

December 15, 2008

John Sindzinski
Water Emergency Transportation Authority
Pier 9, Suite 111
San Francisco, CA 94111

Re: Comments on Berkeley/Albany Ferry Terminal Study EIS/EIR

Dear Mr. Sindzinski,

Thank you for the opportunity to comment on the Draft EIS/EIR for the Berkeley/Albany Ferry Terminal Study. On December 15, 2008, the Albany City Council reviewed this Draft document with input from the City's Waterfront Committee, Planning and Zoning Commission, and Traffic and Safety Commission. Overall, it was found that the document was fairly comprehensive.

The City of Albany wishes to express our support for ferry service in the Berkeley/Albany area. In particular, we wish to express support for Alternative B, located between the landside end of the Berkeley Fishing Pier and Hs Lordships Restaurant, in that this alternative appears to represent the environmentally preferred alternative. Alternative B, along with Alternative A, produces fewer environmental impacts that cannot be mitigated in comparison to Alternatives C and D. Alternative A would involve less dredging than Alternative B, but may disturb native oyster beds and have more disruption to existing waterfront land uses. Per the EIS/EIR, Alternatives C and D "produce multiple environmental issues that would be difficult or impossible to mitigate." Of particular note is dredging, traffic, and land use policy (Eastshore State Park) impacts or issues.

The following information from the Albany Waterfront Committee includes the reasons why the Gilman Street (Alternative C) and Buchanan Street (Alternative D) sites are not recommended:

- The sites have multiple unfavorable conditions, especially waterside, where the sites front on the Eastshore State Park aquatic parkland and areas of eelgrass and rafting birds.
- The sites provide the slowest in-vessel travel time and require substantially greater volumes of dredging material to allow ferries to enter the shallow terminal areas.
- Resource agencies indicate potential impacts to eelgrass beds at Alternatives C and D would be significant.

- Alternative C is further constrained by the addition of Gilman playing fields, the Eastshore State Park, and the planned route of the Bay Trail along the waterfront.
- The sites are not reasonable alternatives because the land for the ferry terminal and parking lots would need to be purchased from a private landowner by eminent domain if there is no willing seller.
- The sites would require the use of Eastshore State Park aquatic parklands for ferry construction and operation. In conformance with U.S. DOT Section 4(f) requirements, parkland use for a federally-funded transportation project must demonstrate that no feasible and prudent alternatives exist and also must be approved by the California Parks Department, which owns this parkland. The City of Albany believes that Alternatives A and B are feasible and prudent alternatives (although Alternative B is preferred), and thus Alternatives C and D should not be pursued.

Albany is currently engaged in a visioning process for the Waterfront area. Locating a ferry terminal at the base of Buchanan Street (Alternative D) could foreclose the community's ability to consider other land use opportunities at this location.

Attached for your consideration are the technical comments and concerns relating to the Draft EIS/EIR.

Sincerely,

Robert S. Lieber
Mayor

Attachment

CITY OF ALBANY COMMENTS ON DRAFT EIS/EIR BERKELEY/ALBANY FERRY TERMINAL STUDY – December 2008

Exhibit Maps

In the Executive Summary, either add additional maps or enlarge the range around the subject Site Alternatives to better show their relationship surrounding features. For example, Site maps for Alternative C and D, do not show the site's relationship with or distance from the major access roads (Gilman Street and Buchanan Avenue respectively), Eastshore State Park properties, or Interstate-80.

Traffic/Circulation/Parking

As part of the follow-up study on the selected site, the document should specifically address pedestrian, bicycle and transit routes from Albany locations. The pedestrian and bicycling routes should consider safety, including levels of lighting for evening ferry users.

The EIR should include a more comprehensive evaluation of the impacts on Buchanan Street and Gilman Street, in that it does not adequately address potential impacts on local residential and collector streets that could be subjected to traffic diversion off of the major roadways.

EIS states that Alternatives A and B “may produce parking impacts on existing businesses by converting and controlling existing parking areas that are currently used by patrons and of the nearby businesses and recreational opportunities.” To what level did the environmental document preparers contact or consult business owners? It is not clear in this report.

Land Use

Add more discussion regarding Department of Transportation Section 4F requirements, and how it applies to the Alternatives where the project would be constructed in State owned aquatic lands, which are part of Eastshore State Park.

Alternative C parking requires displacement and relocation of horse stables at Golden Gate Fields. How many stables would be removed? The EIS/EIR should discuss possible relocation sites for the stables.

Provide more detailed information regarding the reasons Alternatives C and D are inconsistent with the Eastshore State Park General Plan.

Other (technical errors)

- The claimed lengths of the dredging channels for Alternatives C and D (i.e., 14,300' and 14,600', respectively) do not appear to be supported by Figure 4-4 (p.389).
- The analysis of 6(f) requirements (i.e., 16 USC Sections 4601-4 et seq) was incomplete in that it did not show how and where Land and Water Conservation Fund Act (LWCFA) funds were used with the four alternatives.
- On p. 3-36, the summary of allowed uses in Albany's Waterfront District incorrectly; refers to a "Berkeley Marina."
- On p. 3-50, and the summary of land uses in Eastshore State Park, the statement "Albany and Berkley Meadow are conservation areas" is not clear. It probably should be changed to "the Albany Neck and Bulb and Berkeley Meadow are conservation areas."
- On p. 3-43, there is a summary of historic labor force data for the region, which includes the statement, "the City of Albany <has:> experienced a large growth of 97 percent in the civilian labor force between 1990 and 2000." A table on p. 3-44 is completed to show that Albany's labor force increased from 4,479 to 8,859 during the 10-year period 1990 to 2000. These figures do not appear to be correct.

