins Court.

Suggestion that previous CUP conditions which would prevent the use of Hopkins Court is noted. Some previous CUP conditions will be included in the new Use Permit.

Korve 2005 says 97% of Albina Avenue traffic is SMCHS related, but mitigations never implemented.

The Korve study of 2005 indicated that 97 percent of traffic moving along Albina Avenue appeared related to SMCHS, but that study did not identify any significant adverse traffic impact associated with movement of these vehicles along Albina Avenue, as the roadway was operating at an acceptable level of service under City of Berkeley assessment criteria. In the absence of a significant impact associated with the movement of vehicles along Albina Avenue, no formal mitigation requirement was ever established.

Possible blockage of driveway is disaster (for disabled) – Chapel is a direct threat to well-being.

Any blockage of a private driveway is a violation of parking regulations, and should be reported to the responsible parking enforcement agency (in this case, the City of Berkeley or the City of Albany) for resolution. Comment that development of the proposed Chapel at the SMCHS campus under the requested Use Permit would represent a direct threat to well-being (since the

possibility of increased demand for off-campus parking associated with the future operation of a Chapel could increase the likelihood of future vehicles blocking driveways) is noted.

Increased congestion makes it difficult to make a safe entry onto street – I’m a hostage. Events go up, risk of becoming a hostage goes up.

Observation that increased traffic congestion makes safe access from driveways more difficult is noted. Comment that an increase in the number of SMCHS-related events would increase the sense of being held “hostage” as a result of a perception of not being able to safely exit a driveway in the vicinity of the campus is noted.

April 1, 2008 was Junior Class Retreat Day – study is invalid. One day of data is not statistically significant. It is the events that are the traffic /parking problem, not school-day activities. Needs to examine simultaneous events.

Comment that the traffic observation conducted as part of the traffic analysis for the IS/MND was invalid is noted. Comment that one day of traffic observations in the vicinity of the campus is statistically invalid is noted. Comment that it is the events held after normal school hours that create traffic and parking problems of local concern is noted. Request that the effects of simultaneous events held on the SMCHS campus be examined is noted. As indicated in the SMCHS Traffic and Parking Management Plan (IS/MND Appendix E), the school will never schedule simultaneous non-athletic events that together would create a parking demand that exceeds the parking capacity on campus and on the south side of Posen Avenue.

When school traffic is added to the mix, result will always be worse, not better (97% of Albina Avenue traffic is school related).

Although the current level of service for vehicle movement along Albina Avenue (with current school-related traffic included) is acceptable under City of Berkeley assessment criteria, the IS/MND does not indicate that traffic along Albina Avenue would not become “worse” following development proposed in the Use Permit Application. It does, however, indicate that such traffic would be considered less than significant for CEQA purposes (Albina Avenue would be expected to continue to operate at acceptable levels of service following completion of the proposed SMCHS projects).

17 year old drivers feel safe at 25 MPH, they are safe = ridiculous conclusion. Hopkins Court speed limit has been changed to 15 MPH, should also happen on Albina Avenue.

Comment that 17-year-old drivers are not able to feel safe at a speed of 25 MPH, or may not be able to safely operate a vehicle at 25 MPH, is noted. Suggestion that a 15 MPH speed limit be imposed along Albina Avenue is noted.

Peak period traffic IS school related (Albina residents observe this).

As indicated in the IS/MND traffic analysis, the peak weekday traffic periods along Albina Avenue are directly related to the morning beginning and the afternoon ending of the normal school day.

SMCHS should consider eliminating the front entrance morning drop off (Albina) and replacing it with one on the northeast corner of Hopkins and Monterey. Will require coordination with City of Berkeley and AC Transit.

Suggestion that SMCHS consider eliminating the front entrance morning drop off (Albina Avenue) and replacing it with one on the northeast corner of Hopkins Street and Monterey Avenue (which, prior to implementation, would require coordination with the City of Berkeley and AC Transit) is noted.

2005 study outdated. Should be updated.

Comment that the information provided in the 2005 traffic study referred to in the IS/MND is out of date and should be updated noted.

Current traffic control plan not effective.

Comment that the current SMCHS Traffic and Parking Management Plan is not effective is noted.

Study (2008) conducted on partial school days – reduced impacts?

Comment that the date on which the 2008 traffic observations were conducted was a partial school day, which understated existing local traffic effects as a result, is noted.

Queues on Albina Avenue interfere with emergency access – examine frequency and length in IS/MND and project future effects.

Comment that existing queues along Albina Avenue interfere with emergency access is noted. Request that existing queue length and frequency along Albina Avenue be examined, and that the potential effects of future campus development proposed in the Use Permit Application on the length and timing of queues along Albina Avenue be projected is noted.

Mitigation vague – needs tightening. Limit truck traffic to off-peak hours. Require traffic control plan to be reviewed by Albany and Berkeley.

Comment that the mitigation measures identified in the IS/MND are vague and need tightening is noted. Suggestion that truck traffic associated with on-campus construction and operation be limited to off-peak hours is noted. Suggestion that the SMCHS Traffic and Parking Control Plan be reviewed by both the City of Berkeley and the City of Albany is noted.

No limits on Chapel use in Permit. Proposed Requirement: SMCHS shall be required to provide on-campus parking to these events and shall notify attendees that they must park on campus.

As presented, the Use Permit Application identifies no formal limits on the future use of the proposed Chapel. Suggestion that SMCHS be required to provide on-campus parking to Chapel-related events, and that SMCHS be required to notify all attendees that they must park on campus is noted.

Study overlap between chapel use and other school events for traffic/parking impacts.

Suggestion that any potential overlap in scheduling events and the Chapel simultaneously with events at other campus facilities for potential traffic and parking impacts is noted. As indicated in the SMCHS Traffic and Parking Management Plan (IS/MND Appendix E), the school will never schedule simultaneous non-athletic events that together would create a parking demand that exceeds the parking capacity on campus and on the south side of Posen Avenue.

Average of 10 non-athletic events per year unenforceable – what is the averaging period? Limit should be clearly specified. Is this an increase? What is the baseline for these events?

Comment that SMCHS scheduling of an average of 10 non-athletic events annually for the SMCHS (as specified in the SMCHS Traffic and Parking Management Plan, Appendix E of the IS/MND) is unenforceable is noted. The averaging period (total number of years to be considered in determining an annual average) is not specified in the Traffic and Parking Management Plan, and the Plan does not make it clear whether this would represent an increase from the total annual non-athletic events held on campus or not (a “baseline” value is not identified in the Plan). Suggestion that a limit on the total number of annual non-athletic events to be held on campus be clearly specified is noted.

Reword speeding discussion: If it is an impact, identify it and enforceable mitigation. Evaluate mitigation effectiveness in the IS/MND. Speed bump mitigation not enforceable.

Request that the IS/MND reword the discussion of speeding is noted. Speeding in the vicinity of the campus is not identified as a significant impact associated with the proposed development of facilities identified in the Use Permit Application, and no mitigation has been proposed to address speeding concerns. Although the placement of a speed bump is identified in the IS/MND as a recommendation that could be pursued if speeding is perceived to be a serious issue, it is not identified as a mitigation to reduce a significant environmental impact associated with the proposed development on campus. Comment that a recommendation presented in the IS/MND to pursue the placement of a speed bump is unenforceable is noted.

Limited emergency access – Albany fire trucks coming through Berkeley-side entrance needs to be addressed.

Comment that there is limited emergency access to the SMCHS campus is noted. Request that the need for City of Albany emergency vehicles to pass through the main entrance to the campus (via Berkeley streets) in the event of an on-campus emergency be evaluated in the IS/MND is noted. The movement of City of Albany emergency vehicles along Berkeley streets in compliance with existing traffic regulations is not limited by the City of Berkeley.

Describe construction access in detail (traffic, noise, safety and parking). How many trucks/worker trips expected during which hours? Construction duration for all structures? Overlapping construction periods? Overlap with school events traffic? Construction impacts on parking and emergency access? Impacts to congestion and safety along Albina Avenue?

Request that construction vehicle access to the campus during construction activity anticipated in associated with the development of facilities identified in the Use Permit Application is noted. Construction vehicles would use existing campus access points, and the movement of construction vehicles to and from the campus would be limited to those construction hours

established by the City of Albany. The exact number of trips associated with construction vehicles and workers would vary for each individual project, although the development of the proposed Music Building would be expected to generate the most daily trips, as this would be the largest construction project to be pursued. Because individual projects would only move forward as sufficient funds for each project have been obtained, it is unlikely that more than one of the projects is likely to be under construction at any given time. Because of the limited hours in which construction activity would be allowed by the City of Albany to take place, and because SMCHS has indicated an intention to pursue construction activity when school is not in session to reduce the potential for academic disruption, it is not likely that construction would overlap with major school-related events. Construction on campus would not be expected to interfere with existing emergency access to the campus, and effective implementation of the IS/MND mitigation intended to ensure that staging not interfere with currently-available on-campus parking would reduce potential impacts related to parking during construction activity to a level considered less than significant. While the movement of construction vehicles would result in a temporary increase in traffic along Albina Avenue, the intermittent passage of construction vehicles at low speeds during on-campus construction periods would not be expected to create significant traffic or safety issues.

Utilities/Service Systems

More floor space means more police, fire, use of energy, water, sewer.

Comment that an increase in available floor space at the SMCHS would automatically result in a related increase in the demand for police services, fire protection and response services, and increase in the use of energy, and increase in the use of water, and an increase in the use of the existing sewer system is noted. Because the current student enrollment cap established by the City of Albany would remain in place, the type and scale of activities at the campus would not be expected to change in a substantive way, so a significant increase in the demand for public services or utilities is not anticipated. It is also possible that new or renovated facilities (to the extent that they may replace the use of older facilities on campus), may be able to operate more efficiently than existing facilities, reducing demand for energy, water, and sewage disposal.

Growth Inducement

Project would increase size of school 30%. Would physically facilitate increased enrollment. Overall floor area would be well in excess of that required for 600 students. IS/MND should discuss potential for growth in enrollment and assess potential impacts of that growth.

Although the total floor area available for use on campus would increase with the completion of the projects identified in the Use Permit, with the current student enrollment cap established by the City of Albany to remain in place, the type and scale of activities at the campus would not be expected to change in a substantive way. Comment that an increase in the floor space available to support SMCHS operations would facilitate increased enrolment is noted. Comment that the total floor area to be provided following completion of the projects identified in the Use Permit Application would be well in excess of that required to support 600 students is noted.

Cumulative Impacts

No factual support for finding no cumulatively considerable impacts. This analysis should be based on the entire Master Plan.

The IS/MND evaluates the environmental effects associated with anticipated development under the Use Permit Application, which does not indicate that there is any intention on the part of SMCHS to increase student enrollment beyond the limits established by the City of Albany. SMCHS has clearly indicated in the Use Permit Application that it has no intention of increasing student enrollment beyond that currently allowed by the City. However, if it is determined that the existing enrollment limits are not strong enough to prevent a possible increase in student enrollment at some point in the future, the City may consider the means to accomplish that.

The IS/MND evaluates the environmental effects that would be associated with the construction projects identified in the Use Permit Application, with the understanding that each of these projects would move forward over the next twenty years only after sufficient funding for them has been obtained by SMCHS. At present, it is not possible for SMCHS to provide a detailed listing of each event that might be scheduled in the proposed Music Building and the proposed Chapel (including specific dates for each event, how long each event would last, the number of persons attending each event, etc.) for the next twenty years.

No substantive increase in use = no cumulative considerable impacts? IN ERROR – new uses (Chapel), construction impacts may overlap with those of other projects, and development would alter the visual character of the site. Could overlap with impacts of other future development projects in Albany and Berkeley – not examined.

Comment that the IS/MND was in error in failing to identify any cumulatively considerable impacts associated with development proposed under the Use Permit Application is noted. The IS/MND acknowledges that there would be a change in the visual character of the campus as a result of proposed development, but also indicates that since the development proposed is similar in character to the structures that are already present on the campus, and since the campus area is already largely developed, any change in the existing visual character of the campus would not be considered significant. As the area in the immediate vicinity of the campus is urbanized (generally developed in residential uses), and no proposed development projects in the City of Berkeley or the City of Albany have been identified, development at the campus would not be represent a cumulatively considerable change in the visual character of the area surrounding the campus.

Security

Illegal access to Codornices Creek (hideouts, vandalism and thefts)– fencing not sufficient to screen lights and glare from Chapel. Discourage students and guests from accessing Codornices Creek and Albina Avenue property viewed from the Chapel and campus.

Concern regarding illegal access to portions of the campus immediately adjacent to Codornices Creek is noted. In those instances where off-campus observers are aware of the illegal presence of persons on the SMCHS campus, they should report these observations directly to SMCHS or to the City of Albany Police Department for response and resolution. Comment that fencing would be insufficient to effectively screen light and glare from the proposed Chapel is noted.

Suggestion that SMCHS discourage students and campus visitors from accessing Codornices Creek and property located along Albina Avenue which may be viewed from the Chapel or other portions of the campus is noted.

Increase in Event Frequency, Size, Evening Hours

Any increase will result in significant concerns.

Comment that any increase in the frequency of campus events that may be scheduled following completion of the proposed projects identified in the Use Permit Application, any increase in the size of campus events that may be scheduled following completion of the proposed projects identified in the Use Permit Application events that may be scheduled, and any increase in the number of evening hours that may be scheduled in campus facilities following completion of the proposed projects identified in the Use Permit Application would cause significant concern is noted.

City of Berkeley Involvement

The City of Albany should reach out to Berkeley for its input and coordinate on traffic, noise, parking and environmental issues, rather than depend on neighbors to do so.

Suggestion that the City of Albany should reach out to the City of Berkeley for input and coordinate on traffic, noise, parking and environmental issues (rather than depend on campus neighbors to do this) is noted. As indicated in the IS/MND, the construction of the proposed rain garden would require a permit from the City of Berkeley, and in a comment on the IS/MND, a Berkeley City Councilmember has suggested a revisions to campus pick-up and drop-off procedures to be considered by SMCHS which, if pursued, would require coordination with the City of Berkeley and AC Transit.

Adequacy of IS/MND

Minimal detail addressed in a vague and conclusory fashion – not possible to judge what the projected use levels are in the future. It defies logic that 30% increase in floor space results in a finding of no significant impact. Fears of increased growth (summer and non-academic uses).

Comment that the IS/MND provides minimal detail on the proposed projects identified in the Use Permit Application, and addresses related environmental effects in a vague fashion is noted. Since no increase in the current number of students to be supported on campus beyond that currently permitted under the City of Albany's enrollment cap is requested by SMCHS as part of the User Permit Application, existing patterns of facility use at the campus is not expected to change in any substantive way following completion of the proposed projects. Comment that an increase in floor space available for use at the SMCHS campus under the requested use permit would result in significant environmental effects is noted. A number of potentially significant impacts associated with development under the requested Use Permit have been identified in the IS/MND, and in each instance mitigation has been identified which, if effectively implemented, could reduce these potential impacts to a level considered less than significant. Fear of the

potential for increased growth at the SMCHS campus (including summer and non-academic uses) is noted.

The IS/MND is highly deficient in its analysis – should not be certified, but should be revised and recirculated.

Comment that the IS/MND is highly deficient in its analysis of environmental effects associated with development of the projects identified in the Use Permit Application is noted. Comment that the IS/MND should not be approved, but should instead be revised and recirculated for public review, is noted.

Mitigation measures are not adequate – must be enforceable, and adopted now. Some are improperly deferred to a later date.

Comment that the mitigations identified in the IS/MND are not adequate is noted. Comment that the mitigation measures identified in the IS/MND must be enforceable is noted. Implementation of the mitigation measures identified in the IS/MND would only take place were the requested Use Permit to be approved by the City of Albany, and cannot be implemented until after the City has formally taken action on the Use Permit. Comment that some of the mitigation measures identified in the IS/MND defer action to a later date is noted. Since the mitigation measures identified in the IS/MND cannot be implemented until after the requested Use Permit has been approved by the City, and since detailed design plans for individual projects identified in the Use Permit Application will not be developed by SMCHS until the Use Permit has been approved, some of the mitigation measures cannot be effectively implemented until after design plans have been finalized (e.g., those related to the evaluation of compliance with seismic safety requirements, geotechnical review, the evaluation of detailed SWPPPs). Other mitigation would only be implemented during project construction, and cannot be effectively implemented prior to the start of construction activity on campus.

Do not certify IS/MND, but do additional analysis required.

Request that the City of Albany not approve the IS/MND is noted. Suggestion that additional analysis is required is noted.

Without clear and enforceable conditions, there is no way to hold the school accountable after the fact.

Comment that in the absence of clear and enforceable conditions, there is no effective way to hold SMCHS accountable after the fact for any adverse effects which may be associated with the development of the projects identified in the Use Permit Application is noted.

Concerned about the inadequacy of the IS/MND. It relies on information from SMCHS, without verification, and very old, unreliable data. Total reliance on assertions made by SMCHS in its plication, no objective verification of data or pronouncements, very old, unreliable data.

Concern regarding the adequacy of the IS/MND is noted. The preparation of the IS/MND relied on information provided by SMCHS submitted to the City of Albany as part of the Use Permit Application, and this provided the basis for the Project Description. A site visit, which enabled the consultant to see where the proposed development would take place and to ask questions of SMCHS staff regarding the information provided in the Use Permit Application, was helpful in the preparation of the IS/MND. Comment that the data provided by SMCHS as part of the User Permit Application materials is very old and unreliable is noted.

Send this document back to the drawing board, make note of the real impacts that are potentially negative for neighbors, and suggest mitigation with real teeth.

Request that the IS/MND be revisited to address the real impacts that are potentially negative for the neighbors, and to provide mitigation with real teeth is noted. It is acknowledged that there are long-standing “neighborhood concerns” regarding traffic, parking, security and noise, even in the absence of any changes from existing conditions at the SMCHS campus. However, the IS/MND evaluated the environmental effects associated with the development of the projects identified in the Use Permit Application using the significance criteria provided in the CEQA Guidelines (rather than “neighborhood concerns”), and determined that environmental effects associated with construction of these projects would be either less than significant, or could be reduced to a level of less than significant through implementation of identified mitigation measures.

Very disappointed that IS/MND was so lacking in depth of thought and analysis. No real consideration given to true impacts of construction projects. Neighborhood is already relegated to 10 years of suffering as gateway to giant construction project. Should honestly and fully discuss the very real possibility of negative impacts so we can best figure out how to deal with them.

Comment regarding the depth of thought and analysis presented in the IS/MND is noted. Comment that no real consideration of the true environmental impacts associated with construction at the campus in relation to the projects identified in the Use Permit Application is noted. Observation that the neighborhood will be relegated to 10 years of suffering as a gateway to a giant construction project if the requested Use Permit is approved is noted. Request that the IS/MND honestly and fully discuss the very real possibility of negative impacts to enable the community to deal with them is noted.

Compliance with regulations does not assure reduction of impacts to less than significant.

Where enforceable regulations are already in place to effectively address potentially significant environmental impacts associated with development (e.g., construction-related provisions of the City’s Noise Ordinance, requirements for project compliance with C.3 regulations to protect water quality, etc.), compliance with those regulations can be expected to limit potential environmental impacts to a level considered less than significant.

Deficiencies are substantial and IS/MND is inadequate to meet basic CEQA analysis and disclosure standards.

Comment that deficiencies in the IS/MND are substantial, rendering the document inadequate to meet basic CEQA analysis and disclosure standards, is noted.

Potentially significant impacts trigger preparation of an EIR. Revise IS/MND for recirculation/public review.

Comment that potentially significant impacts associated with development proposed in the Use Permit Application trigger the need for an EIR is noted. Request that the IS/MND be revised and recirculated for public review is noted.



CUSHING ASSOCIATES, INC.

August 22, 2012

Brother Edmond
Saint Mary's College High School
1294 Albina Ave.
Berkeley, CA 94706

SUBJECT: Albina Bridge
Structural Assessment
Project No. 3252-0211

Brother Edmond,

On August 20, 2012 we conducted a limited visual inspection of the Albina Bridge in Albany, California to provide a condition assessment.

General Observations: Although the age of the building was not determined, it is our understanding that the bridge was built in the 1930's or 40's.

The bridge is constructed of concrete and is approximately 40 feet long at the road surface and spans approximately 28 feet over a small creek. It is probable that the concrete is reinforced with steel reinforcement bars and/or possibly steel structural members. The bridge rests on concrete supports at each end of the center span. The bridge is approximately 23 feet wide with a 20 feet wide roadway. There are five concrete support beams on 5 foot centers. The beams are 28" deep x 12" wide. The slab is approximately 8" thick.

The bridge appears to be in good condition and shows nominal signs of age deterioration. Nominal cracking was observed. In addition, concrete spalling or rust stains were observed in two select locations on the side rails. Minimal efflorescence was observed on the concrete.

Conclusions: The bridge appears to be in very good condition and does not exhibit evidence of significant structural distress. Discussions with individuals at Saint Mary's indicate that the bridge has experienced use by vehicles such as fire trucks, concrete trucks and other large vehicles over its service life. It is our opinion that the bridge will continue to provide satisfactory service load support for many more years.

Limitations:

Please note that we have given a general opinion of the existing condition of the bridge based on limited information. This information included a brief site visit. No drawings or design calculations were available for review. Our opinion is based solely on experience and engineering judgment. No other warranty is expressed or implied.

Please do not hesitate to contact us if you have any questions.

Best Regards,

Courtney Allen, PE, CE
Senior Project Manager

Donald A. Cushing Jr., PE, SE
Principal

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