

MITIGATED NEGATIVE DECLARATION

Berkeley Citywide Pools Master Plan

1. PROJECT SPONSOR

City of Berkeley
Parks Recreation and Waterfront Department
2180 Milvia Street, 3rd Floor
Berkeley, CA 94704

Contact: Tina Stott,
Consulting Project Manager
510/420-0803
tstott@ci.berkeley.ca.us

2. NAME OF PROJECT

Berkeley Citywide Pools Master Plan

3. PROJECT LOCATION

The project area is the City of Berkeley, in northern Alameda County. The Citywide Pools Master Plan calls for renovations and improvements at three existing swimming pools operated by the Parks, Recreation and Waterfront Department. The pools are all located on existing and former Middle School sites owned by the Berkeley Unified School District.

King Pool is located on the Martin Luther King Middle School Campus adjacent to Hopkins Street in north Berkeley. Willard Pool is located on the Willard Middle School campus in South Berkeley, on Telegraph Avenue, between Derby and Stuart Streets. West Campus Pool is located on the former Adult School Campus in West Berkeley, on University Avenue, between Bonar/Browning and Curtis Streets.

4. PROJECT DESCRIPTION

The Task Force Preferred Plan for King Pool includes removal of the existing instructional and dive pools, construction of a new 25-yard x 25-meter instructional/competition pool in the same location, and renovation of the existing locker rooms. The Design Variant calls for calls for a larger shallow water section of the competition pool with the addition of a waterslide.

At Willard Pool, the Task Force Preferred Plan calls for the renovation of the existing instructional pool, conversion of the existing dive pool into a 3'6" deep play pool with a waterslide, and renovation of the existing locker rooms. There is no Design Variant for Willard Pool.

The Task Force Preferred Plan for the West Campus Pool calls for the removal of the existing instruction and dive pools, locker rooms, and equipment rooms, and the construction of two new pools – one 2,790 sq. ft. (+/- 20%) 92-degree indoor warm water pool and one 3,510 sq. ft. (+/- 20%) 82 to 86-degree indoor play/instruction/lap pool. The structure covering the pools is expected to be a pre-engineered indoor pool/waterpark structure made with aluminum structural elements, with solar panels and skylights on the roof. The Design Variant for the West Campus Pool calls for removal of the existing instruction and dive pools, locker rooms, and equipment rooms, construction of a new 2,250 sq. ft. indoor 92-degree warm water pool and, construction of a new 4,050 sq. ft. outdoor recreational pool with a waterslide.

5. ENVIRONMENTAL REVIEW

The City of Berkeley, Parks Recreation and Waterfront Department published an Initial Study pursuant to the California Environmental Quality Act (hereinafter referred to as CEQA) on the proposed Citywide Pools Master Plan on September 1, 2009. A Notice of Availability was posted at City Hall, and at each of the affected pool sites. Responsible Agencies were mailed copies of the Initial Study and Notice of Availability.

Written comments on the Initial Study were due on October 2, 2009. The Berkeley Parks Recreation and Waterfront Department held three public hearings on the Citywide Pools Master Plan Initial Study: on September 9, 2009 as part of the Disability Commission meeting; on September 28, 2009 as part of the Park and Recreation Commission meeting; and at a Community Meeting on September 30, 2009. Written responses to the comments were included in the Parks, Recreation and Waterfront Department staff report to the City Council dated November 17, 2009.

6. FINDING

In accordance with the City of Berkeley policies regarding implementation of CEQA and the CEQA Guidelines, the City has conducted an Initial Study to determine whether implementation of the Citywide Pools Master Plan may have a significant effect on the environment. On the basis of that study, the City hereby finds:

That although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described below have been added to the project. These mitigation measures will reduce the potentially significant effects identified in the Initial Study to a less-than-significant level.

7. MITIGATION MEASURES

The following mitigation measures are identified in the Initial Study circulated on September 1, 2009 and in the Responses to Comments dated October 7, 2009 and are hereby adopted by the Project Sponsor, the City of Berkeley, Parks Recreation and Waterfront Department.

Mitigation Measure AESTH-1: The pool lighting systems shall be designed by a qualified lighting engineer. Aimed, sharp cutoff fixtures shall be specified to minimize light spill and glare to the adjacent properties.

Mitigation Measure AIR-1: To reduce temporary emissions of PM₁₀ during construction, the contractor shall implement the following measures:

- Water all active construction areas at least twice a day.
- Cover all trucks hauling dry soil, sand, or other loose materials, or require at least two feet of freeboard.
- Pave, apply water three times a day, or apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and staging areas.
- Sweep daily, preferably with water sweepers, all paved access roads, parking areas, and staging areas at the construction site.
- Sweep any public streets where soil is visibly deposited once a day, preferably with water sweepers.
- Limit the area subject to excavation, grading or other construction activity at any one time.
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
- Limit traffic speeds on unpaved areas to 15 mph.
- Include a training module in the worker safety program to explain dust-exposure risks and hygiene procedures to minimize ingestion of soil particles by on-site workers.

Mitigation Measure CULT-1: If an archaeological resource is exposed during demolition or construction activities for the proposed project, the construction contractor shall be required to notify the City of Berkeley immediately and all excavation work within ten feet of the find shall cease immediately. A qualified archaeologist shall be consulted to determine the necessity for monitoring the remaining excavation and to evaluate the cultural resource exposed during construction. Cultural resources include, but are not limited to, railroad ties, foundations, privies, shell and bone artifacts, ash and charcoal. Identified cultural resources shall be recorded on DPR 523 (historic properties) forms.

Mitigation Measure CULT-2: In the event that human skeletal remains are encountered during demolition or construction activities for the proposed project, the construction contractor shall be required to notify the County Coroner and the City of Berkeley. If the County Coroner determines that the remains are Native American, the Coroner shall contact the California

Native Heritage Commission, pursuant to Subdivision (c) of Section 7050.5 of the Health and Safety Code. In addition, all excavation work within ten feet of the find shall cease immediately.

Mitigation Measure GEO-1: The design plans for the renovation of the existing buildings at the King and Willard pools and for the new pool enclosures at the West Campus shall be reviewed by a qualified structural engineer, in consultation with an engineering geologist, who shall provide recommendations for reducing life safety hazards for pool users during a major earthquake. The review shall extend to the foundation and support systems for proposed water slides, new lighting systems, and other above ground structures. The review shall also extend to the potential impact of a pool rupture causing flooding into adjoining properties. The engineering recommendations shall be incorporated into the final design plans.

Mitigation Measure GEO-2: All water treatment chemical storage tanks, and related pumping and piping systems shall be secured to resist seismic movement and any incompatible chemicals (e.g. acids and sodium hypochlorite) shall be stored in physically segregated locations so that they could not mix if spilled.

Mitigation Measure GEO-3: The design plans for all three pool complexes shall be reviewed by a registered engineering geologist, whose recommendations for the installation of base materials and/or soil treatments designed to minimize the potential damage from expansive soils shall be incorporated into the designs and implemented by the construction contractor.

Mitigation Measure HAZ-1: The chemical storage and treatment facilities at each site shall be redesigned and reconstructed to meet current applicable standards found in the California Building Code and the Uniform Fire Code. This shall specifically include seismic safety strapping of the chemical storage tanks, separate storage of potentially reactive acids and bases, proper ventilation of the chemical and mechanical rooms.

Mitigation Measure HAZ-2: Revised safety policies and procedures for the handling, storage and application of the water treatment chemicals shall be prepared for each pool site and the pool management and authorized on-site staff shall be trained in the application of the revised policies and procedures prior to the re-opening of each pool.

Mitigation Measure HYDRO-1: A Notice of Intent covering the overall project (three sites totaling 1.58 acres) shall be filed and a Storm Water Pollution Prevention Plan (SWPPP) shall be prepared, as required by the State Water Resources Control Board for projects involving more than one acre of land disturbance. The SWPPP shall incorporate appropriate Best Management Practices (BMPs) to control soil and surface water runoff during demolition, excavation, filling,

and trenching. To the extent feasible, ground-disturbing activities shall be conducted during the dry season (April 15 to October 31). Stockpiled soil shall be covered and protected with temporary erosion control measures. The SWPPP shall include temporary erosion control measures in the event that rainy weather occurs during construction.

Mitigation Measure NOISE-1: Construction activity shall be limited to the hours between 7:00 AM and 5:00 PM, Monday through Friday, and between 9:00 AM and 5:00 PM on Saturday. No construction related activity shall occur on Sunday.

Mitigation Measure NOISE-2: The Parks, Recreation and Waterfront Department shall require that the construction contractor submit a Construction Noise Reduction Plan for review and approval by the Department's Director prior to commencement of construction. The Noise Reduction Plan shall include, but not be limited to, the following measures:

- Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g. improved mufflers, intake silencers, engine enclosures, acoustically attenuating shields or shrouds, wherever feasible).
- Stationary noise sources, such as air compressors, shall be located as far from sensitive sources as possible, and shall be muffled and enclosed within temporary sheds, or insulation barriers.
- Signs shall be posted at the respective construction sites that include the permitted construction days and hours, a day and evening phone contact number for the job site, a day and evening contact number for the on-site complaint and enforcement manager and the City's Noise Enforcement Officer, in the event of problems.
- The on-site complaint and enforcement manager shall be available to respond to and track complaints. The manager will be responsible for responding to complaints regarding construction noise and for coordinating with the adjacent land uses. The manager shall notify the City's Noise Enforcement Officer of all complaints within 24-hours, and
- Prior to start of construction, a pre-construction meeting shall be held with the Noise Enforcement Officer and the general contractor/on-site project manager at each respective site to confirm that noise mitigation practices are understood and that the required notification signs are in place.

Mitigation Measure NOISE-3: The project shall comply with Chapter 13.40 of the City’s Noise Ordinance with regard to interior and exterior noise generated from the pools.

Mitigation Measure NOISE-4: A noise consultant shall be consulted during the planning and design of each pool in order to determine a pool area design that minimizes the transmission of noise to adjacent homes. Depending on the pool, the noise consultant may consider pool and viewing stand location, hours of operation, limiting levels of amplification and acoustic buffers as possible measures to reduce ambient noise levels. Recommendations shall be incorporated into the pool design and implemented by the construction contractor.

Mitigation Measure NOISE-5: A traffic-monitoring program shall be prepared to outline plans for directing traffic and pedestrians to and from King Pool during special events in a manner that has the least noise impact on neighboring homes.

8. PLANNING RECOMMENDATIONS

In addition to the CEQA mitigation measures identified above, the following planning recommendations are identified in the Responses to Comments dated October 30, 2009.

Planning Recommendation AESTH-1: During the planning and design of King Pool, design solutions to protect the privacy of the neighbors shall be developed. These may include landscaped barriers and vegetative buffers that would screen the neighboring homes from the pool.

Planning Recommendation TRAF-1: During the design of the West Campus pools, the project architect, the Parks Recreation and Waterfront Department (PRW) and Public Works Department shall identify locations for five to ten handicapped parking spaces in proximity to the pool entrance. Possible locations could include the area where the current entrance plaza/locker room building is now located and/or curbside spaces on Curtis Street and Browning Street near the pools.

Planning Recommendation TRAF-2: To reduce the demand on the limited number of unrestricted parking spaces in the vicinity of the Willard Pool, the PRW Department shall coordinate with the School District to develop a parking agreement for the Willard Pool that

would allow pool staff to use three to five of Willard School's on-site parking spaces in the period when the school is not in session but the pool is open.

Planning Recommendation TRAF-3: The PRW Department shall work with the School District to investigate the feasibility of developing a special event parking plan for events at the King Pool. Potentially some of the swim meet competitor's vehicles could be accommodated on the King School Campus, and the event sponsor could be held responsible for providing maps, directional signs, or space assignments in advance of meets. This would reduce the demand for event-day parking on neighborhood streets.