

2.0 REVISIONS TO THE DRAFT EIR

Revisions have been made to the Draft Environmental Impact Report (EIR) as a result of comments received from agencies, organizations, and individuals on the document.

This chapter provides the location (either chapter or section number), title, and page number from the Draft EIR, and shows the complete sentence(s) where the change was made. Text added to the Draft EIR is shown in underline format, and deleted text is shown in ~~striketrough~~. Additionally, revisions are indicated by a revision bar in the margin of the page.

This chapter, in combination with the Draft EIR and the responses to comments section, constitutes the Final EIR. Due to the nature of the text changes that are presented below, the changes are cited individually rather than in a reproduction of the entire Draft EIR. This presentation of revisions to the Draft EIR is consistent with *California Environmental Quality Act (CEQA) Guidelines* Section 15162 detailing required Final EIR contents.

Changed pages include the following:

ES-28

ES-31

2.0-17 (Figure 2.0-3)

3.6-6

3.6-25

3.6-27

3.12-39

3.12-42

Environmental Topic and Impact	Level of Significance before Mitigation	Mitigation Measures	Level of Significance after Mitigation
3.6 Hazards and Hazardous Material (Continued)			
Impact Haz-1		Mitigation Measure HAZ-1 (continued)	
		<ul style="list-style-type: none"> • <u>The work plan shall describe the procedures for decommissioning and dismantling of the remaining industrial structures and the removal and management of hazardous materials identified during the pre-decommissioning and dismantling assessments. Soil and groundwater containing hazardous materials at the project area, if identified, shall be remediated on-site or removed and transported to appropriate off-site facilities for treatment and/or disposal. Soil and groundwater affected by hazardous materials, if identified, shall be remediated or removed to levels below the ESLs established by the RWQCB and/or other applicable cleanup criteria for subsequent development of the project area to residential units.</u> • <u>The remediation activities described in the work plan shall include one or more of the following options for the remediation of contaminated soil or groundwater:</u> <ul style="list-style-type: none"> - <u>Future development on the site could be designed such that residential buildings are not constructed in areas where contaminated soils or groundwater will remain on-site.</u> - <u>If contaminated soils are capped under pavement or buildings and pose a substantial risk to future residents, the work plan will require that land use restrictions be implemented.</u> • <u>The work plan will include an evaluation of vapor intrusion into indoor air. If needed, the work plan would include measures for VOC-contaminated areas that would be incorporated in the design of building foundations for the planned commercial and residential development.</u> 	

Environmental Topic and Impact	Level of Significance before Mitigation	Mitigation Measures	Level of Significance after Mitigation
3.6 Hazards and Hazardous Material (Continued)			
Impact Haz-2		Mitigation Measure HAZ-2	
<p>The proposed project could create a significant hazard to the public or the environment through the accidental upset or release of hazardous material from an existing petroleum pipeline located within the Hill Town property.</p>	Less than Significant	<p>Mitigation Measure HAZ-2ae: Consistent with pipeline operators’ standards, no buildings or other structures that could impede access shall be installed in any pipeline right-of-way.</p> <p>Mitigation Measure HAZ-2bf: The City shall permit pipeline operators, <u>including the Chevron Pipeline Company and East Bay Municipal Utility District</u>, with pipelines and pipeline rights-of-way adjacent to parcels subject to Tentative Map approval to review these maps.</p> <p>Mitigation Measure HAZ-2cg: Prior to the start of construction on any parcel that includes or is bordered by a pipeline or pipeline right-or-way or easement, the City shall consult with the Rodeo-Hercules Fire Protection District, <u>Chevron Pipeline Company, East Bay Municipal Utility District</u>, and the operator(s) of affected pipeline(s) regarding the adequacy of safety procedures for pipeline accidents.</p> <p>Mitigation Measure HAZ-2dh: The City shall consider a requirement that sponsors of residential development notify homeowners of the presence of adjacent or nearby pipelines.</p>	Less than Significant
Impact Haz-3		Mitigation Measure HAZ-3	
<p>The proposed project would not create a significant hazard to the public or the environment through the routine use, transport and disposal of household hazardous materials.</p>	Less than Significant	No mitigation measures required.	Less than Significant



SOURCE: Impact Sciences, Inc. - November 2008

FIGURE 2.0-3

Aerial Photograph of the Sycamore Crossing Site

D&S Property/Olympian Hills Condominiums

The D&S Property/Olympian Hills Condominiums property is located to the west of the site and was purchased from Hercules Properties, Inc., in 1980. It was originally part of the Hercules Powder Company. In studies of this parcel by WESCO, samples from two ponds on the property showed concentrations of DNB and DNT at 5,800 parts per million (ppm) and 12,400 ppm, respectively. These two ponds were part of the wastewater treatment system for the Hercules Powder Company plant. According to the DTSC, this property was successfully remediated as part of the Hercules Property, Inc., DTSC-approved remediation and has been developed into the Olympian Hill condominiums.

North Shore Business Park

The North Shore Business Park is located to the north of the Gelsar, Inc., property, approximately 1,000–2,000 feet north of the Site. The parcel was purchased from Hercules Property Ltd. by Bio-Rad Laboratories in 1983, and has since been developed into the North Shore Business Park. The property was found to be contaminated with heavy metals and explosives residue and was remediated prior to development with DTSC approval.

Chevron Environmental Management Company

Chevron operates three active pipelines to the south of the site. The pipelines are located in a right-of-way along the south sides of Willow Avenue and San Pablo Avenue and run generally west to east in the project vicinity. The pipelines transport refined products including gasoline, diesel and natural gas. In addition, Chevron's predecessors built the Old Valley Pipeline (OVP) to transport crude oil. The OVP is also located just south of San Pablo Avenue, on the side of the roadway opposite of the project site. Chevron indicates that there are documented release locations of petroleum hydrocarbons along the OVP near the project site.

Sensitive Receptors

No sensitive receptors are located within a 0.25 mile radius of the Added Area. Within a one-mile radius of the Added Area, there are 100- and 500-year flood zones and federal wetlands. There are no National Priority List sites, active landfill sites, or Indian Reservations within a 1-mile radius of the Added Area.

On-Site Assessments 1997–2007

Numerous site assessments were conducted on the Sycamore Crossing site; these assessments are listed in **Subsection 3.6.1**. This section summarizes the assessments. More detail about the individual assessments can be found in the assessment reports, which are available for review at the City's Planning Department.

MM HAZ-1c: The following measures shall be required at the time development applications are filed with the City.

- The project proponent shall retain qualified and licensed environmental professional(s) to prepare a work plan for the decommissioning and dismantling of the remaining industrial structures associated with the former tank farm. The work plan shall be submitted to the RWQCB and other appropriate regulatory agencies for review and approval prior to the decommissioning and dismantling work.
- The work plan shall summarize previous environmental site remediation work and propose additional environmental work for the property to evaluate the lateral and vertical extent of petroleum-hydrocarbon impacted soil and groundwater beneath the site. The proposed method shall include the development of an adequate grid-sampling pattern for the subject site and appropriate laboratory analyses of the soil and groundwater samples collected from the borings.
- The work plan shall describe the procedures for decommissioning and dismantling of the remaining industrial structures and the removal and management of hazardous materials identified during the pre-decommissioning and dismantling assessments. Soil and groundwater containing hazardous materials at the project area, if identified, shall be remediated on site or removed and transported to appropriate off-site facilities for treatment and/or disposal. Soil and groundwater affected by hazardous materials, if identified, shall be remediated or removed to levels below the ESLs established by the RWQCB and/or other applicable cleanup criteria for subsequent development of the project area to residential units.
- The remediation activities described in the work plan shall include one or more of the following options for the remediation of contaminated soil or groundwater:
 - Future development on the site could be designed such that residential buildings are not constructed in areas where contaminated soils or groundwater will remain on-site.
 - If contaminated soils are capped under pavement or buildings and pose a substantial risk to future residents, the work plan will require that land use restrictions be implemented.
- The work plan will include an evaluation of vapor intrusion into indoor air. If needed, the work plan would include measures for VOC-contaminated areas that would be incorporated in the design of building foundations for the planned commercial and residential development.

- If asbestos-containing materials (ACMs) are identified during the pre-decommissioning and dismantling assessment, an asbestos abatement plan, prepared by a certified asbestos consultant, shall be included in the facility decommissioning and dismantling work plan. The work plan shall also include a Sampling and Analysis Plan (SAP), a site Health and Safety Plan (HASP), a Storm Water Pollution Prevention Plan (SWPPP), an Air Monitoring Plan (AMP), a Transportation Plan (TP), and a Soil Management Plan (SMP) for post-decommissioning and dismantling construction activities. These plans are described below.
 - The SAP shall describe the methodology for collecting confirmation soil, water, wipe, and/or materials samples and the analyses for these samples. The analytical data shall be used to demonstrate that hazardous materials have been removed from the project area to levels allowing for unrestricted land use and safe handling. The SAP shall also include analytical methods for samples for waste characterization and waste management purposes.
 - The HASP shall specify that the project proponent's consultants and contractors performing work at the project site adhere to applicable federal, state, and local regulations and codes relating to health and safety, including sections of Cal/OSHA regulations contained in CCR Title 8 as they apply to the site activities.

Impact Haz-2: **The proposed project could create a significant hazard to the public or the environment through the accidental upset or release of hazardous material from an existing petroleum pipeline located within the Hill Town property and pipelines near the Sycamore Crossing site. (*Less than Significant*)**

An existing 6-inch petroleum pipeline owned and operated by Unocal traverses the eastern portion of the Hill Town site. This petroleum pipeline is located immediately adjacent to the 20-foot-wide easement for a water line owned by the East Bay Municipal Utilities District (EBMUD). There is a potential hazard to the future residents at the project area through accidental release of hazardous materials from the existing pipeline into the environment.

The Sycamore Crossing site is near several active and inactive pipelines that are owned by the Chevron Pipeline Company. There is evidence of petroleum hydrocarbons in the soil near the OVP that is located south of San Pablo Avenue, although past investigations of the Sycamore Crossing site indicate that no soil contamination is present on the site above remediation thresholds for residential use. Based on the results of these investigations, potential impacts related to the OVP and other pipelines near the Sycamore Crossing site would be less than significant.

Pipeline safety is regulated by the federal government for both inter-and intrastate pipelines under the Hazardous Liquid Pipeline Safety Act of 1979. The safety standards of this act are described in 49 CFR 195 and include design, construction, and operation of pipelines. California has a number of additional pipeline safety programs. State law prohibits building structures on pipeline rights-of-way.

The project is subject to the policies, programs, and mitigation measures incorporated into the City's *General Plan Update EIR*, including those that pertain to development near pipelines, ~~as described below.~~ The following mitigation measures have been modified to address the project-specific impact:

MM HAZ-~~2e~~2a: Consistent with pipeline operators' standards, no buildings or other structures that could impede access shall be installed in any pipeline right-of-way.

MM HAZ-~~2b~~f: The City shall permit pipeline operators, including the Chevron Pipeline Company and East Bay Municipal Utility District, with pipelines and pipeline rights-of-way adjacent to parcels subject to Tentative Map approval to review these maps.

MM HAZ-2cg: Prior to the start of construction on any parcel that includes or is bordered by a pipeline or pipeline right-of-way or easement, the City shall consult with the Rodeo-Hercules Fire Protection District, Chevron Pipeline Company, East Bay Municipal Utility District, and the operator(s) of affected pipeline(s) regarding the adequacy of safety procedures for pipeline accidents.

MM HAZ-2dh: The City shall consider a requirement that sponsors of residential development notify homeowners of the presence of adjacent or nearby pipelines.

The alignment of the existing petroleum pipeline and water line would be relocated to the eastern perimeter of the Hill Town site and outside of any proposed building footprint before the redevelopment of the area. No structures would be built within the pipeline rights-of-way. Implementation of these existing policies, regulatory requirements, and the mitigation measures listed above would reduce the

Mitigation Measure TRAF-1, which would reduce Redevelopment Plan-related project-level impacts to a less than significant level, would also reduce cumulative impacts at the intersections of San Pablo/Linus Pauling, Sycamore/Palm, Willow/Palm, Willow/BART Replacement Parking E. Driveway, and Sycamore/S. Front. However, the following mitigation measure would also be required to reduce cumulative traffic impacts to less than significant. **Mitigation Measure TRAF-54** would require that appropriate intersection improvements be implemented under cumulative conditions, in order to reduce intersection LOS to acceptable levels for the corresponding eight intersections listed above. With the incorporation of these mitigation measures, the proposed redevelopment plan would not create cumulative traffic impacts to LOS that would exceed City standards.

MM TRAF-54: Contributions to the following intersection improvements shall be required of the proposed Hill Town and Sycamore Crossing developments:

San Pablo/John Muir: Develop programs to encourage public transit use that will reduce vehicle trips by 15 percent for the intersection. Relocate I-80 off-ramp/SR-4 on-ramp further east to shift traffic away from San Pablo Ave. A 30 percent shift is assumed in the mitigation effectiveness analysis. – *Mitigation required under 2035 Conditions.*

San Pablo/Sycamore: Develop programs to encourage public transit use that will reduce 15 percent vehicle trips for the intersection. Relocate I-80 off-ramp/SR-4 on-ramp further east to shift traffic away from San Pablo Ave. A 30 percent shift traffic to and from Sycamore Ave. east of San Pablo is assumed in the mitigation effectiveness analysis. – *Mitigation required under 2035 Conditions.*

San Pablo/Linus Pauling: Install traffic signals. Add left-turn and right-turn lane into the site. Access driveway should provide two outbound lanes and one inbound lane (not required if mitigated under previous scenario). – *Mitigation required under project (Sub-scenarios A and B) and 2035 Conditions.*

Willow/BART Replacement Parking E. Driveway: Install traffic signal plus widen Willow Avenue and add turn lanes on Willow. Coordinate mitigation with BART Replacement Parking improvement plan. – *Mitigation required under project (Sub-scenario A) and 2035 conditions.*

Sycamore/S. Front: Install traffic signals. Add a westbound left-turn lane if a driveway for Sycamore Crossing is added to the intersection. – *Mitigation required under project (Sub-scenarios A and B) and 2035 conditions.*

and development, the City of Hercules has developed plans to relocate its eastbound I-80–SR-4 ramps from its current location farther east to a point near Palm Avenue. This move is expected create another gateway access to Hercules to share the traffic load on San Pablo and Sycamore Avenues. In addition, the City plans to widen Willow Avenue between Sycamore Avenue and SR-4 from two lanes to four lanes. When completed, these projects are expected to reduce the overall congestion in the area and improve travel time. Implementation of **Mitigation Measures TRAF-1** and **TRAF-45** would relieve the congested conditions contributing to effects on transit service and would reduce potential impacts to a less than significant level. In addition, providing bus priority signal operation is a widely used strategy that would also improve bus operation and should be considered as part of the City’s long-term improvement program.



SOURCE: Impact Sciences, Inc. - November 2008

FIGURE 2.0-3

Aerial Photograph of the Sycamore Crossing Site