

1.0 INTRODUCTION

This environmental impact report (EIR) has been prepared to provide an assessment of the potentially significant environmental effects of the proposed Updated 2009 Redevelopment Plan (the Redevelopment Plan or proposed project). As required by the California Environmental Quality Act (CEQA), this draft EIR (1) assesses the potentially significant environmental effects of the proposed project, including cumulative impacts of the proposed project in conjunction with other development; (2) identifies feasible means of avoiding or substantially lessening significant adverse impacts; and (3) evaluates a range of reasonable alternatives to the proposed project, including the No Project Alternative. The Redevelopment Agency of the City of Hercules is the lead agency for the project evaluated in this draft EIR. The City has the principal responsibility for approving this project.

1.1 PURPOSE OF THIS EIR

The City of Hercules has commissioned this environmental impact analysis for the following purposes:

- to satisfy the requirements of CEQA;
- to inform the general public, the local community, and public agencies of the nature of the proposed project, its potentially significant environmental impacts, and feasible measures to mitigate those impacts; and
- to enable the City to consider the environmental consequences of the proposed project when deciding whether to approve the project.

1.2 OVERVIEW OF THE PROPOSED PROJECT

The proposed project consists of amending the Hercules Redevelopment Agency's currently adopted redevelopment plan to add the Sycamore Crossing and Hill Town sites, approximately 58 acres of land located within the City of Hercules west of Interstate 80 and adjacent to San Pablo Avenue. The project would also extend the time limit on the effectiveness of the redevelopment plan as it pertains to the Dynamite Project Area portion of the Redevelopment Plan Area for 10 years, and reinstate eminent domain powers on limited portions of the Dynamite Project Area for a period of 12 years. In addition, the project would amend the *City of Hercules General Plan (General Plan)* land use designations and zoning for Hill Town and Sycamore Crossing to allow a mix of residential and commercial uses. The project would also amend the City's Zoning Ordinance, Chapter 15, "PC-R Planned Commercial Residential Mixed Use District," to include "hotel" as a conditional use.

1.3 ENVIRONMENTAL REVIEW PROCESS

1.3.1 Type of EIR

This EIR is a program EIR that examines the environmental impacts of amending the existing Redevelopment Plan Area, revising zone designations, and amending the *General Plan*. Pursuant to Section 15168(a) of the *State CEQA Guidelines*, this EIR examines a “series of actions that can be characterized as one large project and are related ... [i]n connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program.” As described in Section 15168(b) of the *State CEQA Guidelines*, a program EIR allows “the Lead Agency to consider broad policy alternatives and program-wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts.”

The amendments to the Redevelopment Plan, adding the Sycamore Crossing and Hill Town sites to the redevelopment area, and the proposed general plan amendments and zoning code changes would facilitate the redevelopment of these two sites. Preliminary development plans for both sites have been submitted to the City, and this EIR evaluates the potential impacts that could result from implementation of those plans at a programmatic level of analysis. In addition, this EIR evaluates in greater detail the potential impacts of the Hill Town project, based on the Initial Planned Development plan for that site.

1.3.2 Public and Agency Review

On November 13, 2008, a Notice of Preparation (NOP) was published for the Updated 2009 Redevelopment Plan EIR. The 30-day comment period ended on December 12, 2008. A copy of the NOP is included in **Appendix 1.0**. Comments were received from the following individuals, agencies, and organizations:

- California Department of Transportation, District 4 (December 11, 2008)
- Coates Field Service, Inc./Chevron Pipe Line Co. (November 18, 2008)
- Contra Costa County Department of Conservation and Development (December 17, 2008)
- Contra Costa Health Services, Environmental Health Division (December 4, 2008)
- West Contra Costa County Transportation Advisory Committee (December 3, 2008)

All comments received on the NOP are available on file with the City of Hercules.

An EIR scoping meeting was held at Hercules City Hall on December 3, 2008. This meeting informed the public and interested agencies of the proposed project, soliciting comments, and identifying areas of concern.

The City of Hercules has filed a Notice of Completion (NOC) with the Governor's Office of Planning and Research State Clearinghouse indicating that this draft EIR has been completed and is available for review and comment by the public.

This draft EIR is available for review by the public and interested parties, agencies, and organizations for a review period of 45 days, as required by California law. In reviewing the draft EIR, reviewers should focus on the document's adequacy in identifying and analyzing significant effects on the environment and ways in which the significant effects of the project might be avoided or mitigated. To ensure inclusion in the final EIR and full consideration by the lead agency, comments on the draft EIR must be received during the 45-day public review period at the following address:

Liz Warmerdam
City of Hercules
111 Civic Drive
Hercules, California 94547
(510) 799-8231

Pursuant to state law (*Public Resources Code* Section 21091(d)(3)), the City will accept e-mail comments in addition to mailed comments. Following the close of the 45-day review period, responses to comments on the draft EIR will be prepared and published as a separate document. The draft EIR text and appendices, together with responses to comments and any text changes made to the original draft EIR, will constitute the final EIR.

The City of Hercules will review the final EIR for adequacy and consider it for certification pursuant to the requirements of Section 15090 of the *State CEQA Guidelines*. If the City certifies the final EIR, then it will consider the project separately for approval or denial. If the City chooses to approve the project, findings on the feasibility of reducing or avoiding significant environmental effects will be made and, if necessary, a Statement of Overriding Considerations will be prepared. If the City approves the project, a Notice of Determination (NOD) will also be prepared and will be filed with the State Clearinghouse. The NOD will include a description of the project, the date of approval, an indication of whether the findings were prepared and a Statement of Overriding Considerations was adopted, and the address where the final EIR and record of project approval are available for review.

Copies of this draft EIR and the proposed Updated 2009 Redevelopment Plan are available for review online at www.ci.hercules.ca.us/planning or at the following locations:

- Hercules City Hall, Community Development Department, 111 Civic Drive, Hercules, California 94547
- Hercules Public Library, 109 Civic Drive, Hercules, California 94547

1.3.3 Intended Uses of this EIR

This document serves two purposes. First, the City will use this EIR to evaluate the environmental implications of approving the Updated 2009 Redevelopment Plan. Second, this document may be used as a source of information by responsible agencies with permitting or approval authority over the project, or over subsequent specific development proposals that could occur as a result of the project.

1.4 ISSUES OF KNOWN CONTROVERSY OR CONCERN

Issues that were raised during the public scoping meeting and/or in written scoping comments include potential impacts related to

- traffic and circulation, including public transit;
- the presence of petroleum pipelines and other utilities in the project area;
- water supply and water supply infrastructure; and
- provision of wastewater treatment services.

These topics are addressed in this draft EIR.

1.5 SCOPE OF THIS EIR

The City of Hercules completed a preliminary review of the project, as described in Section 15060 of the *State CEQA Guidelines*, and determined that an EIR was required. Based on the preliminary review and the comments received at the scoping meeting and in response to the NOP, it was determined that the EIR would evaluate the following environmental topics in further detail:

Aesthetics

Air Quality

Biological Resources

Cultural Resources

Geology and Soils

Hazards and Hazardous Materials

Hydrology and Water Quality

Land Use and Planning

Noise

Population and Housing

Public Services

Transportation and Circulation

Utilities and Service Systems

1.6 REPORT ORGANIZATION

This draft EIR is organized into the following sections:

Executive Summary. This section summarizes the project and alternatives, describes potentially significant impacts and mitigation measures, and identifies the environmentally superior alternative (in accordance with CEQA).

Section 1.0, Introduction. This section provides an introduction and overview describing the purpose and scope of topics addressed in this EIR and the environmental review process.

Section 2.0, Project Description. This section describes the project, including its location, project background, objectives, and the public agency approvals that would be required to implement the project.

Section 3.0, Environmental Setting, Impacts, and Mitigation Measures. This section contains the analysis of each of the environmental topics addressed in this volume. Each topic is addressed in a separate subsection organized as follows: introduction, environmental setting, project impacts and mitigation measures, and cumulative impacts.

Section 4.0, Alternatives. This section provides an analysis of the alternatives to the proposed project. As required by the *State CEQA Guidelines*, a discussion of the reasons for selecting the alternatives analyzed in this section is provided, along with a comparative analysis of each alternative with the project and identification of the environmentally superior alternative.

Section 5.0, Other CEQA Considerations. This section provides a discussion of the project's potential for growth inducement from the project and provides a brief description of the environmental effects that were found not to be significant and, therefore, not evaluated in further detail.

Section 6.0, Report Preparers and List of Persons and Organizations Consulted. This section provides a list of the individuals involved in the preparation of this EIR and a list of the organizations and individuals who were contacted in the preparation of the EIR.

Section 7.0, References. This section identifies the references cited in this EIR.