FINAL ENVIRONMENTAL IMPACT REPORT

West Berkeley Bowl
State Clearinghouse #: 2005072017

Prepared for:
City of Berkeley
2118 Milvia Street, 3rd Floor
Berkeley, CA 94704

Prepared By:

CHRISTOPHER A. JOSEPH & ASSOCIATES
Environmental Planning and Research

May 2006
This page left blank intentionally.
# TABLE OF CONTENTS

I. **INTRODUCTION** .......................................................................................................................... I-1

II. **LIST OF COMMENTERS** ......................................................................................................... II-1

III. **RESPONSES TO COMMENTS** .................................................................................................. III-1

   A. INTRODUCTION
   
   B. RESPONSES TO COMMENTS ON THE DRAFT EIR ............................................................... III-1
   
   C. RESPONSES TO COMMENTS ON THE RECIRCULATED DRAFT EIR ......................... III-130

IV. **REVISIONS TO THE DRAFT EIR AND THE RECIRCULATED DRAFT EIR** ............... IV-1

V. **MITIGATION MONITORING PROGRAM** ............................................................................. V-1

**APPENDICES**

Appendix 1.0: Transcripts and Comment Letters

Appendix 2.0: Attachments Included with Transcripts and Comment Letters


This page left blank intentionally.
I. INTRODUCTION

In October 2005, the City of Berkeley (the City) published and circulated the Draft Environmental Impact Report (Draft EIR) for the West Berkeley Bowl project for public review. The Draft EIR was made available for public review for a 45-day period starting on October 7, 2005 and ending on November 21, 2005. During this time, three public meetings were held to receive comments on the Draft EIR, including Planning Commission meetings on October 26, 2005 and November 9, 2005, and a Zoning Adjustments Board (ZAB) meeting on November 10, 2005. In addition to the oral comments provided at these meetings, the City received 48 letters from government agencies and members of the public.

Several comments suggested that the traffic analysis in the Draft EIR should include an analysis of potential level-of-service impacts associated with the proposed project during the Saturday peak hour. Subsequent analysis was conducted in response to comments received on the Draft EIR regarding Saturday peak-hour traffic and the proposed project. This additional analysis revealed that Saturday peak-hour traffic volumes in the vicinity of the project site are higher than anticipated and higher than weekday PM peak-hour traffic volumes and that additional significant impacts, which were not identified in the Draft EIR, would occur. Thus, additional traffic analysis (i.e., Saturday peak-hour traffic analysis) was added to the Draft EIR.

Additionally, in accordance with §15126.6 CEQA Guidelines, the City considered the project objectives, reviewed the significant impacts identified in the Saturday peak-hour traffic analysis, and determined that a new alternative to the proposed project (in addition to those assessed in the Draft EIR) would substantially reduce or avoid (before mitigation) any of the new significant impacts. Thus, Alternative D: Reduced Project #2 was added to the Draft EIR, and substantial revisions to the alternatives analysis of the previously-circulated Draft EIR were made.

Because the additional analysis that was added to the Draft EIR identified new significant impacts associated with the proposed project, and a new project alternative was identified resulting in substantial changes to the alternatives analysis of the previously-circulated Draft EIR, recirculation was required. Thus, the Recirculated Traffic Impact Analysis (Saturday Peak Hour) and Revised Alternatives Analysis of the Draft EIR was made available for a review period starting on January 31, 2006 and ending on April 24, 2006. During this time, a public meeting was held to receive comments on the Recirculated Traffic Impact Analysis (Saturday Peak Hour) and Revised Alternatives Analysis of the Draft EIR during the Planning Commission meetings on March 8, 2006 and April 5, 2006. In addition to the oral comments provided at these meetings, the City received 29 letters from government agencies and members of the public.

This document contains all comments received during both of the public review periods described above. A list of all public agencies and persons/organizations who submitted comments on the Draft EIR and the Recirculated Draft EIR is presented in Section II. Responses to all comments are provided in Section III. Text changes to the Draft EIR and the Recirculated Draft EIR that are made in response to comments and
staff-initiated changes to the Draft EIR and the Recirculated Draft EIR are presented in Section IV. The Mitigation Monitoring Program (MMP) is included in Section V. Copies of all comments are provided in Appendix 1.0. These letters are bracketed and numbered to correspond to the numbering of comments and associated responses in Section III. This responses-to-comments document and the Draft EIR compose the Final EIR.1

1 It is important to note that the original Draft EIR (which was circulated for public review from October 7, 2005 to November 21, 2005) along with the Recirculated Traffic Impact Analysis (Saturday Peak Hour) and Revised Alternatives Analysis of the Draft EIR technically compose the “Draft EIR.” However, separate comments were submitted for the original Draft EIR and the Recirculated Traffic Impact Analysis (Saturday Peak Hour) and Revised Alternatives Analysis of the Draft EIR, and separate responses to these comments have been prepared. To prevent confusion, in this responses-to-comments document, the original Draft EIR is referred to as the “Draft EIR,” and the Recirculated Traffic Impact Analysis (Saturday Peak Hour) and Revised Alternatives Analysis of the Draft EIR is referred to as the “Recirculated Draft EIR.”
### II. LIST OF COMMENTERS

#### A. COMMENTS ON THE DRAFT EIR (OCTOBER 7 – NOVEMBER 21, 2005)

**WRITTEN COMMENTS**

Written comments were received from the following agencies and individuals:

**Public Agencies**

<table>
<thead>
<tr>
<th>Correspondence Alpha</th>
<th>Date of Correspondence</th>
<th>Commenter</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>November 17, 2005</td>
<td>Transportation Commission (Fran Haselsteiner)</td>
</tr>
<tr>
<td>B</td>
<td>November 17, 2005</td>
<td>East Bay Municipal Utility District (William Kirkpatrick)</td>
</tr>
<tr>
<td>C</td>
<td>November 21, 2005</td>
<td>Alameda County Congestion Management Agency (Saravana Suthanthira)</td>
</tr>
<tr>
<td>D</td>
<td>November 28, 2005</td>
<td>Department of Transportation (Timothy Sable)</td>
</tr>
<tr>
<td>E</td>
<td>December 2, 2005</td>
<td>Department of Toxic Substances Control (Karen M. Toth)</td>
</tr>
<tr>
<td>F</td>
<td>November 29, 2005</td>
<td>State Clearinghouse (Terry Roberts)</td>
</tr>
<tr>
<td>G</td>
<td>December 08, 2005</td>
<td>State Clearinghouse (Terry Roberts)</td>
</tr>
</tbody>
</table>

**Private Agencies, Companies, and Individuals**

<table>
<thead>
<tr>
<th>Correspondence Alpha</th>
<th>Date of Correspondence</th>
<th>Commenter</th>
</tr>
</thead>
<tbody>
<tr>
<td>H</td>
<td>October 17, 2005</td>
<td>Jenny Balisle</td>
</tr>
<tr>
<td>I</td>
<td>October 24, 2005</td>
<td>Edward J. Levitch</td>
</tr>
<tr>
<td>J</td>
<td>November 1, 2005</td>
<td>Magali Salomon</td>
</tr>
<tr>
<td>K</td>
<td>November 2, 2005</td>
<td>Sandy Simon</td>
</tr>
</tbody>
</table>
| L                    | November 3, 2005       | San Pablo Park Neighbors, letter signed by:  
  Rene DeJon  
  Lynn Reynolds  
  Winni Williams  
  Aledo Briggs  
  Dan Beebe  
  Name Illegible  
  Jack Coates  
  Laurel Coates  
  Rachel Raney  
  Nikki Ellman  
  Rick Spickelmer  
  Steve Skiff |
<table>
<thead>
<tr>
<th>Correspondence Alpha</th>
<th>Date of Correspondence</th>
<th>Commenter</th>
</tr>
</thead>
<tbody>
<tr>
<td>M</td>
<td>November 4, 2005</td>
<td>Jessica Fiedler</td>
</tr>
<tr>
<td>N</td>
<td>November 5, 2005</td>
<td>John Curl</td>
</tr>
<tr>
<td>O</td>
<td>November 7, 2005</td>
<td>Lisa Howard</td>
</tr>
<tr>
<td>P</td>
<td>November 8, 2005</td>
<td>Natalie Studer</td>
</tr>
<tr>
<td>Q</td>
<td>November 9, 2005</td>
<td>Bowie &amp; Bruegmann, LLP (David J. Bowie )</td>
</tr>
<tr>
<td>R</td>
<td>November 10, 2005</td>
<td>Sister Thea Bowman Manor, letter signed by:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Esther Eloby</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Jeroline Helton</td>
</tr>
<tr>
<td>Correspondence Alpha</td>
<td>Date of Correspondence</td>
<td>Commenter</td>
</tr>
<tr>
<td>----------------------</td>
<td>------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>S</td>
<td>November 15, 2005</td>
<td>Christine Staples</td>
</tr>
<tr>
<td>T</td>
<td>November 15, 2005</td>
<td>West Berkeley Neighborhood Development Corporation (Betsy Morris)</td>
</tr>
<tr>
<td>U</td>
<td>November 16, 2005</td>
<td>Tamara Gardner</td>
</tr>
<tr>
<td>V</td>
<td>November 17, 2005</td>
<td>Sharon and Christophe Le Duy</td>
</tr>
<tr>
<td>W</td>
<td>November 17, 2005</td>
<td>Sandy Simon</td>
</tr>
<tr>
<td>X</td>
<td>November 17, 2005</td>
<td>West Berkeley Neighborhood Development Corporation( Betsy Morris)</td>
</tr>
<tr>
<td>Correspondence Alpha</td>
<td>Date of Correspondence</td>
<td>Commenter</td>
</tr>
<tr>
<td>----------------------</td>
<td>------------------------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Y</td>
<td>November 17, 2005</td>
<td>Julie Gilmore</td>
</tr>
<tr>
<td>Z</td>
<td>November 18, 2005</td>
<td>Steven Donaldson</td>
</tr>
<tr>
<td>AA</td>
<td>November 18, 2005</td>
<td>Parents of Ecole Bilingue de Berkeley, letter signed by:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Daryl Wood</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rosemary (sp?)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Paula Mandel</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rosemary (sp?)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Paula Mandel</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Anne D. Brandy (sp?)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>John Fricke</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Jeffey Stephen</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Tassen Dany (sp?)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Veronica B. Thomas</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lindsey Aiswell (sp?)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Alexandra Von Berry (sp?)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Name Illegible</td>
</tr>
<tr>
<td>Correspondence Alpha</td>
<td>Date of Correspondence</td>
<td>Commenter</td>
</tr>
<tr>
<td>----------------------</td>
<td>------------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>BB</td>
<td>November 18, 2005</td>
<td>Eron Ersch and Burr Tyler</td>
</tr>
<tr>
<td>CC</td>
<td>November 18, 2005</td>
<td>Sean O’Hara</td>
</tr>
<tr>
<td>DD</td>
<td>November 18, 2005</td>
<td>Sabrina Maras</td>
</tr>
<tr>
<td>Correspondence Alpha</td>
<td>Date of Correspondence</td>
<td>Commenter</td>
</tr>
<tr>
<td>----------------------</td>
<td>------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>EE</td>
<td>November 19, 2005</td>
<td>Neil S. Mayer</td>
</tr>
<tr>
<td>FF</td>
<td>November 19, 2005</td>
<td>Uma Thomas</td>
</tr>
<tr>
<td>GG</td>
<td>November 20, 2005</td>
<td>Steve Wollmer</td>
</tr>
<tr>
<td>HH</td>
<td>November 21, 2005</td>
<td>Kimberly Near</td>
</tr>
<tr>
<td>II</td>
<td>November 21, 2005</td>
<td>Mary Lou Van Deventer</td>
</tr>
<tr>
<td>JJ</td>
<td>November 21, 2005</td>
<td>Panda Hershey</td>
</tr>
<tr>
<td>KK</td>
<td>November 21, 2005</td>
<td>Zelda Bronstein</td>
</tr>
<tr>
<td>LL</td>
<td>November 21, 2005</td>
<td>Claudia Kawczynska</td>
</tr>
<tr>
<td>MM</td>
<td>November 21, 2005</td>
<td>Jane Metcalf</td>
</tr>
<tr>
<td>Correspondence Alpha</td>
<td>Date of Correspondence</td>
<td>Commenter</td>
</tr>
<tr>
<td>----------------------</td>
<td>------------------------</td>
<td>------------------------------------</td>
</tr>
<tr>
<td>OO</td>
<td>November 21, 2005</td>
<td>Eugenie P. Thomson</td>
</tr>
<tr>
<td>PP</td>
<td>November 21, 2005</td>
<td>Cameron Woo</td>
</tr>
<tr>
<td>QQ</td>
<td>November 21, 2005</td>
<td>Sally Drach</td>
</tr>
<tr>
<td>RR</td>
<td>November 21, 2005</td>
<td>Gale Garcia</td>
</tr>
<tr>
<td>SS</td>
<td>November 22, 2005</td>
<td>Elaine Lee</td>
</tr>
<tr>
<td>TT</td>
<td>November 23, 2005</td>
<td>Joshua Room</td>
</tr>
<tr>
<td>UU</td>
<td>December 12, 2005</td>
<td>Adam Fuchs</td>
</tr>
<tr>
<td>VV</td>
<td>December 19, 2005</td>
<td>Adam Fuchs</td>
</tr>
</tbody>
</table>

**ORAL COMMENTS**

Oral comments were received from the following people:

**Transcript A - Planning Commission (October 26, 2005)**

Christine Staples  
John Curl  
Sandy Simon  
Claudia Kawczynska  
Cameron Woo  
Steve Wollmer  
Mary Lou Van Deventer  
Rich Auerbach
Transcript B - Planning commission (November 9, 2005)

Sandy Simon
Sally Drach
Eron Ersch
Janice Kim
Christine Staples
Natalie Studer
Weegie McAdams
David Bowie
Mary Lou Van Deventer
Zelda Bronstein

Transcript C - Zoning Adjustments Board (November 10, 2005)

Shirley Dean
David Blake
Andy Katz
Chris Tiedemann
Carrie Sprague
Rick Judd
Dean Metzger
Tim Stoker
Zelda Bronstein
Janice Kim
Sandy Simon
Mary Lou Van Deventer
Howard Shelanski
B. RESPONSES TO COMMENTS ON THE RECIRCULATED DRAFT EIR
(JANUARY 31 – APRIL 24, 2006)

WRITTEN COMMENTS

Public Agencies

<table>
<thead>
<tr>
<th>Correspondence Alpha</th>
<th>Date of Correspondence</th>
<th>Commenter</th>
</tr>
</thead>
<tbody>
<tr>
<td>WW</td>
<td>March 2, 2006</td>
<td>Department of Toxic Substances Control (Karen M. Toth)</td>
</tr>
<tr>
<td>XX</td>
<td>March 8, 2006</td>
<td>State Clearinghouse (Scott Morgan)</td>
</tr>
<tr>
<td>YY</td>
<td>April 5, 2006</td>
<td>City of Emeryville (John Flores)</td>
</tr>
<tr>
<td>ZZ</td>
<td>April 21, 2006</td>
<td>Department of Transportation (Timothy Sable)</td>
</tr>
<tr>
<td>ZZa</td>
<td>April 20, 2006</td>
<td>Alameda County Congestion Management (Saravana Suthanthira)</td>
</tr>
</tbody>
</table>

Private Agencies, Companies, and Individuals

<table>
<thead>
<tr>
<th>Correspondence Alpha</th>
<th>Date of Correspondence</th>
<th>Commenter</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAA</td>
<td>March 6, 2006</td>
<td>Joshua Room</td>
</tr>
<tr>
<td>BBB</td>
<td>March 7, 2006</td>
<td>Fran Haselsteiner</td>
</tr>
<tr>
<td>CCC</td>
<td>March 8, 2006</td>
<td>John M. Danielson</td>
</tr>
<tr>
<td>DDD</td>
<td>March 9, 2006</td>
<td>Edward J. Levitch</td>
</tr>
<tr>
<td>EEE</td>
<td>March 20, 2006</td>
<td>Michael Larrick</td>
</tr>
<tr>
<td>FFF</td>
<td>March 27, 2006</td>
<td>Edward J. Levitch</td>
</tr>
<tr>
<td>GGG</td>
<td>April 2, 2006</td>
<td>Steve Schiff</td>
</tr>
<tr>
<td>HHH</td>
<td>April 5, 2006</td>
<td>Lisa Howard</td>
</tr>
<tr>
<td>III</td>
<td>April 5, 2006</td>
<td>Scott Christensen</td>
</tr>
<tr>
<td>JJJ</td>
<td>April 10, 2006</td>
<td>Rachel Crossman</td>
</tr>
<tr>
<td>KKK</td>
<td>April 17, 2006</td>
<td>Liz Kwan</td>
</tr>
<tr>
<td>LLL</td>
<td>April 20, 2006</td>
<td>Inkworks Press letter signed by:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MMM</td>
<td>April 21, 2006</td>
<td>Christine Staples</td>
</tr>
<tr>
<td>NNN</td>
<td>April 24, 2006</td>
<td>West Berkeley Artisans &amp; Industrial Companies (Rick Auerbach)</td>
</tr>
<tr>
<td>OOO</td>
<td>April 24, 2006</td>
<td>Edward and Maurice Levitch</td>
</tr>
<tr>
<td>PPP</td>
<td>April 23, 2006</td>
<td>West Berkeley Artisans &amp; Industrial Companies</td>
</tr>
<tr>
<td>QQQQ</td>
<td>April 24, 2006</td>
<td>West Berkeley Artisans &amp; Industrial Companies Letter Signed By:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Jeffery Hogan
Edward Koehn
James A. Parodi
Dave Wilson
Christope Kubiak
Robert Steinberg
Mary Lou Vandeventer
Bernard Marszalek
Laurie Bright
Liam McNamara
Alan Ross
Tom Sepe
John Curl
David Liu
John Victor
Jack Liehem
Susanne Herring
Cliff Landis
John Phillips

RRR  April 23, 2004  Potter Creek Neighbors (G. Barry Wagner)
SSS  April 23, 2006  Potter Creek Neighbors (Rick Auerbach)
TTT  April 24, 2006  Susanne Hering
UUU  April 21, 2006  Amy Merrill
VVV  April 22, 2006  Douglas Smith
WWW  April 22, 2006  Lisa Mikulchik
XXX  April 24, 2006  Barbara Bowman

ORAL COMMENTS

Transcript D - Zoning Adjustments Board (February 23, 2006)

David Blake
Debbie Sanderson
Andy Katz
Christina Tiedemann
Jesse Anthony
Rick Judd

Transcript E – Planning Commission (March 8, 2006)

Michael Larrick
Christine Staples
Teresa Clarke
Stephen Donaldson
Betsy Morris
Claire Risley
Edward Levitch
Rick Auerbach
John Curl
Mary Lou Van Deventer

**Transcript F – Planning Commission (April 5, 2006)**

Diana Keena
David Stoloff
Gene Poschman
Mark Rhoades
Harry Pollack
Michael Larrick
David Sniffer
Renee Deljohn
Gary Robinson
John Curl
Dr. Nancy Jewel Cross
Mary Lou Van Deventer
Claire Risley
Rick Auerbach
Jordan Destaebler
This page left blank intentionally.
III. RESPONSES TO COMMENTS

A. INTRODUCTION

This section contains written responses to each of the written and oral comments on the Draft EIR (refer to subsection III.B) and the Recirculated Draft EIR (refer to subsection III.C) received during the public review periods. Each of the correspondence and transcripts is keyed with a letter, and individual comments delineated and keyed with numbers. The correspondence and transcripts are contained in Appendix 1.0 of this document. The responses to the individual comments are provided below and are listed in alphabetical and numerical order. Text changes resulting from comments on the Draft EIR and the Recirculated Draft EIR are presented in this section as part of the responses. (All text changes are presented in Section IV, Revisions to the Draft EIR and Recirculated Draft EIR.)

B. RESPONSES TO COMMENTS ON THE DRAFT EIR

(OCTOBER 7 – NOVEMBER 21, 2005)

MASTER RESPONSES

The following are master responses to comments related to commonly occurring issues raised in the oral and written comments:

1. Bike Check

With respect to the project applicant providing a “bike check” at the project site, a bike check is not required for CEQA purposes but may be a consideration of the project applicant.

2. Delivery Trucks and Removal of Parking

With regard to delivery trucks blocking the main entrance to the project and parking spaces or requiring the removal of parking spaces, as discussed on page IV.D-56 of the Draft EIR, large trucks would not be able to enter the loading dock at the project site if cars are parked in the adjacent parking spaces. Several alternatives were considered to reduce this impact. Fehr & Peers recommended that deliveries be scheduled for off-peak periods (prior to 11:00 AM) (refer to Mitigation Measure IV.D-13 on page IV.D-56 of the Draft EIR). For deliveries that are made during the peak periods, smaller trucks would be permitted to use the on-site loading dock, which is located outside the vehicle access corridors. No parking spaces would need to be removed to accommodate the turning radius of large delivery trucks accessing the loading docks.

3. Employee Parking

Employee parking would be accommodated through parking spaces provided at the project site and on-street parking. There are 230 total employees at the existing Berkeley Bowl. Fehr & Peers reviewed the
existing employee schedules and determined that at most, 143 employees work at one time. This represents 62 percent of the total number of employees. Based on the employee mode split at the existing Berkeley Bowl, approximately 56 percent of current employees drive and park around the existing store; 44 percent use an alternative mode to travel to work, such as bicycling, walking, transit, or are dropped-off.

For the proposed West Berkeley Bowl, it is expected that the percentage of employees working at one time and the employee mode split would be about the same. Assuming a worst-case scenario of 200 employees at the proposed West Berkeley Bowl, there would be a maximum of 124 employees on-site at any one time, and the employee parking demand would be approximately 70 spaces.

4. Pedestrian and Bicycle Safety and Traffic Conflicts on 9th Street North of Heinz Avenue and at the Intersection of 9th Street and Heinz Avenue

Regarding the analysis of pedestrian (including children) and bicycle safety and potential traffic conflicts on 9th Street north of Heinz Avenue and at the intersection of 9th Street and Heinz Avenue, please refer to pages IV.D-46 through IV.D-47 of the Draft EIR that include the analysis of potential project impacts related to pedestrians and bicycles on 9th Street north of Heinz Avenue and at the intersection of 9th Street and Heinz Avenue. An increase in traffic does not necessarily constitute evidence that a significant impact on pedestrian and bicycle safety would occur, especially provided that pedestrian/bicycle facilities are continuous and well signed with adequate warning measures at potentially hazardous locations such as driveways and intersections, the pedestrian network is accessible and integrated with the surrounding environment, and the pedestrian network provides maximum flexibility to the user.

The pedestrian system in the project area is generally well defined, with the exception of 9th Street south of Heinz Avenue, which is unimproved. The sidewalks are generally five feet wide, and landscaping is also provided along portions of the sidewalks. The on-street parking the area acts as a buffer between the pedestrian activities and the moving vehicular traffic. The analysis in the Draft EIR notes the pedestrian and bicycle activities in the vicinity of the 9th Street and Heinz Avenue intersection. The analysis of this issue concludes that the combination of measures the City of Berkeley has instructed the Ecole Bilingue de Berkeley to implement and the improvements that are part of the proposed project would ensure pedestrian safety near the project site. The project applicant proposes the following improvements on Heinz Avenue to slow traffic and improve pedestrian visibility:

- Construct channelization bulbs on the northeast and southeast corners of 8th Street and Heinz Avenue to increase pedestrian visibility.
- Mark a crosswalk on the east leg of the 8th Street and Heinz Avenue intersection to facilitate pedestrian crossings.
- Construct channelization bulbs on the south side of the 9th Street and Heinz Avenue intersection.
- Re-stripe the yellow school crosswalks at the 9th Street and Heinz Avenue intersection to facilitate pedestrian crossings to increase pedestrian visibility.

Section 15126.4(a)(3) of the CEQA Guidelines states, “Mitigation measures are not required for effects which are not found to be significant.” The proposed project would not result in any significant impacts related to pedestrians and bicycles. As such, suggestions related to requiring the project applicant or the City to implement other traffic improvements on 9th Street north of Heinz and at the intersection of 9th Street and Heinz Avenue are not required as mitigation measures. However, outside of the CEQA process, the City decision makers may choose to impose other “mitigation” measures (or “conditions to reduce detriment”) on the proposed project.

5. Parking Capacity at the West Berkeley Bowl

As discussed on page IV.D-57 of the Draft EIR, the proposed on-site parking supply was compared to both City Code parking requirements and ITE parking demand rates. Employee and customer parking requirements are inclusive of both the City Code parking requirements and the ITE parking demand rates. The analysis shows that the amount of parking provided by the project (post-mitigation) would exceed City Code requirements by 59 spaces and would be generally sufficient to satisfy the ITE peak parking demand. During the weekday PM peak hour, an additional 12 spaces would be needed. A parking survey conducted by Fehr & Peers shows that sufficient on-street parking within one to two blocks would exist to accommodate the short term parking overflow from about 3:00 PM to 5:00 PM during the weekday.

Additionally, the existing Berkeley Bowl store on Oregon Street is 42,150 square feet including grocery and integrated food service area. The proposed West Berkeley Bowl includes 54,735 square feet of grocery and integrated food service. This represents a 30 percent increase in store size over the existing Berkeley Bowl and not a 100 percent increase as suggested in some comments. There are 108 parking spaces at the existing site, and there would be about 205 spaces at the new site, representing a 90 percent increase in parking supply. As such, it is expected that the parking issues at the West Berkeley Bowl would be minimized. For these reasons, the amount of proposed parking is considered adequate, and parking impacts would be less than significant; no additional on-site parking is required.

Section 15126.4(a)(3) of the CEQA Guidelines states, “Mitigation measures are not required for effects which are not found to be significant.” The proposed project would not result in any significant impacts related to parking. As such, suggestions related to requiring additional on- and off-site parking, alternative employee parking, or additional parking studies are not required as mitigation measures. However, outside of the CEQA process, the City decision makers may choose to impose other “mitigation” measures (or “conditions to reduce detriment”) on the proposed project.

6. Loss of On-Street Parking

The City of Berkeley is working with the Ecole Bilingue de Berkeley to implement certain measures to improve traffic flow related to school operations. As a result of some of these measures, 14 parking...
spaces would be removed near the school to provide an area for pick-up/drop-off. This removal of parking spaces is not related to the proposed project. Additionally, as discussed on page IV.D-59 of the Draft EIR, privately-owned land near the railroad spur is currently being used as informal parking for approximately 21 vehicles. As a condition of project approval, the City would require the project applicant to extend and improve 9th Street and develop formalized parking in this area. With the formalization of this parking there would be a reduction in the total number of spaces provided as compared to the amount provided in the existing informal configuration, because currently vehicles park at an angle, which can accommodate more vehicles than the proposed parallel parking. If angled parking were to be continued, there would be no loss of parking spaces. However, parallel parking has been required by the City to facilitate the development of 9th Street, south of Heinz Avenue as a Bicycle Boulevard, regardless of the proposed project. Whether the parking is angled or parallel is a determination that would be made by the City.

7. Regional Draw

With regard to the percentage of Berkeley Bowl customers that are from outside of Berkeley, based on the zip code surveys of the patrons of the existing Berkeley Bowl, approximately 41 percent reside in the City of Berkeley, and of the remaining 59 percent, the majority reside in neighboring cities, such as Oakland, Emeryville, Albany and Kensington. 75 Seventy-five percent of the patrons come from within a five mile radius of the store. Of the remaining 59 percent, the majority reside in neighboring cities, such as Oakland, Emeryville, Albany and Kensington. It is likely that many of these patrons work in Berkeley, or divert to the store on an already planned trip, such as the commute trip home. The trip distribution developed for the West Berkeley Bowl accounts for patrons of the existing store (such as those living in Oakland or Emeryville) that would find shopping at the new store more convenient based on their residential location. It also accounts for new patrons that live in the area surrounding the project site. As a result, the trip distribution estimates that about 16 percent of the project trips would be regional trips using I-80, and another 9 percent of the trips would be considered regional trips because they would come from more than five miles away, but would use the regional roadway network, which includes San Pablo Avenue and Ashby Avenue.

8. Saturday Peak-Hour Traffic Analysis

In October 2005, the City published and circulated the Draft EIR for the West Berkeley Bowl project for public review. Several comments that were submitted to the City during the 45-day public review period for the Draft EIR suggested that the traffic analysis in the Draft EIR should include an analysis of potential level-of-service (LOS) impacts associated with the proposed project during the Saturday peak hour. The traffic analysis in the Draft EIR included a LOS analysis for the weekday PM peak hour but did not include a Saturday peak-hour analysis. Based on historical traffic trends in the Bay Area, weekday PM peak-hour traffic volumes are typically higher than Saturday peak-hour traffic volumes. Thus, it was assumed that the LOS analysis for the weekday PM peak hour that is in the Draft EIR represented the worst-case traffic scenario for the project. Subsequent analysis was conducted in
response to comments received on the Draft EIR regarding Saturday peak-hour traffic and the proposed project. This additional analysis revealed that Saturday peak-hour traffic volumes in the vicinity of the project site are higher than anticipated and higher than weekday PM peak-hour traffic volumes and that additional significant impacts, which were not identified in the Draft EIR, would occur.

Specifically, the proposed project would result in three significant (but mitigatable) project-specific impacts at the intersections of San Pablo Avenue and Heinz Avenue, 9th Street and Potter Street, and San Pablo Avenue and Ashby Avenue. Additionally, the project would contribute to significant (but mitigatable) cumulative impacts at the intersections of San Pablo Avenue and Heinz Avenue and 9th Street and Potter Street; the project’s contribution to the cumulative impact at the intersection of San Pablo Avenue and Ashby Avenue would be significant and unavoidable. Thus, additional traffic analysis (i.e., Saturday peak-hour traffic analysis) was added to the Draft EIR, and recirculation of this portion of the Draft EIR was required pursuant to §15088.5 of the CEQA Guidelines. The City prepared and circulated for public review the Recirculated Traffic Impact Analysis (Saturday Peak Hour) and Revised Alternatives Analysis of the Draft EIR (referred to as the Recirculated Draft EIR in this document) from January 31, 2006 to April 24, 2006. The commenter is referred to this document and Responses to on pages III-130 through III-168, for more information related to the Saturday peak-hour traffic analysis for the West Berkeley Bowl project.

9. Traffic Generation Rates and Peak Hour

Given that the proposed Berkeley Bowl would not have a significant regional draw, Fehr & Peers used the average supermarket rate, as presented in the Institute of Transportation Engineers (ITE), Trip Generation, 7th Edition, to determine the amount of traffic that the proposed West Berkeley Bowl would generate. The supermarket rate is based on surveys at 42 grocery stores (average size 56,000 square feet) between 4:00 PM and 6:00 PM during the weekday. This time period reflects the PM peak-period commute traffic and is considered the time period when traffic volumes on the adjacent street system are greatest during the weekday, and therefore, the combination of the project traffic and commute traffic would be greatest. ITE provides trip generation rates for the peak hour of the generator. However, no time-of-day data is provided. Additionally, based on transaction data from the existing Berkeley Bowl, the majority of the transactions during the weekday occur between 4:00 PM and 6:00 PM, and thus, this time period also reflects the time at which the trip generation is highest for the grocery store during the weekday. Therefore, to provide for the worst-case-scenario, weekday traffic impacts, Fehr & Peers assessed traffic impacts during the 4:00 PM to 6:00 PM peak period.

Because the weekday PM peak-hour (between 4:00 PM and 6:00 PM) trip generation for the grocery considers the period during which the background street traffic is the greatest and provides specific trip generation data for the period, Fehr & Peers used the average trip generation rate for the grocery based on the 4:00 PM to 6:00 PM peak period of adjacent street traffic.
To support the trip generation assumptions, Fehr & Peers conducted a single trip generation survey at the existing Berkeley Bowl store. This survey consisted of stopping all Berkeley Bowl patrons as they entered the store and asking them how they arrived to the store to determine the vehicle trips generated. The one-day survey showed that the existing Berkeley Bowl store generates vehicle trips during the PM peak period at a similar rate (within four percent) similar to the ITE PM peak-hour rate. Because the ITE rates reflect 42 individual surveys, the ITE rates were used to derive vehicle trips for the supermarket. This method is consistent with standard engineering practice.

For these reasons, the traffic generation assumed for the proposed project during the weekday PM peak hour as presented in the Draft EIR is considered an accurate approximation, and the resulting impacts have been adequately identified.

10. Traffic Analysis and Significance Thresholds Associated with the City of Berkeley vs. the Alameda County Congestion Management Agency

The roadway segment analysis found on pages IV.D-41 through IV.D-45 in the Draft EIR is an analysis that is required by the Alameda County Congestion Management Agency and is required to respond to question XV.b (Would the project exceed either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?) in Appendix G of the CEQA Guidelines. As noted in Comment C-4, the Alameda County Congestion Management Agency does not have a policy for determining the threshold of significance for determining project impacts to Congestion Management Program-designated roadway segments; the Alameda County Congestion Management Agency directs that “professional judgment should be applied to determine the significance of project impacts [to designated Congestion Management Program roadway segments].” Traffic volumes typically fluctuate over a given period of time by up to 10 percent. In Fehr & Peers’ professional judgment, a five percent increase in roadway segment volumes falls within this fluctuation and represents a noticeable increase in traffic to most drivers. Additionally, Fehr & Peers reviewed other EIRs recently prepared for projects in the Berkeley area, including the City of Berkeley General Plan EIR, and determined that a five percent increase on Congestion Management Program-designated roadway segments was used as the significance threshold in those documents as well. Thus, this threshold was used in the Draft EIR for the West Berkeley Bowl project.

The intersection analysis found on pages IV.D-26 through IV.D-41 and pages IV.D-60 through IV.D-72 is a City requirement and is used to respond to question XV.a (Would the project cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system [i.e., result in a substantial increase in either the number or vehicles trips, the volume to capacity ratio on roads, or congestion at intersections]?). This analysis is based on significance thresholds established by the City of Berkeley, which are outlined on page IV.D-22 in the Draft EIR.

11. Response to Comments on the Recirculated Draft EIR

As stated on page I-2 of the Recirculated Draft EIR:
“Section 15088.5(f)(2) of the CEQA Guidelines states that, “[w]hen the EIR is revised only in part and the lead agency is recirculating only the revised chapters or portions of the EIR, the lead agency may request that reviewers limit their comments to the revised chapters or portions of the recirculated EIR. The lead agency need only respond to (i) comments received during the initial circulation period that relate to chapters or portions of the document that were not received and recirculated, and (ii) comments received during the recirculation period that relate to the chapters or portions of the earlier EIR that were revised and recirculated.”

In accordance with this section of the guidelines, the City requested that comments submitted during the circulation period for the Recirculated Draft EIR to be limited to comments on the Saturday peak-hour traffic analysis and the revised alternatives analysis.

All comments on the Draft EIR that were submitted during the initial circulation period (October 7, 2005 though November 21, 2005) have been responded to; these responses can be found on pages III-1 through III-130 of this document. Comments received during the circulation period for the Recirculated Draft EIR (January 31, 2006 through April 24, 2006) have been responded to; these responses are included on pages III-130 through III-166 of this document. Depending on the relevancy to the content of the Recirculated Draft EIR, comments submitted on the Draft EIR between the dates of February 1, 2006 to April 24, 2006 may or may not have been responded to, as allowed under Section 15088.5(f)(2) of the CEQA Guidelines.

If a response to a comment refers a commenter (or reader) to Master Response 11 and provides no further response, this means that the comment is on the Draft EIR and was not submitted during the appropriate circulation period and is not relevant to the Recirculated Draft EIR.

**TRANSCRIPT A (TSA)**

*Response to Comment TSA-1*

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

*Response to Comment TSA-2*

This comment expresses general doubts about the objectivity of the analysis in the Draft EIR, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSA-3

This comment expresses support for the proposed project and an interest in traffic problems, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSA-4

With regard to the commenter’s statement about not understanding “where the bulk of the traffic is coming and going,” the majority of the traffic associated with the project is coming to and leaving the site via San Pablo Avenue. The remainder of this comment includes statements regarding existing traffic conditions associated with the Ecole Bilingue de Berkeley as observed by the commenter and an opinion about the traffic conditions, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSA-5

This comment includes statements about a previous project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSA-6

This comment expresses opinions about traffic direction on Heinz, offers suggestions about the project design, and discusses the railroad, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSA-7

With regard to project-generated traffic on 9th and 7th Streets, trip distribution percentages were developed based on zip code surveys conducted at the existing Berkeley Bowl. Based on these surveys, it is estimated that approximately six percent of the traffic would be coming to/from 9th Street north of Heinz Avenue, which equate to 18 trips northbound and 18 trips southbound on 9th Street during the PM peak hour. On 7th Street, approximately 21 trips would travel north and 21 trips would travel south during the PM peak hour.
Response to Comment TSA-8

With regard to a “bike check,” the commenter is referred to Master Response 1.

Response to Comment TSA-9

This comment expresses support for the proposed project and an interest in traffic mitigation, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSA-10

This comment expresses a request for mitigation to be examined over time and general statements about the concerns of the neighbors and the neighbors’ concerns about traffic, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSA-11

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSA-12

With regard to the alternatives to the proposed project presented in the Draft EIR, the primary purpose of the alternatives analysis is to assess a range of reasonable alternatives to the proposed project that would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant impacts of the project. The total number of feasible alternatives to the project is limited largely due to the following reasons:

1. The basic project objectives call for the development of a full-service grocery store, thus limiting the project alternatives to those that include grocery stores.

2. The proposed project would result in relatively few significant impacts, and the majority of the significant impacts associated with the project would occur regardless of what type of development occurred at the project site. Thus, the number of project alternatives that would substantially reduce or avoid significant impacts of the project is limited.

The analysis of alternatives to the proposed project meets the requirements of CEQA.
Response to Comment TSA-13

This comment includes statements regarding the West Berkeley neighborhood, proposed project, and about the commenter’s driving habits, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSA-14

With regard to pass-by trips, the pass-by trips that are shown in Table IV.D-6 on page IV.D-29 of the Draft EIR for the proposed project are included for informational purposes and were not used when conducting the intersection operation analysis, as noted as a footnote to the table.

The remainder of this comment includes statements regarding the commenter’s opinions of the existing Berkeley Bowl, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSA-15

This comment expresses opinions about the proposed project and people in the City of Berkeley, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSA-16

This comment includes an introduction of the commenter, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSA-17

This comment includes statements regarding an independent traffic study, how that study was conducted, and the traffic conditions at the intersection of 7th Street and Ashby Avenue, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSA-18

This comment includes statements regarding Urban Ore customers and traffic conditions, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSA-19

Regarding changes to the railroad tracks near the project site, modification to the railroad tracks are not proposed as part of this project. Any such project would be completed under the direction of the City of Berkeley as a separate project.

Regarding pass-by trips, the commenter is referred to Response to Comment TSA-14.

Regarding the project’s regional draw, the commenter is referred to Master Response 7.

Response to Comment TSA-20

This comment includes closing statements to finish the comment, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSA-21

With regard to employee parking associated with the West Berkeley Bowl project, the commenter is referred to Master Response 3.

Response to Comment TSA-22

With regard to considering the original version of the project as an alternative to the proposed project, the commenter incorrectly states that the Draft EIR did not consider the original version of the project as an alternative. The commenter is referred to pages VI-17 through VI-24 of the Draft EIR that includes an analysis of Alternative C, which is the original project presented by the project applicant.

The stores that the commenter references (i.e., Safeway and Andronico’s) are in structures that were built in the 1950’s and 1960’s to the then-existing standards for the supermarket industry. With the exception of the Safeway on Shattuck Street, the Berkeley stores are not conventional full-service supermarkets competing on the basis of price but what are called in the supermarket industry “gourmet stores” (i.e., Andronico’s) or “natural/organic” stores (i.e., Whole Foods). Safeway continues to operate the Shattuck Street store, though it is below the optimal size for conventional supermarkets.
Response to Comment TSA-23

This comment expresses opinions and concerns regarding future traffic volumes rising due to better economic conditions, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

TRANSCRIPT B (TSB)

Response to Comment TSB-1

This comment includes an introduction to the process for the Draft EIR by the EIR consultant, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-2

This comment includes an introduction to the public comment period on the proposed project at the Planning Commission meeting, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSB-3

This comment includes statements about making changes to the project to address traffic issues and expresses support for the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-4

This comment expresses concerns about the number of people at the de Young Museum and at Giants games, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-5

With regard to trucks blocking the main entrance at the proposed West Berkeley Bowl, the commenter is referred to Master Response 2.
**Response to Comment TSB-6**

This comment includes statements about deliveries at the existing Berkeley Bowl, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSB-7**

Regarding the commenter’s suggestion about loading/unloading at the project site and traffic accessing the site from Ashby, this suggestion has been forwarded to the project architect for consideration. However, the concern of Fehr & Peers is that traffic accessing the site through the south parking lot would cause additional vehicular/circulation conflicts and would not necessarily be an improvement over Mitigation Measures IV.D-9 through IV.D-14 related site access and circulation.

**Response to Comment TSB-8**

Regarding the commenter’s suggestion that the main project entry be moved toward Heinz Street, this suggestion has been forwarded to the project architect for consideration. The concern of Fehr & Peers is that the proposed driveway would be offset from the 8th Street and Heinz Avenue intersection, cause confusion, and create a potential for vehicular, bicycle, and pedestrian conflicts and would not necessarily be an improvement over Mitigation Measures IV.D-9 through IV.D-14 related site access and circulation.

**Response to Comment TSB-9**

This comment urges the Planning Commission to consider the commenter’s suggestions regarding project design changes, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSB-10**

With regard to a “bike check,” the commenter is referred to Master Response 1. With regard to employee parking associated with the West Berkeley Bowl project, the commenter is referred to Master Response 3.

**Response to Comment TSB-11**

This comment includes statements about 9th Street, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSB-12

This comment includes statements about the existing parking condition near the project site, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-13

With regard to project traffic on 9th Street, the commenter is referred to Response to Comment TSA-7.

Response to Comment TSB-14

This comment includes statements by the Planning Commission thanking the last speaking and introducing the next speaker, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSB-15

This comment includes statements introducing the speaker, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-16

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-17

This comment expresses that the commenter has concerns about the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-18

This comment expresses that the commenter is concerned about the safety of the school children, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record
and will be forwarded to the decision-making bodies for their review and consideration. Also, refer to Master Response 4.

**Response to Comment TSB-19**

This comment expresses an interest in the project neighborhood cooperating to resolve issues, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSB-20**

This comment expresses an interest in Ecole Bilingue de Berkeley, the project proponents, and the City of Berkeley resolving issues, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSB-21**

This comment asks that the Planning Commission and other decision makers to support discussions and promote adoption of satisfactory measures, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSB-22**

This comment includes statements about representatives from the Ecole Bilingue de Berkeley in attendance at the Planning Commission meeting, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSB-23**

This comment expresses concerns about traffic safety and parking, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSB-24

This comment includes statements about the commenter, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-25

With regard to the suggested traffic improvements and pedestrian safety, the commenter is referred to Master Response 4.

Response to Comment TSB-26

This comment includes statements regarding the school’s discussions with the City related to traffic issues, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-27

This comment urges the continued diligence to remedy issues that school representatives believe to be important, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-28

With regard to the suggested solutions, the commenter is referred to Master Response 4.

Response to Comment TSB-29

This comment implies that the analysis of traffic impacts in the Draft EIR is inadequate, but the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this assertion. Therefore, pursuant to §15204(a) of the CEQA Guidelines, no further response to this portion of the comment is required. The remainder of this comment expresses interest in traffic safety on 9th Street and at the intersection of 9th Street and Heinz Avenue, and for this the commenter is referred to Master Response 4.

Response to Comment TSB-30

With regard to additional traffic safety measures, the commenter is referred to Master Response 4.
Response to Comment TSB-31

Regarding parking at the proposed West Berkeley Bowl, the commenter is referred to Master Response 5.

Response to Comment TSB-32

Regarding parking at the existing and proposed Berkeley Bowls and pedestrians, the commenter is referred to Master Responses 1 and 5.

Response to Comment TSB-33

Regarding the elimination of 35 street-parking spaces, the commenter is mistaken; the project description in the Draft EIR does not include the elimination of 35 street-parking spaces. Also, the commenter is referred to Master Response 6. The remainder of this comment includes statements regarding the loss of street-parking spaces associated with activities that are not related to the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-34

Regarding the loss of on-street parking, the commenter is referred to Master Response 6.

Response to Comment TSB-35

This comment includes statements about the parking and drop-off activities associated with the Ecole Bilingue de Berkeley, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-36

This comment includes statements about the Ecole Bilingue de Berkeley website and the possibility of sharing remote parking with the West Berkeley Bowl, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-37

This comment requests the Planning Commission to encourage continued negotiations among the project participants, the City of Berkeley, and the Ecole Bilingue de Berkeley, but the comment does not state a
specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSB-38**

Regarding angled parking, the commenter is referred to Master Response 6.

**Response to Comment TSB-39**

Regarding angled parking, the commenter is referred to Master Response 6.

**Response to Comment TSB-40**

This comment includes a statement of fact regarding a mitigation measure in the Draft EIR requiring post-occupancy evaluation of traffic conditions, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSB-41**

With regard to parking associated with the West Berkeley Bowl, the commenter is referred to Master Response 5.

**Response to Comment TSB-42**

This comment includes a recommendation to further review and discuss parking solutions, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSB-43**

This comment includes closing statements, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSB-44

This comment is the Planning Commission thanking the previous speaker and taking a question from the Planning Commission, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSB-45

This comment is the Planning Commission asking the previous commenter to submit comments in writing, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSB-46

This comment includes a reply from the commenter in response to the question asked by the Planning commission and commentary from the Planning Commission and the audience regarding the next speakers, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSB-47

This comment includes statements of introduction, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-48

This comment expresses concern about the mitigation in the Draft EIR, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-49

Regarding mitigation measures and the school children associated with the Ecole Bilingue de Berkeley, the commenter is referred to Master Response 4 and Response to Comments TSB-50 through TSB-53.

Response to Comment TSB-50

This comment implies that the amount of excavation associated with the project as described on page III-35 of the Draft EIR has been miscalculated, but the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this assertion. Therefore,
pursuant to §15204(a) of the CEQA Guidelines, no further response to this portion of the comment is required.

Response to Comment TSB-51

Regarding the particulate matter emissions during project construction, the analysis of air quality impacts associated with construction of the proposed project on page IV.A-14 of the Draft EIR acknowledges that without implementation of appropriate dust control measures, construction emissions would be significant. According to the Bay Area Air Quality Management District’s (BAAQMD) CEQA Guidelines, “the determination of significance with respect to construction emissions should be based on a consideration of the control measures to be implemented. If all the applicable control measures for PM$_{10}$ (i.e., particulate matter) indicated in the BAAQMD CEQA Guidelines would be implemented, then air pollutant emissions from construction activities would be considered less than significant.” Dust control measures to mitigate this significant impact are outlined on pages IV.A-14 through IV.A-15 of the Draft EIR and shall be implemented by the project applicant.

Response to Comment TSB-52

Regarding the requirement for the project applicant to implement the dust control measures outlined on pages IV.A-14 through IV.A-15 of the Draft EIR, these measures compose Mitigation Measure IV.A-1, and implementation of this measure is required to ensure that air quality impacts during construction would be less than significant and will become a condition of project approval. The commenter is referred to Section V, Mitigation Monitoring Program, in this document. The purpose of the Mitigation Monitoring Program is to monitor implementation of the mitigation measures identified for the project.

Response to Comment TSB-53

With regard to pollutant emissions associated with the proposed project and children (or “sensitive receptors”) near the project site, as discussed in Section IV.A, Air Quality, of the Draft EIR, the amount of pollutant emissions (carbon monoxide, nitrogen oxide, ozone, respirable particulate matter) associated with the project are well below the BAAQMD’s pollutant threshold standards. Additionally, traffic generated by the project would not be a significant source of toxic air contaminants (TACs) (refer to Response to Comment TSB-58 below). Thus, the project would not expose sensitive receptors to excessive levels of pollutant emissions.

Response to Comment TSB-54

This comment includes suggestions that project construction should begin during the summer instead of the fall and asks if there is anything that the Planning Commission can do to allow construction to start earlier than proposed, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is
acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-55

This comment is the Planning Commission thanking the previous speaker and introducing the next speakers, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSB-56

This comment includes statements of introduction, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-57

This comment identifies that the commenter intends to discuss traffic-related air pollution, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-58

With regard to traffic-generated TACs, as discussed on pages IV.A-17 through IV.A-18 of the Draft EIR, TACs from motor vehicles are generally a result of diesel exhaust emissions associated with truck or bus operations and occur along heavily-traveled freeways. Although the project would generate new traffic trips, the amount of TACs that would be generated by these new trips would not be of high enough concentrations to pose a cancer risk that exceeds one-in-one million or a non-cancer risk greater than a hazard index of 1.0. For these reasons, project impacts related to TACs were found to be less than significant. Additionally, a representative from BAAQMD confirmed that BAAQMD does not consider traffic generated by the proposed project to be a significant source of TACs.¹

Response to Comment TSB-59

This comment includes statements regarding studies about air pollutant concentrations near roadways, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

¹ Kolozsvari, Douglas, Bay Area Air Quality Management District, telephone conversation with CAJA staff, November 21, 2005.
mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSB-60**

This comment includes statements about the proposed location of the loading area at the project site and emissions from delivery trucks, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSB-61**

With regard to traffic and safety concerns, the commenter is referred to Master Response 4. With regard to toxic air pollutants from motor vehicle exhaust, the commenter is referred to Response to Comment TSB-58.

**Response to Comment TSB-62**

This comment asks that the City of Berkeley consider health and safety risks to children, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Also, the commenter is referred to Master Response 4 and Response to Comment TSB-58.

**Response to Comment TSB-63**

This comment is the Planning Commission thanking the previous speaker and taking a question from the Planning Commission, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

**Response to Comment TSB-64**

This comment is the Planning Commission asking the previous commenter about health risks along roadways, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

**Response to Comment TSB-65**

With regard to pollutant emissions associated with the proposed project and children near the project site, the commenter is referred to Response to Comment TSB-53 and Response to Comment TSB-58.
Response to Comment TSB-66

This comment is the Planning Commission thanking the previous speaker and introducing the next speaker, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSB-67

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-68

This comment is the Planning Commission thanking the previous speaker and introducing the next speaker, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSB-69

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-70

This comment is the Planning Commission thanking the previous speaker and introducing the next speaker, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSB-71

With regard to parking associated with future development of 740 Heinz Avenue (the Garr Building), this development would be required to comply with City Code parking requirements. With regard to traffic generated by future land uses at 740 Heinz Avenue and other related projects, cumulative development, including the Garr Building project, were accounted for in the analysis of cumulative traffic impacts in the Draft EIR.
Response to Comment TSB-72

With regard to parking associated with the proposed West Berkeley Bowl, the commenter is referred to Master Response 5.

Response to Comment TSB-73

With regard to the existing level of service (LOS) at the intersection of 7th Street and Ashby Avenue, the commenter is referred to Table IV.D-3 on page IV.D-15 of the Draft EIR, which shows that the existing LOS at this intersection is D. LOS D is assigned to intersections where the operation of the intersection occurs with longer delays due to a combination of unfavorable progression, long cycle lengths, or high volume-to-capacity ratios; many vehicles stop and individual cycle failures are noticeable (refer to Table IV.D-1 on page IV.D-6 of the Draft EIR).

Response to Comment TSB-74

Regarding the proposed project’s regional draw, the commenter is referred to Master Response 7.

Response to Comment TSB-75

This comment includes statements about living in Berkeley and implies that the proposed project and/or the Draft EIR are insufficient, but the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this assertion nor does the comment state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-76

This comment is the Planning Commission thanking the previous speaker and introducing the next speaker, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSB-77

This comment includes statements of introduction and regarding other speakers and the letter the commenter would submit, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSB-78

This comment includes continued statements of introduction, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-79

This comment includes statements about the audibility of the commenter, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-80

This comment expresses that the general concerns of the commenter are parking and traffic, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-81

This comment expresses that the representatives of the Ecole Bilingue de Berkeley is not opposed to the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-82

This comment expresses that the representatives of the Ecole Bilingue de Berkeley do not think there are any significant issues that cannot be mitigated, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-83

This comment includes general statements about the purpose of the public meeting, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSB-84

This comment expresses that the commenter’s concerns relate to the intersection of 9th Street and Heinz Avenue and 9th Street north of Heinz Avenue, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-85

This comment states that the analysis in the Draft EIR is deficient because the analysis concludes that traffic impacts (current, project-specific, and cumulative) at the intersection of 9th Street and Heinz Avenue and on 9th Street north of Heinz Avenue were found to be less than significant, but the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this assertion (refer to §15204[c] of the CEQA Guidelines). Therefore, pursuant to §15204(a) of the CEQA Guidelines, no further response to this comment is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Also, the commenter is referred to Master Response 4.

Response to Comment TSB-86

Regarding the comment that the Draft EIR fails to take into account conflicts related to pedestrians, bicycles, and vehicles, the commenter is referred to Master Response 4.

Response to Comment TSB-87

With regard to the statement that “extra hazardous conditions and safety” should be studied more fully, the commenter is referred to Master Response 4.

Response to Comment TSB-88

This comment expresses an opinion that the traffic volume estimates used in the traffic analysis in the Draft EIR are underestimated and that additional mitigation measures need to be considered, but the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this assertion (refer to §15204[c] of the CEQA Guidelines). Therefore, pursuant to §15204(a) of the CEQA Guidelines, no further response to this comment is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Also, the commenter is referred to Master Responses 1 and 4.

Response to Comment TSB-89

This comment includes statements about representatives from the Ecole Bilingue de Berkeley having had contact with the project proponents and expresses hope that the City of Berkeley will implement the
school’s recommendations, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSB-90**

With regard to further study of the parking associated with the West Berkeley Bowl, the commenter is referred to Master Response 5.

**Response to Comment TSB-91**

This comment includes general statements about the loss of 34 parking spaces in the project area and statements about parking demand, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSB-92**

Regarding parking associated with the West Berkeley Bowl, the commenter is referred to Master Response 5. Regarding pedestrian and bicycle conflicts, the commenter is referred to Master Response 4.

**Response to Comment TSB-93**

With regard to parking and mitigation measures, the commenter is referred to Master Response 5.

**Response to Comment TSB-94**

This comment includes statements acknowledging a potential conflict between bicyclists and cars as a result of angled parking on 9th Street, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSB-95**

With regard to the intersection of Heinz Avenue and 9th Street, the commenter is referred to Master Response 4.
Response to Comment TSB-96

Regarding the CEQA Guidelines, significant impacts, and a substantial increase in traffic, the entire purpose of the Draft EIR is to identify significant environmental impacts associated with the proposed project, and the Draft EIR has been prepared in conformance with the CEQA Guidelines. The thresholds of significance that are used in the Draft EIR, including section IV.D, Transportation/Traffic, are based primarily on Appendix G of the CEQA Guidelines, which includes, “Would the project cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume of capacity ratio on roads, or congestion at intersections?” (refer to page IV.D-21 of the Draft EIR). It is acknowledged on page IV.D-28 of the Draft EIR that the proposed project would generate approximately 3,780 net new weekday daily trips and 6,720 net new daily trips on Saturdays. The analysis in section IV.D, Transportation/Traffic of the Draft EIR concludes that the proposed project would result in significant LOS impacts due to the increase in traffic trips associated with the project, and mitigation measures (refer to Mitigation Measures IV.D-4 and IV.D-5 on pages IV.D-40 and IV.D-41 of the Draft EIR) are prescribed to reduce these impacts to a less-than-significant level.

Response to Comment TSB-97

Regarding the analysis of pedestrian safety, the commenter is referred to Master Response 4.

Response to Comment TSB-98

Regarding studying mitigation measures and the suggestion of additional mitigation measures related to pedestrian, bicycle, and vehicular impacts along 9th Street north of Heinz Street, the commenter is referred to Master Response 4.

Response to Comment TSB-99

This comment is the Planning Commission asking the commenter to finalize his comments, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSB-100

This comment requests that the Draft EIR address the issues that the commenter raised, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSB-101

This comment is the Planning Commission asking the commenter a question, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSB-102

This comment is a response to the Planning Commission’s question of the commenter and includes statements about previous traffic studies and the experience of people with the existing Berkeley Bowl, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-103

This comment is the Planning Commission asking the commenter a question, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSB-104

With regard to the traffic analysis in the Draft EIR, the traffic analysis in the Draft EIR is not just based on traffic counts. The existing conditions for the proposed West Berkeley Bowl were analyzed using existing vehicle turning movement counts at the various study intersections. The project trip generation was then added to the existing baseline volumes to create the Existing-Plus-Project volumes, which were then analyzed using the same methods that were used for the existing conditions. This technique is standard practice for preparation of traffic studies to be included in CEQA documents.

Response to Comment TSB-105

This comment is the Planning Commission thanking the previous speaker and introducing the next speaker, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSB-106

This comment includes statements of introduction, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSB-107

This comment includes statements about previous traffic studies, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-108

This comment includes additional statements of introduction, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-109

This comment includes statements about commenter’s oral and written comments, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-110

With regard to the intersection of 7th Street and Ashby Avenue, based on analysis conducted by Fehr & Peers, the 7th Street and Ashby Avenue intersection operates at LOS D during the PM peak hour. Specific movements at this intersection may be operating better or worse than the overall intersection LOS, which is calculated by using a weighted average of all the movements. The Draft EIR for the proposed West Berkeley Bowl does note that there are deficiencies at this intersection on the 7th Street approach under existing conditions (refer to page IV.D-15 of the Draft EIR). Mitigation measures are provided for the Cumulative-Plus-Project scenario.

Response to Comment TSB-111

This comment includes a metaphor related to traffic, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-112

Regarding the estimation of traffic generation associated with the West Berkeley Bowl project, the commenter is referred to Master Response 9. The remainder of this comment expresses an opinion about additional traffic studies, but the comment does not state a specific concern or question regarding the
sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-113

This comment expresses concerns about business income, health impacts, and scale of the project and includes a metaphor related to traffic, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-114

This comment expresses favor of the Berkeley Bowl and the need for a grocery store in West Berkeley, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-115

Regarding the proposed project’s regional draw, the commenter is referred to Master Response 7.

Response to Comment TSB-116

This comment is the Planning Commission thanking the previous speaker and introducing the next speaker, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSB-117

This comment includes statements of introduction and the commenter’s intent to submit written comments, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-118

Regarding the estimation of traffic associated with the West Berkeley Bowl, the commenter is referred to Master Response 9. Regarding the commenter’s statement that the traffic analysis in the Draft EIR states that the project is going to decrease traffic in West Berkeley, this statement is not made in the Draft EIR.
Response to Comment TSB-119

This comment urges meeting attendees to review the appendices in the Draft EIR, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-120

Regarding demolition, no structures on the project site have been demolished. Demolition that is referenced by the commenter occurred on a site separate from the project site and under an existing, City-issued demolition permit.

Response to Comment TSB-121

This comment includes statements about the project-approval process, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-122

This comment includes confirmation by City staff that the commenter has properly described the project-approval process, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSB-123

This comment includes additional statements about the project-approval process and suggests that meeting attendees might consider attending the Zoning Adjustments Board meeting, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSB-124

Regarding demolition at the project site, the commenter is referred to Response to Comment TSB-120.

Response to Comment TSB-125

Regarding demolition at the project site, the commenter is referred to Response to Comment TSB-120.
**Response to Comment TSB-126**

Regarding demolition at the project site, the commenter is referred to Response to Comment TSB-120.

**Response to Comment TSB-127**

Regarding demolition at the project site, the commenter is referred to Response to Comment TSB-120.

**Response to Comment TSB-128**

This comment includes closing statements by the Planning Commission, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

**TRANSCRIPT C (TSC)**

**Response to Comment TSC-1**

This comment includes statements by City staff and the Zoning Adjustments Board (ZAB) regarding the meeting, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

**Response to Comment TSC-2**

This comment includes a presentation of the proposed project by the applicant’s representative, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

**Response to Comment TSC-3**

This comment includes questions and statements from the ZAB directed toward the applicant’s representative regarding groundwater depth and responses from the applicant’s representative, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSC-4**

This comment includes questions from the ZAB asking if representatives from Christopher A. Joseph & Associates and Fehr & Peers are in attendance, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.
Response to Comment TSC-5

With regard to the preparers of the traffic analysis, the commenter is correct; the traffic analysis was prepared by Fehr & Peers. With regard to the Saturday peak-hour traffic analysis for the West Berkeley Bowl project, the commenter is referred to Master Response 8.

Response to Comment TSC-6

This comment includes a statement by City staff regarding the format of the meeting, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSC-7

Regarding the commenter’s statement that the Draft EIR does not mention a warehouse, the commenter is referred to Section III. Project Description, page III-24. The 28,805 square feet of ancillary storage space is the warehouse space. For purposes of clarification, the Final EIR has been edited as follows:

- The second sentence of the second paragraph on page III-24 has been changed in the Final EIR (refer to Section IV, Revisions to the Draft EIR) to read as follows:

  “The marketplace in Building 1 would have two levels with 51,065 square feet of retail space on the ground and second floors and 28,805 sf of ancillary storage warehouse space and 4,120 sf of office space on the second floor.”

Response to Comment TSC-8

This comment includes a question from the ZAB regarding truck deliveries and a response from the applicant’s representative, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. For more information regarding truck deliveries associated with the proposed project, the ZAB is referred to pages IV.D-27 and IV.D-28 in the Draft EIR.

Response to Comment TSC-9

Regarding existing zoning and the size of the proposed project, the commenter is referred to the Discretionary Actions listed in Section III, Project Description, on page III-48. As part of the project description, the project applicant is requesting a zone change to rezone a 1.9-acre portion of the site from MU-LI to C-W to allow for the size of the project.
Response to Comment TSC-10

With regard to delivery trucks and parking, the commenter is referred to Master Response 2.

Response to Comment TSC-11

With regard to delivery trucks and parking, the commenter is referred to Master Response 2.

Response to Comment TSC-12

This comment includes statements by ZAB members and City staff regarding the format of the meeting and a presentation by the EIR consultant but does, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSC-13

This comment includes statements by ZAB members and City staff regarding mitigation measures, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSC-14

Regarding traffic generation rates used for the proposed project in the Draft EIR, the commenter is referred to Master Response 9.

Response to Comment TSC-15

With regard to parking at the existing and proposed Berkeley Bowl stores, the commenter is referred to Master Response 5.

Response to Comment TSC-16

With regard to the weekday PM peak hour for the project, transaction data from the existing Berkeley Bowl store was reviewed to determine the appropriate periods to study for the proposed West Berkeley Bowl. As noted by the commenter, the existing store is busiest between 2:00 PM and 6:00 PM. Thus, data was collected when background traffic at the surrounding intersections was greatest. The Ecole Bilingue de Berkeley bell times occur around 3:00 PM so neighborhood traffic data was collected during this period to capture the school related traffic. On major corridors (i.e., Ashby Avenue and San Pablo Avenue), traffic congestion is greatest during the commute period generally assumed to be 4:00 to 6:00 PM. Thus, traffic data was also collected at all study intersections between 4:00 and 6:00 PM. With regard to the Saturday peak hour, the commenter is referred to Master Response 8. With regard to parking associated with the proposed West Berkeley Bowl, the commenter is referred to Master Response 5.
Response to Comment TSC-17

With regard to the survey, the survey conducted was an interview survey. Each patron was asked how they arrived at the store. Patrons who drove to the store (regardless of where they parked) were counted as a vehicle trip. No effort was made to determine where patrons parked because parking at the existing store is dispersed over a large area, and it would not be possible to distinguish between patron parkers and parkers with destinations to other commercial or residential uses.

Response to Comment TSC-18

With regard to distinguishing the patrons’ mode of transportation, the commenter is referred to Response to Comment TSC-17.

Response to Comment TSC-19

With regard to traffic generation rates for the proposed project, the commenter is referred to Master Response 9.

Response to Comment TSC-20

This comment includes a response by City staff to a question from the ZAB regarding traffic generation rates, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-21

This comment includes a statement from the ZAB in response to the statements made by City staff in the previous comment, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSC-22

This comment includes a statement by City staff in response to the ZAB member’s statement in the previous comment and clarifies that the ZAB member would like the Final EIR to include an explanation of the traffic generation rate assumptions; a statement by the ZAB member regarding further comments; and statements by City staff regarding responding to comments, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSC-23

With regard to the estimation of traffic associated with the West Berkeley Bowl, the commenter is referred to Master Response 9.

Response to Comment TSC-24

This comment includes statements by the ZAB and City staff regarding City-staff’s involvement in preparation of the traffic analysis, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-25

This comment includes questions and statements regarding the definition of a Draft EIR and a Final EIR, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSC-26

With regard to the Saturday peak-hour traffic analysis for the proposed project, the commenter is referred to Master Response 8.

With regard to traffic generation associated with the proposed project, the commenter is referred to Master Response 9.

With regard to the weekday peak hour for the proposed project, the commenter is referred to Response to Comment TSC-16.

Response to Comment TSC-27

With regard to the City of Berkeley’s significance criteria for traffic impacts, the commenter is referred to Master Response 10.

Response to Comment TSC-28

Regarding whether the analytical data presented in the tables in the Section IV.D, Transportation/Traffic, demonstrate traffic conditions before or after implementation of mitigation, all tables depict traffic conditions before implementation of mitigation.
Response to Comment TSC-29

The commenter correctly identifies a mistake in the directions in Table IV.D-11 on page IV.D-43 of the Draft EIR. Based on this comment, EIR preparers noted the same mistake in Table IV.D-12 on the same page. Thus, the Final EIR has been edited as follows:

- Tables IV.D-11 and IV.D-12 on page IV.D-43 of the Draft EIR, have been changed in the Final EIR (refer to Section IV, Revisions to the Draft EIR) to read as follows:

Table IV.D-11
Year 2010 PM Peak-Hour LOS Analysis
Metropolitan Transportation System Roadways

<table>
<thead>
<tr>
<th>Roadway Segment</th>
<th>Direction</th>
<th>Capacity¹</th>
<th>Without Project</th>
<th>With Project</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Volume</td>
<td>V/C</td>
</tr>
<tr>
<td>I-80 north of Ashby</td>
<td>NB</td>
<td>11,000</td>
<td>10,200</td>
<td>0.93</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>11,000</td>
<td>8,450</td>
<td>0.77</td>
</tr>
<tr>
<td>I-80 south of Ashby</td>
<td>NB</td>
<td>11,000</td>
<td>10,910</td>
<td>0.99</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>11,000</td>
<td>9,760</td>
<td>0.89</td>
</tr>
<tr>
<td>San Pablo north of Ashby</td>
<td>NB</td>
<td>1,600</td>
<td>2,040</td>
<td>1.28</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>1,600</td>
<td>2,330</td>
<td>1.46</td>
</tr>
<tr>
<td>San Pablo south of Ashby</td>
<td>NB</td>
<td>1,600</td>
<td>1,610</td>
<td>1.01</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>1,600</td>
<td>1,610</td>
<td>1.01</td>
</tr>
<tr>
<td>Ashby east of San Pablo</td>
<td>NB</td>
<td>1,600</td>
<td>1,350</td>
<td>0.84</td>
</tr>
<tr>
<td></td>
<td>EB</td>
<td>1,600</td>
<td>1,460</td>
<td>0.91</td>
</tr>
<tr>
<td>Ashby west of San Pablo</td>
<td>WB</td>
<td>1,600</td>
<td>1,070</td>
<td>0.67</td>
</tr>
</tbody>
</table>

Notes:
1 Roadway capacities assumed to be 2,200 vehicles per hour per lane for freeway segments and 800 vehicles per hour per lane for arterial roadway segments.
Table IV.D-12
Year 2025 PM Peak-Hour LOS Analysis
Metropolitan Transportation System Roadways

<table>
<thead>
<tr>
<th>Roadway Segment</th>
<th>Direction</th>
<th>Capacity</th>
<th>Without Project</th>
<th>With Project</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Volume</td>
<td>V/C</td>
</tr>
<tr>
<td>I-80 north of Ashby</td>
<td>NB</td>
<td>11,000</td>
<td>10,660</td>
<td>0.97 E</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>11,000</td>
<td>8,860</td>
<td>0.81 D</td>
</tr>
<tr>
<td>I-80 south of Ashby</td>
<td>NB</td>
<td>11,000</td>
<td>11,530</td>
<td>1.05 F</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>11,000</td>
<td>9,960</td>
<td>0.91 E</td>
</tr>
<tr>
<td>San Pablo north of Ashby</td>
<td>NB</td>
<td>1,600</td>
<td>2,180</td>
<td>1.36 F</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>1,600</td>
<td>2,480</td>
<td>1.55 F</td>
</tr>
<tr>
<td>San Pablo south of Ashby</td>
<td>NB</td>
<td>1,600</td>
<td>1,780</td>
<td>1.11 F</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>1,600</td>
<td>1,990</td>
<td>1.24 F</td>
</tr>
<tr>
<td>Ashby east of San Pablo</td>
<td>NB</td>
<td>1,600</td>
<td>1,480</td>
<td>0.93 E</td>
</tr>
<tr>
<td></td>
<td>WB</td>
<td>1,600</td>
<td>560</td>
<td>0.35 B</td>
</tr>
<tr>
<td>Ashby west of San Pablo</td>
<td>EB</td>
<td>1,600</td>
<td>1,610</td>
<td>1.01 F</td>
</tr>
<tr>
<td></td>
<td>WB</td>
<td>1,600</td>
<td>780</td>
<td>0.49 B</td>
</tr>
</tbody>
</table>

Notes:
1. Roadway capacities assumed to be 2,200 vehicles per hour per lane for freeway segments and 800 vehicles per hour per lane for arterial roadway segments.

Response to Comment TSC-30

This comment includes clarification regarding tables in Section IV.D, Transportation/Traffic, by City staff, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-31

This comment includes clarification of LOS by the ZAB, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-32

Regarding LOS, the Highway Capacity Manual states that LOS is a function of speed, travel, time, maneuverability, traffic interruptions, comfort, convenience, and control delay.
**Response to Comment TSC-33**

Regarding mitigation measures and LOS, the commenter is correct. The mitigation measures in the Draft EIR would improve LOS.

**Response to Comment TSC-34**

With regard to LOS for the proposed project, the traffic analysis for the West Berkeley Bowl does not use the same LOS as the existing Berkeley Bowl because these two stores would not share the same intersections. With regard to traffic generation for the proposed project, the traffic generation rate used for the project does not account for people using alternate modes of transportation to arrive at the store.

**Response to Comment TSC-35**

Regarding directions in Table IV.D-11 and IV.D-12, the commenter is referred to Response to Comment TSC-29.

**Response to Comment TSC-36**

Regarding directions in Table IV.D-11 and IV.D-12, the commenter is referred to Response to Comment TSC-29.

**Response to Comment TSC-37**

This comment includes statements about the public comment period and the CEQA and project approval process, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

**Response to Comment TSC-38**

Regarding phasing, split phasing is when each approach of an intersection is given a green light independently of the other approaches. This allows all movements of an approach (left, through and right movements) to travel though the intersection at the same time without conflict.

Protected left-turn phasing is when the left-turn of an approach is a green arrow and able to travel through an intersection independently of other movements.

Protected/permitted left-turn phasing is when the left-turn of an approach is a green arrow and able to travel through an intersection independently of other movements. Once the left-turn phase of the signal is complete, the left-turn will have a green ball, which allows vehicles to turn left if there is a gap in the opposing through traffic.
Response to Comment TSC-39

This comment includes a statement in response to the previous commenter’s question about phasing and split phasing, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-40

With regard to rewriting the wording of the mitigation measures, the mitigation measures will be rewritten to be more understandable to the ZAB. Regarding split phasing, the commenter is referred to Response to Comment TSC-38.

Response to Comment TSC-41

This comment includes a statement describing slip phasing, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSC-42

This comment includes statements about an existing roadway configuration, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-43

Regarding clarifying the mitigation measures from Section IV.D, Transportation/Traffic of the Draft EIR, these mitigation measures will be clarified before they are presented to the ZAB for consideration of approving the permit.

Response to Comment TSC-44

Regarding traffic generation for the proposed project, the commenter is referred to Master Response 9.

Response to Comment TSC-45

With regard to traffic counts, traffic counts were collected at the Ashby Avenue and San Pablo Avenue intersection for the West Berkeley Bowl study on a clear day with area schools in normal session. The total traffic counted through the intersection was 4,034 vehicles. Fehr & Peers was able to verify the counts used for the Draft EIR because three locations were counted and each location was consistent with
the other locations. No major construction activities or traffic incidents were reported in the study area. There is no way to verify the accuracy of the 1993 traffic count.

Traffic count data can vary from day-to-day, week-to-week, and year-to-year. Variations in traffic counts occur because of major capacity improvements such as the I-80 HOV and other projects. Variations may also occur as the land use characteristics change within an urbanized area. Fehr & Peers did obtain 1995 and 1997 traffic counts, which showed that 1995 and 1997 data was lower than the counts collected in 1992 (total of 4,161 [1995] and 4,265 [1997] vehicles traveling through the intersection vs. 4,656).

Response to Comment TSC-46

This comment includes statements by ZAB members regarding making comments on the Draft EIR, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSC-47

Regarding pass-by-trips, a pass-by trip is defined as a trip already on the surrounding roadway system that would divert to the project as an interim stop to an ultimate destination. Pass-by trips are not considered new trips on the surrounding roadway system, but do represent new trips to and from the project site. An example pass-by trip would be a parent picking up their child from the Ecole Bilingue de Berkeley and then stopping at the grocery store prior to going home.

Response to Comment TSC-48

This comment expresses that the previous comment regarding traffic counts from 1993 (refer to Comment TSC-45) is not a comment of the Draft EIR for the West Berkeley Bowl project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-49

This comment includes a statement in response to Comment TSC-48, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-50

Regarding traffic counts used in the Draft EIR for the proposed project, the commenter is referred to page IV.D-11 in Section IV.D, Transportation/Traffic of the Draft EIR, which states the following:
“Weekday evening (4:00 to 6:00 PM) peak period intersection turning movement counts were conducted at the seven study intersections in April 2005, and automatic, 24-hour counts were conducted on 9th Street, north of Heinz Avenue, and Heinz Avenue, east of 10th Street for two weekdays and on a Saturday in April 2005.”

Also, the commenter is referred to Response to Comment TSC-45.

Response to Comment TSC-51

Regarding traffic generation for the proposed project, the commenter is referred to Master Response 9.

Response to Comment TSC-52

Regarding the weekday peak hour for the proposed project, the commenter is referred to Master Response 9 and Response to Comment TSC-16.

Response to Comment TSC-53

Regarding the Saturday peak-hour traffic analysis for the proposed project, the commenter is referred to Master Response 8.

Response to Comment TSC-54

This comment includes general statements by the ZAB about the traffic analysis in the Draft EIR, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-55

Regarding the standards of significance used in Section IV.D, Transportation/Traffic, of the Draft EIR, in accordance with Appendix G of the CEQA Guidelines, the traffic analysis addressed the following (refer to page IV.D-21 of the Draft EIR):

- cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number or vehicle trips, the V/C ratio on roads, or congestion at intersections);
- exceed, either individually or cumulatively, a LOS standard established by the county congestion management agency for designated roads or highways;
- result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks;
• substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment);

• result in inadequate emergency access;

• result in inadequate parking capacity; or

• conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).

For the analysis of the Metropolitan Transportation System (refer to the second bullet above), the Alameda County Congestion Management Agency requirements for analysis and significance thresholds were used. For all other transportation/traffic analyses (refer to all other bullets above), the City of Berkeley’s significance thresholds were used. Also, the commenter is referred to Master Response 10.

**Response to Comment TSC-56**

Regarding the Metropolitan Transportation System traffic analysis (specifically the intersection of San Pablo Avenue and Ashby Avenue) in the Draft EIR and additional mitigation, as stated on page IV.D-42, the Alameda County Congestion Management Agency’s standard of significance for determining project impacts includes, “On Alameda County Congestion Management Agency designated roadway segments that are projected to exceed the standard in the future without the project, the impact is significant if the project adds at least five percent to the future peak-hour traffic volume.” As stated on page IV.D-44 of the Draft EIR, “The increase caused by the project would be less than five percent and so is considered to be a less than significant impact.” Section 15126.4(a)(3) of the CEQA Guidelines states, “Mitigation measures are not required for effects which are not found to be significant.” Outside of the CEQA process, the City decision makers may choose to impose other “mitigation” measures (or “conditions to reduce detriment”) on the proposed project.

Additionally, Fehr & Peers was directed by the City to assume that the westbound left-turn lane at the Ashby Avenue and San Pablo Avenue intersection would be completed for the Cumulative (Year 2030) No Project scenario. This is a planned improvement that would be constructed regardless of the project. Also, the commenter is referred to Response to Comment TSC-27.

**Response to Comment TSC-57**

This comment includes statements by City staff regarding when mitigation measures are required, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSC-58

This comment includes statements by the ZAB regarding the City imposing further mitigation measures or conditions to reduce detriment on the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-59

This comment includes statements by City staff in response to comment TSC-58, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-60

Regarding the Alameda County Regional Transportation Plan and mitigation, there is currently no fee program in place for transportation projects in the City of Berkeley.

Response to Comment TSC-61

This comment includes a statement by the ZAB regarding the Alameda County Regional Transportation Plan and the transportation commission, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-62

This comment includes a statement by the ZAB in response to Comment TSC-61, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-63

This comment includes statements by the ZAB regarding the Alameda County Regional Transportation Plan, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSC-64

Regarding regional traffic impacts, an analysis of project impacts to the Metropolitan Transportation System is included on pages IV.D-41 through IV.D-45 of the Draft EIR. Project impacts related to the Metropolitan Transportation System were found to be less than significant. Also, the commenter is referred to Master Response 7.

Response to Comment TSC-65

This comment expresses that regional impacts are a crucial thing that happens in the Draft EIR, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-66

This comment includes statements of fact by the ZAB regarding project impacts to the Metropolitan Transportation System and expresses an interest in imposing conditions to reduce detriment on the proposed project in the future, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Also, the commenter is referred to Response to Comment TSC-27.

Response to Comment TSC-67

This comment includes statements by City staff that summarizes comments made by the ZAB on the Draft EIR does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-68

Regarding significant impacts to the intersection of San Pablo Avenue and Ashby Avenue, traffic generated by the project would not result in a project-specific, significant impact to the intersection of San Pablo Avenue and Ashby Avenue (refer to Table IV.D-8 on page IV.D-37 of the Draft EIR) but would contribute to a significant, cumulative impact to this intersection. Mitigation Measure IV.D-16 on page IV.D-71 would reduce the project’s contribution to this impact to a less-than-significant level.

Response to Comment TSC-69

This comment includes statements by the ZAB regarding development occurring at the intersection of San Pablo Avenue and Ashby Avenue, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the
comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-70

This comment includes statements from ZAB members regarding development occurring at the intersection of San Pablo Avenue and Ashby Avenue, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-71

With regard to the Saturday peak-hour traffic analysis for the proposed project, the commenter is referred to Master Response 8.

Response to Comment TSC-72

Regarding LOS, according to the 2000 Highway Capacity Manual, LOS is a measurement of how well a given intersection is operating and is a function of several components, as discussed in Response to Comment TSC-32. LOS is measured from LOS A to LOS F; LOS A describes operations with very low delay occurring with favorable progression and/or short cycle lengths and LOS F describes operations with delays unacceptable to most drivers due to over saturation, poor progression, or very long cycle lengths. Although the Highway Capacity Manual can provide results for intersections over capacity, it recognizes that modest increases in traffic volumes cause significant increases in delay at intersections over capacity. As such, the method becomes less reliable for estimated actual delay when an intersection is over capacity.

Response to Comment TSC-73

This comment includes statements from the ZAB about LOS standards, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-74

With regard to signalized intersections in the City of Berkeley operating at LOS F, according to the City of Berkeley, a project would have a significant impact at a signalized intersection operating at LOS F if the project’s traffic causes a change in the vehicle-to-capacity ratio of more than 0.01 (refer to page IV.D-22 of the Draft EIR). During the weekday PM peak hour, traffic generated by the proposed project does not trigger this threshold.
Response to Comment TSC-75

This comment includes statements from the ZAB about LOS standards, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-76

This comment includes statements from City staff in response to Comment TSC-75, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-77

Regarding the use of County standards versus City standards for determining impact significance in Section IV.D, Transportation/Traffic, of the Draft EIR, the commenter is referred to Response to Comment TSC-55.

Response to Comment TSC-78

This comment includes statements from City staff in response to Comment TSC-76, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-79

Regarding the use of City standards for determining impact significance in Section IV.D, Transportation/Traffic of the Draft EIR, the commenter is referred to Response to Comment TSC-55.

Response to Comment TSC-80

This comment includes statements from City staff summarizing comments from ZAB members regarding use of significance thresholds in the Draft EIR, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSC-81

Regarding the use of City standards for determining impact significance in Section IV.D, Transportation/Traffic of the Draft EIR, the commenter is referred to Response to Comment TSC-55.

Response to Comment TSC-82

With regard to the Saturday peak-hour traffic analysis for the proposed project, the commenter is referred to Master Response 8.

Response to Comment TSC-83

With regard to trip assignment and the “grid,” when selecting the intersections to include in the traffic study, Fehr & Peers looked at the trip distribution to determine the trips that would travel on the roadway network. Project trips are in high concentration at the intersections surrounding the proposed project, but dispersion increases with distance from the project site. Intersections to which significant amounts of project traffic would be added were selected for analysis as they were most susceptible to having a project related impact.

Response to Comment TSC-84

This comment includes a description of peak-hours by the ZAB, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-85

This comment includes general statements by the ZAB about comments from ZAB members and statements and questions about the meeting, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-86

This comment includes statements of introduction for the commenter and expresses interest in the proposed project, and generally states that the Draft EIR has failures, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSC-87

This comment states generally that the Draft EIR is a failure, and includes general statements regarding significance standards and mitigation measures, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

With regard to ZAB imposing other measures or conditions that are not related to a significant environmental impact of the proposed project, the commenter is referred to the last paragraph of Master Response 4.

Response to Comment TSC-88

This comment expresses concerns about traffic and parking and the intersection of Heinz Avenue and 9th Street, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Also, the commenter is referred to Master Response 4.

Response to Comment TSC-89

This comment includes statements about appropriate levels of traffic on Heinz Avenue and 9th Street given their designation as bicycle boulevards, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-90

Regarding the commenter’s statement that the Draft EIR is deficient in not noting the context of traffic conditions in the project area (specifically, that the area contains pedestrians, bicycles, and vehicles), the context of traffic in the project area is adequately described on pages IV.D-11 through IV.D-17, which identify the existing vehicle, bicycle and pedestrian conditions in the project area, and pages IV.D-24 through IV.D-46 and pages IV.D-53 through IV.D-72, which discuss project-specific and cumulative impacts related to vehicles, and pages IV.D-46 through IV.D-53, which discuss project impacts related to pedestrians and bicycles. Regarding the commenter’s statement that special hazards would occur in the project area due to the mix of pedestrians, bicycles, and vehicles, the commenter is referred to Master Response 4.
Response to Comment TSC-91

Regarding the LOS analysis for the intersection of Heinz Avenue and 9th Street and the roadway segment of 9th Street north of Heinz Avenue, these analyses were purposely conducted using the 2000 Highway Capacity Manual and considering information in the Bicycle Plan, respectively. No significant project impacts to the intersection of Heinz Avenue and 9th Street or the segment of 9th Street north of Heinz Avenue were identified in the Draft EIR. Section 15126.4(a)(3) of the CEQA Guidelines states, “Mitigation measures are not required for effects which are not found to be significant.”

Response to Comment TSC-92

Regarding the operation of the intersection of 9th Street and Heinz Avenue between the hours of 3:00 PM and 4:00 PM, the 9th Street and Heinz Avenue intersection does operate at a poor LOS during peak periods around bell times for the Ecole Bilingue de Berkeley, primarily due to vehicles stopping in the travel lanes on 9th Street and Heinz Avenue to wait for their children. This congestion lasts for approximately 20 minutes. Over the course of an hour, the intersection operates at an acceptable service level and is anticipated to do so with the addition of project traffic. As an aside, the City of Berkeley has developed with the school an effective student drop-off/pick-up program located at the curb near the school instead of in the moving traffic lane.

Response to Comment TSC-93

This comment includes general statements regarding problems with the intersection of Heinz Avenue and 9th Street and 9th Street north of Heinz Street, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-94

Regarding the commenter’s recommendations to reduce potential conflicts between vehicles, bicycles and pedestrians in the vicinity of the project site, the commenter is referred to Master Response 4.

Response to Comment TSC-95

With regard to the loss of on-street parking in the project area, the commenter is referred to Master Response 6. With regard to parking associated with the West Berkeley Bowl, the commenter is referred to Master Response 2.

Response to Comment TSC-96

With regard to the loss of on-street parking in the project area, the commenter is referred to Master Response 6.
Response to Comment TSC-97

Regarding the loss of angled parking along Heinz Street and the need for mitigation related to the loss of parking, the commenter is referred to Master Response 6.

Response to Comment TSC-98

This comment includes a statement regarding the potential inconsistency of angled parking with bicycle, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-99

This comment includes general statements related to further analysis and mitigation conditions that could be imposed by the ZAB, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-100

This comment expresses an opinion regarding the analysis conducted for the intersection of Heinz Avenue and 9th Street, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-101

Regarding the analysis of pedestrian (including children) and bicycle safety and potential traffic conflicts on 9th Street north of Heinz Avenue and at the intersection of 9th Street and Heinz Avenue, the commenter is referred to Master Response 4.

Response to Comment TSC-102

This comment includes questions by the ZAB for the previous commenter regarding school operation, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSC-103

This comment includes statements in response to the questions asked in Comment TSC-102 related to the recommendations the commenter made in Comment TSC-94 regarding potential conflicts between vehicles, bicycles and pedestrians in the vicinity of the project site, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Also, the commenter is referred to Master Response 4.

Response to Comment TSC-104

Regarding the commenter’s statement that the Draft EIR is deficient in that the document did not include an analysis of the intersection of Heinz Avenue and 9th Street, traffic-related impacts to the intersection of Heinz Avenue and 9th Street are studied in several instances in the Draft EIR; the commenter is referred to pages IV.D-33 through IV.D-41 of the Draft EIR for an analysis of project impacts related to LOS and roadway segments that includes the intersection of Heinz Avenue and 9th Street and 9th Street north of Heinz Avenue (also, refer to Table IV.D-9 on page IV.D-38 and Table IV.D-10 on page IV.D-39); pages IV.D-46 through IV.D-47 for an analysis of project impacts related to pedestrians that includes pedestrians movements along Heinz Avenue and 9th Street; pages IV.D-47 through IV.D-53 for an analysis of project impacts related to bicycles that includes bicycle circulation on Heinz Avenue and 9th Street; page IV.D-59 for an analysis of project impacts related to parking demand associated with the Ecole Bilingue de Berkeley that includes parking on 9th Street; and pages IV.D-60 through IV.D-72 for analysis of cumulative impacts related to LOS and roadway segments that includes the intersection of Heinz Avenue and 9th Street and 9th Street north of Heinz Avenue (also, refer to Table IV.D-16 on page IV.D-69, Table IV.D-17 on page IV.D-70, and Table IV.D-18 on page IV.D-71). No significant impacts to the intersection of Heinz Avenue and 9th Street were identified. Section 15126.4(a)(3) of the CEQA Guidelines states, “Mitigation measures are not required for effects which are not found to be significant.” Thus, the Draft EIR is not deficient for the reason stated by the commenter.

Response to Comment TSC-105

This comment includes statements about project-related traffic conditions during time periods when the Ecole Bilingue de Berkeley is not in operation, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSC-106

This comment is the Planning Commission thanking the previous speaker and introducing the next speaker, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR.

Response to Comment TSC-107

This comment includes statements of introduction, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-108

This comment includes continued statements of introduction, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-109

This comment includes a general statement that the proposed project would result in an impact, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-110

This comment expresses interest in the proposed project and statements that the parents associated with the Ecole Bilingue de Berkeley have worked with the applicant and the City, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-111

This comment expresses concerns related to safety of the school children and parking, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSC-112

This comment includes statements generally related to the existing conditions at the Berkeley Bowl, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-113

This comment includes statements about the amount of parking provided by the proposed project and additional criticisms of the Draft EIR that will be submitted by a traffic engineer, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-114

This comment expresses concerns regarding the safety of the school children, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-115

This comment expresses concerns regarding drop-off and pick-up times associated with the Ecole Bilingue de Berkeley and statements about pedestrian traffic generated by the school, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-116

This comment includes statements about the Ecole Bilingue de Berkeley, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-117

Regarding the analysis of pedestrian (including children) and bicycle safety and potential traffic conflicts on 9th Street north of Heinz Avenue and at the intersection of 9th Street and Heinz Avenue, the commenter is referred to Master Response 4. With regard to the timing of the implementation of the traffic-related
mitigation measures identified in the Draft EIR, all traffic-related mitigation measures shall be implemented prior to the project becoming operational.

Response to Comment TSC-118

This comment expresses concerns regarding parking and statements regarding parking issues associated with the Ecole Bilingue de Berkeley, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-119

Regarding the loss of on-street parking, the commenter is referred to Master Response 6.

Response to Comment TSC-120

Regarding angled parking, the commenter is referred to Master Response 6.

Response to Comment TSC-121

This comment includes closing statements, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-122

This comment includes a question from the Planning Commission to the previous commenter regarding school children crossing the street, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-123

This comment includes a response to the Planning Commissions question in Comment TSC-122, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSC-124

This comment includes a question from the Planning Commission to the previous commenter generally regarding school operations and statements by the commenter in response to the question, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-125

This comment includes a question from the Planning Commission to the previous commenter asking for clarification of his response in Comment TSC-124, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-126

This comment includes statements in response to the question asked in Comment TSC-125 providing further clarification of statements in Comment TSC-124, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-127

Regarding special traffic flows associated with the Ecole Bilingue de Berkeley and whether the traffic engineer who prepared the traffic analysis for the Draft EIR considered these flows, the commenter is referred to pages IV.D-15 through IV.D-16 of the Draft EIR, which include a description of the existing traffic conditions on Heinz Avenue and 9th Street near the project site and school; pages IV.D-16 through IV.D-17, which include a description of the existing parking conditions in the project site and school area (also, refer to Figure IV.D-4 on page IV.D-19); page IV.D-17, which includes a description of the existing bicycle and pedestrian facilities and activities on Heinz Avenue and 9th Street near the project site and school; page IV.D-33, which includes an analysis of school and PM peak-hour intersection operations; pages IV.D-46 through IV.D-47, which include an analysis of pedestrian circulation in the project area (including pedestrians who are school children and parents) (also refer to Master Response 4); and page IV.D-59, which includes an analysis of project impacts related to the parking demand associated with the school.
Response to Comment TSC-128

This comment includes a question from the Planning Commission asking the commenter what requests he will make regarding traffic in the project area, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-129

This comment includes statements in response to the question asked in Comment TSC-128 related to traffic restrictions in the project area, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-130

This comment expresses an opinion regarding what City staff believe is needed in terms of traffic modifications/control in relation to the Draft EIR, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-131

This comment includes statements related to a monitoring program, traffic flow and circulation in the project area, and potential future mitigation measures, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-132

This comment expresses an opinion about an additional traffic study and an interest in limiting traffic on 9th Street, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-133

This comment includes a question from the ZAB to the previous commenter regarding suggestions to be considered in the Draft EIR, but the comment does not state a specific concern or question regarding the
sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-134

This comment includes statements about the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-135

This comment includes statements about suggestions made to the project architect and developer related to traffic flow in the project area, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-136

This comment includes statements about exploring other ways to control the flow of traffic in the project area, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-137

This comment includes a question from the ZAB to the previous commenter asking if he has anything else to say, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-138

This comment includes closing statements, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSC-139

This comment includes closing statements by the ZAB, introducing the next speaker, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-140

This comment includes statements of introduction, statements related to the CEQA process and project approval process, and statements that the comment is going to submit written comments, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-141

Regarding demolition at the project site, the commenter is referred to Response to Comment TSB-120.

Response to Comment TSC-142

This comment includes statements by the ZAB regarding the CEQA process and project-approval process, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-143

This comment includes a statement regarding the CEQA process and project-approval process, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-144

This comment includes a statement by the ZAB asking for clarification on the CEQA process and project-approval process, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
**Response to Comment TSC-145**

This comment includes statements by City staff in response to Comment TSC-144 to provide clarification of the CEQA process and project-approval process, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSC-146**

This comment includes a statement by the ZAB in response to Comment TSC-145, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSC-147**

This comment includes a question by City staff in response to Comment TSC-146, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSC-148**

This comment includes a question by the ZAB in response to Comment TSC-147, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSC-149**

This comment includes a statement by City staff in response to Comment TSC-148, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSC-150**

This comment includes statements by ZAB regarding the CEQA process and project-approval process, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSC-151

This comment includes statements thanking the ZAB for clarification of the CEQA process and project-approval process, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-152

This comment introduces the next speaker, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-153

Regarding demolition on the project site, the commenter is referred to Response to Comment TSB-120.

Response to Comment TSC-154

This comment includes statements by City staff, explaining that no demolition has occurred on the project site, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-155

This comment introduces the next speaker, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-156

This comment includes statements of introduction, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSC-157

This comment includes additional statements about the commenter, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-158

With regard to traffic-generated TACs, the commenter is referred to Response to Comment TSB-58.

Response to Comment TSC-159

This comment includes statements about studies of respiratory issues related to busy roads, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-160

This comment includes statements about the proposed location of the loading area at the project site and emissions from delivery trucks, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-161

With regard to traffic and safety concerns, the commenter is referred to Master Response 4.

Response to Comment TSC-162

Regarding to toxic air pollutants from motor vehicle exhaust, the commenter is referred to Response to Comment TSB-58. Regarding safety risks to children associated with traffic, the commenter is referred to Master Response 4.

Response to Comment TSC-163

This comment is the ZAB thanking the commenter, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSC-164

This comment includes a statement and question by the ZAB directed toward the previous commenter, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-165

This comment includes statements in response to Comment TSC-164 related to rethinking traffic impacts and mitigation measures, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-166

This comment includes a question by the ZAB directed toward the previous commenter, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-167

This comment includes statements about traffic conditions in the project area, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-168

This comment includes statements by ZAB directed toward the previous commenter related to her comments, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-169

This comment includes statements in response to Comment TSC-168 about traffic, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
**Response to Comment TSC-170**

This comment is the ZAB thanking the previous commenter, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSC-171**

This comment includes statements by City staff summarizing the comments of the previous public commenter, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSC-172**

This comment is the ZAB introducing the next speaker, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSC-173**

This comment includes statements of introduction and expresses interest in the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSC-174**

This comment expresses concerns about traffic and parking, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSC-175**

Regarding suggested changes to the project design and the handout presented by the speaker to the Planning Commission (handout is included in Appendix 2.0), the commenter is referred to Responses to Comments TSB-7 and TSB-8.
Response to Comment TSC-176

With regard to trucks blocking the main entrance to the project, the commenter is referred to Response to Comment TSB-5.

Response to Comment TSC-177

This comment offers a suggestion to have all delivery trucks and cars use separate ingress/egress at the project site, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-178

With regard to a “bike check,” the commenter is referred to Master Response 1.

Response to Comment TSC-179

With regard to employee parking associated with the West Berkeley Bowl project, the commenter is referred to Master Response 3.

Response to Comment TSC-180

This comment is the ZAB thanking the previous speaker and introducing the next speaker, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-181

This comment includes statements of introduction, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-182

This comment expresses concerns about traffic, health and safety, and scale of the proposed project and expresses an opinion about how the project would change the neighborhood character, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSC-183

This commenter includes statements about the size of the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-184

This comment expresses concerns about traffic, specifically at the intersection of 7th Street and Ashby Avenue, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Regarding the project’s regional draw, the commenter is referred to Master Response 7. With regard to the parking capacity associated with the West Berkeley Bowl, the commenter is referred to Master Response 5.

Response to Comment TSC-185

Regarding traffic generation of the proposed project and impacts to the intersection of 7th Street and Ashby Avenue, not all of the traffic generated by the project traveling to and from the site would pass through the intersection of 7th Street and Ashby Avenue. The analysis in the Draft EIR determined that the project would not result in a significant LOS impact to the intersection of 7th Street and Ashby Avenue because traffic generated by the project would not cause the LOS to degrade from LOS D to LOS E and more than a 2-second increase in delay.

Response to Comment TSC-186

This comment expresses concerns about traffic and includes statements about submitting additional comments from a traffic engineer, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-187

Regarding cumulative traffic conditions, the commenter is referred to pages IV.D-60 through IV.D-72 in the Draft EIR for an analysis of cumulative traffic impacts, and to Appendix III for a list of related projects assumed for the cumulative traffic analysis.
Response to Comment TSC-188

This comment includes a statement that the commenter has several concerns, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-189

This comment includes a question by the ZAB directed toward the speaker asking her to voice her concerns, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-190

This comment expresses concerns about health, safety, and air quality and requests additional analysis of health impacts, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-191

The first part of this comment expresses concerns about economic impacts and includes statements about complaints from customers, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Regarding traffic impacts of the proposed project, the commenter incorrectly states that the proposed project would result in “unsubstantial” traffic impacts. The commenter is referred to pages IV.D-25 through IV.D-26 of the Draft EIR, pages IV.D-26 through IV.D-41, pages IV.D-46 through IV.D-47, pages IV.D-53 through IV.D-57, and pages IV.D-60 through IV.D-72, which include analyses of various traffic-related impacts associated with the proposed project and cumulative development that identify several potentially significant traffic impacts, requiring the implementation of mitigation measures in order to reduce the impacts to a less-than-significant level (also, refer to Table II-1 on page II-8 of the Draft EIR for a summary of the potentially significant traffic-related impacts). Also, with regard to Saturday peak-hour traffic impacts associated with the West Berkeley Bowl, the commenter is referred to Master Response 8.

Response to Comment TSC-192

Regarding change in neighborhood character, potential project impacts related to the degradation of the visual character of the project site and surrounding area were addressed and scoped out in the Revised
Initial Study that is included Appendix Ib of the Draft EIR. These potential impacts were found to be less than significant, requiring no further analysis in the Draft EIR. The commenter is also referred to page V-1, which includes a discussion of potential project impacts related to the degradation of the visual character of the project site and surrounding area.

**Response to Comment TSC-193**

This comment includes statements regarding the commenter’s business, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSC-194**

This comment expresses concerns about the scale of the proposed project and includes statements comparing the project to Andronico’s, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSC-195**

Regarding storage space associated with the proposed project, the proposed warehouse space would be separate from the grocery store space. The warehouse is intended to receive goods in large tractor trailer trucks. The goods would then be processed through inventory, stored and at the appropriate time distributed to one of the two Berkeley Bowl Stores. Goods destined to the Berkeley Bowl store on Shattuck Avenue would be achieved with the use of smaller trucks. Goods to the West Berkeley Bowl would be delivered via lifts as the store is adjacent to the warehouse. The back of store operations would remain the same for both stores.

The warehouse is not intended to serve as the storage for the West Berkeley Bowl grocery store; it should be considered a separate facility. The grocery store would have its own storage facilities, just as the existing Berkeley Bowl does. As a result, the trip generation for the grocery has not been underestimated.

**Response to Comment TSC-196**

With regard to storage space, the commenter is referred to Response to Comment TSC-195.

**Response to Comment TSC-197**

Regarding demolition at the project site, the commenter is referred to Response to Comment TSB-120.
Response to Comment TSC-198

This comment is the ZAB thanking the speaker and introducing the next speaker, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-199

This comment expresses concerns about the traffic generation assumptions in the Draft EIR, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-200

This comment includes a suggestion directed at the ZAB to review the project applicant’s business plan to compare any traffic generation assumptions in the plan to the assumptions in the Draft EIR, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-201

This comment includes a question from the ZAB directed toward the previous speaker regarding the speaker’s comments, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-202

This comment includes a statement in response the question asked in Comment TSC-201 by the ZAB, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSC-203

This comment includes statements about grocery store depreciation and the business plan for the Berkeley Bowl, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
**Response to Comment TSC-204**

This comment is the ZAB thanking the previous speaker, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSC-205**

This comment includes statements by the ZAB concluding the public comment portion of the meeting, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSC-206**

This comment includes statements by City staff regarding the comments presented at the meeting, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSC-207**

Regarding the number of employees associated with the proposed project, the project includes approximately 100 employees for at least the first three years. At that point, additional employees may be hired.

**Response to Comment TSC-208**

This comment includes a statement from City staff in response to the question asked in Comment TSC-207, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSC-209**

With regard to employee parking associated with the West Berkeley Bowl project, the commenter is referred to Master Response 3.

**Response to Comment TSC-210**

This comment includes a statement in response to the question asked in Comment TSC-209, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or
mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSC-211**

This comment includes a statement by the ZAB concluding the item for the meeting, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER A: Transportation Commission (Fran Haselsteiner)**

**Response to Comment A-1**

This comment offers the suggestion of providing a delivery service to reduce vehicle trips to the site. This comment has been forwarded to the project applicant for consideration. The comment also notes that vehicle traffic may be higher the 4,000-vehicle threshold for a bicycle boulevard. The two bicycle boulevards in the study area (9th Street and Heinz Avenue) are projected to have daily traffic volumes less than 4,000 vehicles per day in the cumulative condition with project buildout.

**Response to Comment A-2**

Regarding the number of employees at the existing Berkeley Bowl and the proposed West Berkeley Bowl, the existing Berkeley Bowl has 230 employees, and according to The Supplemental Applicant’s Statement (September 24, 2004), the West Berkeley Bowl would employ 100 employees for at least the first three years. At that point, additional employees may be hired.

**Response to Comment A-3**

This comment includes statements of fact about information presented in the Draft EIR, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment A-4**

With regard to secondary environmental impacts associated with parking deficits, as discussed in Master Response 5, the proposed project would not result in an unmet parking demand. No secondary environmental impacts related to an unmet parking demand are expected to occur. With regard to mode shift, the Draft EIR did not assume a mode shift as a result of any parking deficiencies. As a result, the parking analysis reflects a worse-case scenario. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment A-5

The comment states that 2003 numbers were used in the traffic analysis. This is incorrect. Fehr & Peers collected traffic count data at all study intersections and roadway segments in 2005.

Regarding the estimated number of traffic trips generated by the project, the commenter is referred to Table IV.D-6 on page IV.D-29 in the Draft EIR that shows the estimated number of average daily trips associated with the proposed project is 5,800 weekday trips and 9,770 Saturday trips. Based on these trips, the project is estimated to generate approximately 48,540 trips per week (assuming 9,770 Sunday trips). As shown in Table IV.D-6, a 36 percent pass-by reduction was only considered in the traffic analysis for areas outside the primary study area (i.e., at the Ashby Avenue and I-80 interchange).

Response to Comment A-6

With regard to the percentage of current Berkeley Bowl customers that are from outside of Berkeley, the commenter is referred to Master Response 7.

Response to Comment A-7

Regarding consistency with (or responsiveness to) Goal 1 of the Transportation Element of the West Berkeley Plan, as with any business owner, the owners of the West Berkeley Bowl would not be able to force customers to not drive to the business. However, it is reasonable to believe that by locating the project in an area that is: 1) readily served by an extensive public transit system (AC Transit), 2) in area with no grocery store, which encourages local residents to possibly drive or take lengthy bus rides to the existing Berkeley Bowl or other grocery stores outside of West Berkeley, and 3) adjacent to the Bicycle Boulevard, visitors to the project site would at least have the option to choose more than one viable, alternative means of transportation, thereby reducing the number of vehicle trips to the site. Also, as an example of this argument and to support the existing consistency analysis with Goal 1 in the Draft EIR, the commenter is referred to Comment Letter P, which was submitted in response to the Draft EIR by the residents of Sister Thea Bowman Manor. These residents live in the project area, and their letter describes the difficulties they experience in getting groceries and mentions that the project would be within walking distance for them, implying that they would walk to the West Berkeley Bowl. For these reasons, the consistency analysis with Goal 1 is not considered non-responsive, and no further analysis with this goal is required.

Response to Comment A-8

Regarding traffic impacts to core neighborhoods, the transportation study contained in the Draft EIR assumed that 15 percent of project traffic would access the site from the north though the neighborhood streets (7 percent 7th Street, 2 percent 8th Street, and 6 percent 9th Street). No significant impacts were identified on these streets. Additionally, the parking analysis indicated that peak parking demand could exceed the proposed on-site parking supply by approximately 12 spaces during the PM peak hour.
However, a parking survey conducted by Fehr & Peers shows that sufficient on-street parking within one to two blocks would exist to accommodate the short term parking overflow from about 3:00 to 5:00 PM.

**Response to Comment A-9**

Regarding the traffic distribution of the project, vehicles access the site from Ashby Avenue at 9th Street would be able to turn to/from 9th Street from a signalized intersection. Signal timings at the intersection can be adjusted based on actual traffic volumes through the intersection when the project is completed and occupied to minimize backups on Ashby Avenue at 9th Street. Based on the project site layout, it is less circuitous for patrons to access the parking garage when entering the site from Ashby Avenue. Also, based on the projected trip distribution patterns, approximately 56 percent of project patrons are expected to come from the south of the project site, with entrance from Ashby Avenue more convenient.

**Response to Comment A-10**

With regard to peak hour for the Berkeley Bowl, the project applicant provided Fehr & Peers with data relating to the number of sales transactions per hour throughout the day. This information shows that the peak period of sales for Berkeley Bowl occurs between 2:00 and 6:00 PM, with the highest hour between 5:00 and 6:00 PM. With regard to the Saturday peak hour, the commenter is referred to Master Response 8.

**Response to Comment A-11**

Regarding traffic generation and impacts associated with Alternative B.1 (office development) and Alternative B.2 (light industrial manufacturing), the commenter is referred to pages VI-10 through VI-15 in the Draft EIR for a discussion of traffic related impacts associated with Alternatives B.1 and B.2. As discussed in the text on the referenced pages, although the traffic generated by an office and light industrial manufacturing development would be less than the proposed project, the resulting impacts would be generally similar to the proposed project, requiring implementation of mitigation measures similar to those prescribed in the Draft EIR. With regard to the Saturday peak-hour traffic analysis for the project, the commenter is referred to Master Response 8.

**Response to Comment A-12**

Regarding the commenter’s statement that the alternatives analysis does not “argue for” the project, the purpose of the alternatives analysis is not to promote the project; the purpose of the analysis is to allow the decision-makers to compare/contrast the environmental impacts of the proposed project to land uses that are currently allowed and have already been considered in the General Plan and to identify ways to reduce or avoid the significant environmental impacts of the project while meeting most of the basic project objectives. Regarding the Saturday peak-hour traffic analysis, the commenter is referred to Master Response 8. Regarding the use of the City’s significance thresholds, the commenter is referred to Response to Comment TSC-55.
Response to Comment A-13

The comment states that the Draft EIR acknowledges that traffic conditions would degrade on Ashby Avenue and San Pablo Avenue, although some non-Berkeley Bowl traffic is likely to divert to other streets, such as 6th and 7th Streets and Dwight Way. While some traffic could shift to alternative routes as traffic conditions degrade on Ashby Avenue and San Pablo Avenue, these shifts are expected to be minimal as the capacity of 6th and 7th Streets and Dwight Way is less than the capacity of Ashby Avenue and San Pablo Avenue. As those roadways are already at capacity, according to the comment, these routes would not be attractive alternative routes. Additionally, San Pablo Avenue and Ashby Avenue connect to the regional roadway network, such as I-80 and I-580, while 6th and 7th Streets and Dwight Way do not.

Response to Comment A-14

Regarding the use of 2003 numbers, the commenter is referred to Response to Comment A-5.

Response to Comment A-15

This comment expresses concern about the project’s contribution of traffic to emergency routes, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER B:  East Bay Municipal Utility District (William Kirkpatrick)

Response to Comment B-1

This comment provides information about water service in the project area, EBMUD, and water service requirements that the project applicant would have to meet, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment B-2

This comment includes statements of fact about information in the Draft EIR and water service requirements that the project applicant would have to meet, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment B-3

Regarding wastewater treatment, based on information provided in this comment, the Final EIR has been edited as follows:

- The last paragraph on page V-18, which continues onto page V-19 of the Draft EIR, has been changed in the Final EIR (refer to Section IV, Revisions to the Draft EIR) to read as follows:

  “The project would not require or result in the construction of a new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. The City of Berkeley provides sanitary sewer and water service to the project site. The project applicant would pay the City of Berkeley a sanitary sewer connection fee to fund the maintenance and improvement of the sanitary sewer system. Additionally, the City has indicated that as a condition of project approval, the project applicant would be required to connect to the sewer main in Heinz Street and would be required to preserve the existing sewer easement that crosses the project site and provide sufficient access to the easement. Wastewater treatment services to the proposed project would be provided by EBMUD. According to EBMUD, the Main Wastewater Treatment Plant is anticipated to have adequate dry weather capacity to treat the proposed wastewater flow from the project, provided the wastewater flow meets the standards of EBMUD’s Environmental Services Division. Additionally, the City of Berkeley Public Works Department has confirmed that there is available wastewater capacity within Subbasin 17-101 to accommodate flows from the proposed project.\(^1\) The amount of water consumed and wastewater generated by the proposed project would not require or result in the construction of new facilities or the expansion of existing facilities. Therefore, project impacts related to water and wastewater treatment facilities would be less than significant, and no further analysis of this issue is required.”

\(^1\) Yee, Henry, Supervising Civil Engineer, City of Berkeley Public Works Department, E-mail, March 21, 2006.

LETTER C: Alameda County Congestion Management Agency (Saravana Suthanthira)

Response to Comment C-1

This comment includes statements of fact regarding information in the Draft EIR, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
**Response to Comment C-2**

The comment states that potential impacts on the Metropolitan Transportation System were only partially addressed in the DEIR, and that the analysis should be expanded to include I-580, SR 24, Dwight Way, University Avenue, and 6th and 7th Streets. Based on the project trip generation and trip distraction, project trips on these roadways are expected to be minimal. Project vehicle trips on I-580 and SR 24 are expected to be less than 10 vehicles during the PM peak hour. Project vehicle trips on Dwight Way and University Avenue are expected to be less than 20 vehicles during the PM peak hour, and project vehicle trips on 6th and 7th Streets are expected to be less than 30 vehicles during the PM peak hour. Those increases in vehicle trips would not increase the traffic volumes, if they were operating at a deficient service level, on any of the roadway segments by more than 5 percent. Therefore, the impact on these roadways would be less-than-significant.

**Response to Comment C-3**

The comment requests a revision to the text on Page IV.D-42 on the DEIR. Thus, the Final EIR has been edited as follows:

- The first sentence of the third paragraph on page IV.D-42 has been changed in the Final EIR (refer to Section IV, Revisions to the Draft EIR) to read as follows:

  “Based on LOS standards for the Development Plan City of Berkeley General Plan EIR established by the ACCMA, the standard of significance for determining project impacts is as follows:”

**Response to Comment C-4**

With regard to the Alameda County Congestion Management Agency’s significance criteria versus the City of Berkeley’s significance criteria for determining impacts, the commenter is referred to Master Response 10.

**Response to Comment C-5**

The comment states that the Alameda County Congestion Management Agency LOS standard for I-80 is LOS E. Thus, the Final EIR has been edited as follows:

- The second to the last sentence of the third paragraph on page IV.D-42 of the Draft EIR has been changed in the Final EIR (refer to Section IV, Revisions to the Draft EIR) to read as follows:

  “The LOS standard on I-80 in the project vicinity is LOS E.”

The comment requests that the analysis and mitigation for I-80 reflect this. Based on the analysis presented in Tables IV.D-11 and IV.D-12, I-80 in the vicinity of the project site is projected to operate at
LOS E or better in the 2010 condition. In the 2025 condition, I-80 northbound, south of Ashby Avenue is projected to operate at LOS F, with a V/C ratio of 1.05 without the project. With the addition of project traffic, the segment is projected to remain at LOS F with a V/C ratio of 1.05. All other segments of I-80 in the vicinity of the project site are projected to operate at acceptable service levels (i.e. LOS E or better) with the addition of project traffic. Even so, the project would increase traffic volumes by less than one percent on freeway segments in the area, and the significance threshold is five percent or greater.

Response to Comment C-6

The comment states that San Pablo Avenue and Ashby Avenue are projected to operate at LOS F in 2010 and 2025 without and with the project, and that the project will increase traffic on these roadways between two and four percent. The comment also states that during the bi-annual LOS Monitoring process, the City is responsible for developing deficiency plans to correct deficiencies if they are not statutorily exempt. Collection of a fair-share portion of funds from the project developer to address future deficiencies is also suggested. This comment has been noted for consideration by the City; however, no mechanism currently exists to require such payments. The project applicant is, however, responsible for mitigating project impacts. Mitigation measures have been identified at Ashby Avenue intersections with 7th Street and San Pablo Avenue, as well as Heinz Avenue at San Pablo Avenue.

LETTER D: Department of Transportation (Timothy Sable)

Response to Comment D-1

Regarding financing of traffic-related mitigation measures, the commenter is referred to Response to Comment ZZ-1. Regarding scheduling and implementation responsibilities associated with the traffic-related mitigation measures, the commenter is referred to Section V, Mitigation Monitoring Report Plan, in this document. Regarding Department of Transportation’s encroachment permit requirements, the City and the project applicant will comply with all encroachment permit requirements.

Response to Comment D-2

Regarding installation of the proposed traffic signal, the City and the project applicant will coordinate with Department of Transportation prior to installation of the proposed traffic signal. The signal warrants and the synchro files have been forwarded to the California Department of Transportation.

Response to Comment D-3

With regard to the intersection of Heinz Avenue and San Pablo Avenue, the Heinz Avenue and San Pablo Avenue intersection is a T-intersection. There is no westbound approach and the eastbound approach consists of a shared right/left-turn lane. As a result, the eastbound left-turn phasing operates as a protected left because there are no conflicting turning movements.
**Response to Comment D-4**

Regarding Department of Transportation’s encroachment permit requirements, the City and the project applicant will comply with all encroachment permit requirements.

**LETTER E: Department of Toxic Substances Control (Karen M. Toth)**

**Response to Comment E-1**

This comment includes general statements regarding reviewing the Draft EIR and about Department of Toxic Substances Control (DTSC), but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment E-2**

Regarding addressing the issues in DTSC’s letter submitted in response to the Notice of Preparation for the proposed project, the issues raised in DTSC’s Notice of Preparation (NOP) letter were addressed in the Revised Initial Study, which is included in Appendix I of the Draft EIR. DTSC recommended sampling to ensure that no contamination exists that could affect nearby by properties or affect long-term use of the project site. The commenter is referred to page 16 in the Revised Initial Study and to pages V-8 through V-9 of the Draft EIR, which explain that based on a Phase I and a limited Phase II Environmental Site Assessment (ESA), the preparers of the reports concluded that no significant environmental issues occur at the site and no further investigations relative to the environmental conditions at the site are needed. DTSC stated in their NOP letter that the Initial Study indicates that an underground storage tank was removed in 1994. This is incorrect; the Revised Initial Study includes no such indication. However, the Phase I and II acknowledge that there are and have been underground storage tanks/vaults and past contamination at the site. Additionally, DTSC’s NOP letter stated that the Phase I and Phase II reports were not provided, and again, this is incorrect. The commenter is referred to the footnote on page 16 in the Revised Initial Study and on page V-8, which state that the reports are available for review at the City and on the City’s website. Further, DTSC requested in the NOP letter an evaluation for hazardous substances such as lead/lead-based paint. The commenter is referred to page 16 in the Revised Initial Study that discusses the regulations related to lead and asbestos that the project applicant would be required to conform to during the project’s demolition phase. Compliance with these existing regulations would ensure that the project would not result in a significant hazard. Finally, because of the low probability that contamination occurs at the project site, the need for remediation is not anticipated.
Response to Comment E-3

Regarding the soil management plan, as discussed in Response to Comment E-3, the measure to prepare a soils management plan in the event that contaminated soils are encountered during project construction is included as part of the project description as a safeguard to protect construction workers against the remote chance that contamination occurs at the site. According to the City, the project site is in an “Environmental Management Area,” and preparation of a soil/groundwater management plan would be required of the project applicant per City policy. As stated previously, based on a Phase I and a limited Phase II ESA, the preparers of the reports concluded that no significant environmental issues occur at the site and no further investigations relative to the environmental conditions at the site are needed.

Response to Comment E-4

Regarding sampling at the project site, the commenter is referred to Response to Comment E-2.

Response to Comment E-5

Regarding remediation, the commenter is referred to Response to Comment E-2 and E-3.

LETTER F: State Clearinghouse (Terry Roberts)

This comment comprises a letter from the State Clearinghouse regarding sending the Draft EIR to state agencies for review and comment and regarding comments from agency review.

LETTER G: State Clearinghouse (Terry Roberts)

This comment comprises a letter from the State Clearinghouse regarding comments made by agencies on the Draft EIR.

LETTER H: Jenny Balisle

Response to Comment H-1

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER I: Edward J. Levitch, AIA

Response to Comment I-1

This comment includes statements about the commenter’s appreciation for the Planning Commission’s efforts, but it does not state a specific concern or question regarding the adequacy of the analysis contained in
the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment I-2**

This comment expresses opposition to the proposed zone change and discusses speculative development scenarios for a parcel adjacent to the project site, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment I-3**

With regard to the “mixed-use residential character” of the project area, as stated on pages V-1 and V-2 of the Draft EIR, the project site and surrounding area are characterized predominantly by commercial, office, and warehouse uses. The project site is comprised of a largely vacant site that is overgrown with unkempt weedy vegetation and a dilapidated shed structure and another site used for storage with a warehouse structure. Implementation of the proposed project would likely improve the visual character of the site and surrounding area by removing the existing disheveled uses from the site and developing the site with structures that architecturally-compatible with surrounding land uses and landscaping the site with maintained trees, shrubs, and flowers. For these reasons, the project would not substantially degrade the existing visual character or quality of the site and its surroundings.

**Response to Comment I-4**

This comment includes a general statement about traffic and expresses opinions regarding the character of the neighborhood, the proposed project and the project developer, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER J: Magali Salomon**

**Response to Comment J-1**

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment J-2

This comment expresses an interest in a traffic plan that supports pedestrian walkways, bike routes, and properly channeled automobile traffic, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER K: Sandy Simon

Response to Comment K-1

This comment includes statements about the commenter submitting written comments, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment K-2

This comment expresses concerns related to the proposed project’s potential impacts related to traffic congestion (including traffic congestion at the intersection of Ashby Avenue and 7th Street), parking supply, and pedestrian safety. Each of these issues was addressed in Section IV.D (Transportation/Traffic) of the Draft EIR. As discussed therein, the proposed project’s potentially significant impacts related to traffic congestion would be mitigated to a less-than-significant level. A detailed analysis of the parking demand in the vicinity of the project site is included on pages IV.D-57 through IV.D-59 of the Draft EIR. The parking analysis did not identify any significant project impacts related to parking supply. In addition, pages IV.D-46 through IV.D-47 of the Draft EIR present a discussion that specifically addresses the proposed project’s potential impacts related to pedestrians (also, refer to Master Response 4).

Response to Comment K-3

This comment includes a suggestion that alternative parking should be provided for employees, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Also, refer to Master Response 5.

With respect to the project applicant providing a “bike check” at the project site, the commenter is referred to Master Response 1.

With respect to the proposed unloading plan, the commenter is referred to Master Response 2.
The comment also expresses concerns regarding the location of the access points from 9th Street and their proximity to Ecole Bilingue de Berkeley. Should the commenter’s concern be related to the proposed project and existing school’s combined impact to traffic congestion, the existing traffic counts presented in Section IV.D (Transportation/Traffic) were taken during the school and PM peak hours. The traffic analysis concludes that with the addition of project traffic to existing traffic (which includes school traffic) potentially significant traffic impacts could be mitigated to a less-than-significant level. Should the commenter’s concern be related to the safety of student pedestrians and project-related traffic, the commenter is referred to Master Response 4.

Response to Comment K-4

Regarding site access, circulation, and parking associated with the proposed West Berkeley Bowl, these issues were analyzed in the Draft EIR (refer to pages IV.D-53 through IV.D-57), and potentially significant impacts were identified for site access and circulation. Mitigation Measures IV.D-9 through IV.D-14 were prescribed to reduce potentially significant impacts related to site access and circulation to a less-than-significant level.

Response to Comment K-5

This comment includes direction to plan for positive traffic flow and to encourage bicycling, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment K-6

This comment expresses a general opinion, but the comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER L: San Pablo Park Neighbors

Response to Comment L-1

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment L-2

This comment generally expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment L-3

This comment generally expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment L-4

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER M: Jessica Fiedler

Response to Comment M-1

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment M-2

The comment correctly states that the potential environmental impacts addressed in the Draft EIR, including traffic and land use impacts, were determined to be less than significant with mitigation. The remainder of the comment expresses general observations about the proposed project’s potential traffic impacts, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment M-3

This comment includes statements about the commenter and the project site and expresses opinions related to the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment M-4

This comment infers support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment M-5

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER N: John Curl

Response to Comment N-1

This comment includes statements of fact about information in the Draft EIR, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment N-2

This comment discusses various grocery stores in the City of Berkeley, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Additionally, for a further response regarding the grocery stores referenced in this comment, the commenter is referred to Response to Comment TSA-22.
Response to Comment N-3

As stated on page VI-17 of the Draft EIR, Alternative C “was specially designed to sell only natural and organic foods and was not intended to be a full-service supermarket. Because the project in Alternative C would only provide premium quality produce and groceries (natural/organic), the prices in this store would be more expensive than in the current marketplace proposal and it would not offer the wide range of produce and other goods provided by a full-service supermarket.” Thus, the statement in this comment that “the applicant claims that anything less than his proposed 91,060 sf megastore (54,735 sf groceries plus 28,805 sf storage plus 4,120 sf office) is not a ‘full-service supermarket’” is incorrect. In fact, Alternative C is not considered a full-service supermarket due to the limited range of goods that it could be accommodated by a Berkeley Bowl establishment, rather than specifically due to the size of the facility.

The remainder of the comment claims that the analysis in the Draft EIR is biased and inadequate, but the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this assertion (refer to §15204[c] of the CEQA Guidelines). Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment N-4

This comment urges the Planning Commissioners to not believe the information in the Draft EIR, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment N-5

This comment presents speculation regarding the motives of the project applicant and the City of Berkeley local government, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment N-6

Regarding precedent related to the requested zone change, the commenter is referred to pages V-21 through V-22, which explain that the requested zone change would not be a precedent-setting action and would not encourage other zone changes to areas in the vicinity of the project site.
Response to Comment N-7

This comment expresses opposition and opinions related to the proposed zone change, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment N-8

This comment expresses opposition and opinions related to the proposed zone change, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment N-9

This comment includes statements about the West Berkeley Plan and the status of American industry, but the comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment N-10

This comment expresses an opinion about industry in the City of Berkeley does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment N-11

This comment includes statements about the West Berkeley Plan does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment N-12

The first part of this comment implies that the Draft EIR is biased, but the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this assertion (refer to §15204[c] of the CEQA Guidelines). Therefore, no further response is required.
However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

The second part of this comment implies that the proposed project is inconsistent with the goals of the West Berkeley Plan due to the proposed project’s land use type, scale, and impacts to surrounding land uses. However, as noted in Table IV.C-3 of the Draft EIR, the proposed project is consistent with all applicable goals in the West Berkeley Plan. No existing industrial or manufacturing uses would be affected by the proposed General Plan or zoning amendment. An adjustment of General Plan and Zoning district boundaries to allow for a grocery store would implement one set of goals and policies of the West Berkeley Plan (see Goals 2 and 3), while not materially affecting the City’s ability to take reasonable actions to maintain and promote manufacturing and other industrial uses in West Berkeley.

Response to Comment N-13

This comment expresses opposition to the proposed zone change, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER O: Lisa Howard

Response to Comment O-1

This comment generally expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment O-2

This comment contains general observations of traffic in the vicinity of the project site and expresses support for the proposed Mitigation Measure IV.D-4, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment O-3

This comment generally expresses support for the proposed project and correctly states that approval of the proposed General Plan amendment and zone change would not legally bind the decision-making bodies to approve similar discretionary actions for adjacent parcels, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in
the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment O-4

This comment includes statements about the commenter and a paper titled Berkeley Bowl: How Politics, Policy and Community Affect Food Access does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment O-5

This comment includes statements about the commenter and generally expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment O-6

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER P: Natalie Studer

Response to Comment P-1

This comment includes statements about a paper titled The Berkeley Bowl: How Politics, Policy and Community Affect Food Access (which is included in Appendix 2.0) does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment P-2

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment P-3

This comment includes closing statements, but the comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER Q: David J. Bowie

Response to Comment Q-1

This comment includes statements of introduction, but the comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Q-2

This comment expresses concerns related to traffic and parking, but the comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Q-3

Regarding the commenter’s statement that the project would generate a substantial increase in traffic at the intersection of 9th Street and Heinz Avenue, as indicated in Table IV.D.6, the proposed project is estimated to generate 572 vehicle trips during the school and PM peak hours. Based on the trip distribution (Figure IV.-D-5 on page IV.D-31 of the Draft EIR) about 208 of these trips would be added to the 9th Street intersection with Heinz Avenue. These additional vehicle trips would represent a noticeable change in traffic in the vicinity of the school and within the neighborhood surrounding the school. In fact, the daily traffic on 9th Street north of Heinz Avenue is expected to increase from about 1,700 vehicles to about 2,100 vehicles per day (Refer to Figure IV.D-3 and IV.D-6 on pages IV.D-13 and IV.D-35 of the Draft EIR, respectively.). These daily traffic volumes are less than the 4,000 vehicles per day threshold for Bicycle Boulevards set by the City of Berkeley. Bicycle Boulevards are located on corridors with moderately low traffic volumes to facilitate the safe and orderly flow of bicycles. Both 9th Street and Heinz Avenue fall within this category.

With regard to pedestrians at the intersection of 9th Street and Heinz Avenue and in the project area, the commenter is referred to Master Response 4. In accordance with the information provided in this comment, page IV.D-46 of the Draft EIR acknowledges that there are “a substantial number of pedestrians (about 150) crossing the Heinz Avenue and 9th Street intersection during the afternoon school
bell time” and that the “project site’s dedicated parking area may become an attractive short-term parking area for parents picking up children from the school, thereby, increasing the number of pedestrians crossing Heinz Avenue at 9th Street.” However, implementation of pedestrian facility improvements that are included as part of the proposed project coupled with safety measures that the Ecole Bilingue de Berkeley is required to implement would ensure pedestrian safety near the project site.

Likewise, the proposed project’s potential impacts to bicycle circulation, including bicycle circulation at the abovementioned intersection, are addressed on pages IV.D-47 through IV.D-53 the Draft EIR. No significant impacts to bicycle circulation were identified in this analysis. (Also, the commenter is referred to Master Response 4.) This comment claims that these analyses in the Draft EIR are inadequate and that, “in the School’s opinion,” the Draft EIR “has failed to fully address the impacts of added Project traffic volumes on pedestrians and bicyclists using 9th Street north of Heinz Avenue.” However, the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this assertion (refer to §15204[c] of the CEQA Guidelines). Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Q-4

This comment includes general statements about parking impacts, but the comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Q-5

Regarding the loss of on-street parking, the commenter is referred to Master Response 6. Regarding the use of street parking by the Ecole Bilingue de Berkeley, the proposed project’s potential impact to the school’s parking demand is addressed on page IV.D-59. The analysis on page IV.D-59 acknowledges that the proposed project may result in a reduction of the total number of parking spaces on the railroad right-of-way on 9th Street, because currently vehicles park at an angle, which can accommodate more vehicles than the proposed parallel parking scheme at this location. However, because the proposed project does not plan to impose use restrictions on its parking lot, project impacts related to parking demand for the school would be less than significant.

Response to Comment Q-6

This comment includes statements about the parking needs of the Ecole Bilingue de Berkeley and expresses an interest in angled parking along roadways in the project area, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment Q-7

Regarding the examination of mitigation measures and parking impacts, CEQA requires mitigation measures to be applied only to mitigate environmental impacts; unmet parking demand is not an environmental impact. The assertion in this comment that the Draft EIR parking analysis is deficient because it does not identify parking mitigation measures is incorrect because the parking analysis did not identify any potentially significant impacts.

Response to Comment Q-8

Regarding the use of the intersection of 9th Street and Heinz Avenue by pedestrians (including children), bicycles, and vehicles and mitigation measures for this intersection, the commenter is referred to Master Response 4.

Response to Comment Q-9

Regarding the commenter’s statement that “the draft EIR is incomplete in its failure to suggest any possible mitigation measures designed to minimize pedestrian, bicycle and vehicle conflicts and to maximize the safety of School children at the 9th Street and Heinz Avenue intersection and as 9th Street proceeds north,” the commenter is referred to Master Response 4. Based on Master Response 4, the Draft EIR is not incomplete or a failure for the reasons stated by the commenter.

Response to Comment Q-10

With regard to mitigation measures, the commenter is referred to Response to Comment Q-9 and Master Response 4.

Response to Comment Q-11

This comment correctly summarizes four of the seven Transportation/Traffic Checklist Questions in Appendix G of the CEQA Guidelines that are also outlined on page IV.D-21 of the Draft EIR. However, the commenter incorrectly includes “create unsafe conditions for pedestrians or bicyclists” as one of the traffic-related issues included in the CEQA Guidelines; this issue is not included in Appendix G of the CEQA Guidelines. This comment implies that the Draft EIR does not adequately assess potentially significant traffic impacts in light of the CEQA Guidelines and requests additional analysis, but the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this assertion (refer to §15204[c] of the CEQA Guidelines). Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
LETTER R: Sister Thea Bowman Manor

Response to Comment R-1

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment R-2

This comment includes statements about the commenters, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment R-3

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment R-4

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment R-5

This comment includes statements about the commenters, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment R-6

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
LETTER S: Christine Staples

Response to Comment S-1

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment S-2

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment S-3

This comment expresses an opinion that the proposed project would reduce air pollution, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Regarding traffic, this portion of the comment addresses existing traffic issues at the intersections of 7th Street and Ashby Avenue and San Pablo Avenue and Ashby Avenue and requests a left-turn signal, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Regarding parking, this portion of the comment addresses parking associated with other businesses in the project area and statements about other businesses, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment S-4

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment S-5

This comment provides direction to the City regarding the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER T:  West Berkeley Neighborhood Development Corporation (Betsy Morris)

Response to Comment T-1

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment T-2

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment T-3

This comment expresses an opinion that the proposed project is consistent with the West Berkeley Plan and the West Berkeley Neighborhood Corporation’s (WBNDC) Long-range Strategic Plan and statements about improving the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment T-4

This comment offers a suggestion related to employment at the West Berkeley Bowl, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment T-5

This comment offers a suggestion related to sales tax revenue, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment T-6

This comment offers a suggestion related to sales tax revenue, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment T-7

This comment offers a suggestion related to replacing light industrial land uses, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment T-8

Regarding purchasing, displaying, and promoting foods/goods from locally-owned businesses, the commenter is referred to the consistency analysis of the proposed project with Goal 8 of the West Berkeley Plan on page IV.C-22 of the Draft EIR that states, “The project would buy from local, neighborhood producers, such as the Scharffenberger chocolate factory, and provide fresh produce and other products to nearby caterers, bakeries, and restaurants, creating essential business linkages within West Berkeley.”

Response to Comment T-9

This comment offers a suggestion about speculative future development at the project site, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment T-10

This comment offers a suggestion about resale/redevelopment of the project site in the future, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or
mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment T-11

This comment includes statements about the project area, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment T-12

This comment includes closing statements, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER U: Tamara Gardner

Response to Comment U-1

This comment includes statements about the report Berkeley Food Security Asset Map: Examining Availability and Accessibility of Fresh Food (which is included in Appendix 2.0), but the comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER V: Sharon and Christophe Le Duy

Response to Comment V-1

This comment expresses an opinion about traffic-related impacts associated with the project and concerns about safety of the school children from the Ecole Bilingue de Berkeley, but the comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Also, the commenter is referred to Master Response 4.

Response to Comment V-2

With regard to Ecole Bilingue de Berkeley’s efforts related to safety near the project site and recommendations for additional safety measures, the commenter is referred to Master Response 4.
With regard to the timing of the implementation of the traffic-related mitigation measures identified in the Draft EIR, all traffic-related mitigation measures shall be implemented prior to the project becoming operational.

With regard to studying the intersection of 9th Street and Heinz Avenue one-year after the project becomes operational, Mitigation Measure IV.D-5 requires that the analysis of the operation of the intersection of 9th Street and Potter Street one year after the project becomes operational to determine whether any additional improvements would be needed. This mitigation measure is required because a significant project impact was identified at the intersection of 9th Street and Potter Street. The project would not cause a significant impact at the intersection of 9th Street and Heinz Street. Thus, no mitigation measures are required, and future analysis of this intersection is not required.

**Response to Comment V-3**

This comment requests that the City require a future assessment of parking associated with the proposed project and that angled parking be considered for street-parking impacts, but the comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Also, the commenter is referred to Master Responses 5 and 6.

**Response to Comment V-4**

This comment includes statements about working with the project developers, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment V-5**

This comment requests that the City adopt the recommendations made by Mr. Bowie (refer to Comment Letter O), but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER W: Sandy Simon**

**Response to Comment W-1**

Regarding concerns about traffic congestion, parking supply, and pedestrian safety, the commenter is referred to Master Response 4.
Response to Comment W-2

With regard to a “bike check,” the commenter is referred to Master Response 1.

Response to Comment W-3

This comment makes a suggestion regarding City policy and regarding the proposed project offering employee incentives for not driving to work, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment W-4

Regarding parking associated with the West Berkeley Bowl, the commenter is referred to Master Response 5.

Response to Comment W-5

This comment includes statements about the commenter and statements the commenter has heard from others, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Also, the commenter is referred to Master Response 7.

Response to Comment W-6

Regarding other development occurring in the project area and cumulative traffic conditions, the commenter is referred to Table III-1 on page III-23 of the Draft EIR for a list of the related projects in the City of Berkeley that includes the residential/retail project at 1001 Ashby, referenced by the commenter. Also, the commenter is referred to pages IV.D-60 through IV.D-71 of the Draft EIR for an analysis of cumulative traffic conditions that includes the residential/retail project at 1001 Ashby. The analysis of cumulative traffic conditions concludes that with implementation of Mitigation Measures IV.D-15 through IV.D-18, cumulative traffic impacts would be less than significant.

Response to Comment W-7

Regarding the commenter’s concerns about the proposed loading/unloading plan, the commenter is referred to Master Response 2. With regard to the smaller trucks moving between the existing Berkeley Bowl and the proposed West Berkeley Bowl, the trip generation associated with these deliveries has already been accounted for in the traffic analysis in the Draft EIR.
Response to Comment W-8

Regarding the commenter’s suggestions, the commenter is referred to Response to Comments TSB-7 and TSB-8.

Response to Comment W-9

This comment includes an appeal to the City, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER X: West Berkeley Neighborhood Development Corporation (Betsy Morris)

Response to Comment X-1

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment X-2

This comment expresses an opinion that the proposed project advances the goals of the West Berkeley Plan and the WBNDC’s Long-range Strategic Plan, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment X-3

This comment includes statements about the project area and holding the proposed project to a high standard, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment X-4

This comment offers a suggestion related to replacing light industrial/warehouse land uses, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the
comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment X-5

Regarding purchasing, displaying, and promoting foods/goods from locally-owned businesses, the commenter is referred to Response to Comment T-8.

Response to Comment X-6

Regarding employment at the West Berkeley Bowl, the commenter is referred to Response to Comment T-4.

Response to Comment X-7

This commenter offers a suggestion that all commercial developers to reduce traffic trips, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment X-8

Regarding the commenter’s statements about sales tax revenue, the commenter is referred to Response to Comment T-5.

Response to Comment X-9

Regarding the commenter’s statements about sales tax revenue, the commenter is referred to Response to Comment T-6.

Response to Comment X-10

Regarding future development at the project site, the commenter is referred to Response to Comment T-9.

Response to Comment X-11

Regarding resale or redevelopment of the project site, the commenter is referred to Response to Comment T-10.

Response to Comment X-12

This comment includes closing statements, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no
LETTER Y: Julie Gilmore

Response to Comment Y-1

This comment expresses concerns about parking, traffic, and litter, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Y-2

This comment includes observations regarding parking conditions at the existing Berkeley Bowl, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Y-3

This comment includes observations regarding parking and traffic/pedestrian safety conditions at the existing Berkeley Bowl and speculation about what could occur at the West Berkeley Bowl, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Also, the commenter is referred to Master Response 4.

Response to Comment Y-4

Regarding parking associated with the West Berkeley Bowl, the commenter is referred to Master Response 5.

Response to Comment Y-5

Regarding a bike check at the project site, the commenter is referred to Master Response 1.

Response to Comment Y-6

Regarding addressing shopping cart use in the Draft EIR, although customers’ misuse and placement of shopping carts can be an annoyance, shopping cart use (or misuse) is not a CEQA-related issue and thus, is not addressed in the Draft EIR.
Response to Comment Y-7

Regarding the project’s regional draw, the commenter is referred to Master Response 7.

Regarding parking associated with the West Berkeley Bowl, the commenter is referred to Master Response 5.

Response to Comment Y-8

This comment offers a suggestion that decision-makers should observe the conditions at the existing Berkeley Bowl, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Y-9

This comment offers a suggestion that the Draft EIR should include traffic calming to prevent cut-through traffic, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Y-10

Regarding parking associated with the West Berkeley Bowl, the commenter is referred to Master Response 5.

Response to Comment Y-11

Regarding parking associated with the West Berkeley Bowl, the commenter is referred to Master Response 5.

Response to Comment Y-12

With regard to delivery trucks blocking parking spaces or requiring the removal of parking spaces, the commenter is referred to Master Response 2.

Response to Comment Y-13

This comment offers a suggestion about shopping carts and includes statements about the commenter, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the
comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Y-14

This comment includes opinions about the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER Z: Steven Donaldson

Response to Comment Z-1

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER AA: Parents of the Ecole Bilingue de Berkeley

Response to Comment AA-1

This comment expresses general concerns about traffic and safety of the children associated with the Ecole Bilingue de Berkeley, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Also, the commenter is referred to Master Response 4.

Response to Comment AA-2

Regarding traffic-calming measures at the intersection of 9th Street and Heinz Avenue, the commenter is referred to Master Response 4.

Regarding the loss of on-street parking, the commenter is referred to Master Response 6.

Regarding adding the intersection of 9th Street and Heinz Avenue Mitigation Measure IV.D-5, as stated above, Table IV.D-8 on page IV.D-37 shows that traffic generated by the proposed project would not significantly affect the LOS of this intersection. Thus, because no significant impacts to the intersection of 9th Street and Heinz Avenue would occur, no additional analysis of this intersection is required.
Regarding parking associated with the West Berkeley Bowl, the commenter is referred to Master Response 5.

Response to Comment AA-3

This comment includes statements about Ecole Bilingue de Berkeley working with the project developers, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment AA-4

This comment requests that the City adopt recommendations provided in Comment Letter Q, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER BB: Eron Ersch and Burr Tyler

Response to Comment BB-1

Regarding concerns about traffic and safety of the children associated with the Ecole Bilingue de Berkeley, the commenter is referred to Master Response 4.

Response to Comment BB-2

Regarding traffic-calming measures at the intersection of 9th Street and Heinz Avenue, the commenter is referred Master Response 4.

Regarding adding the intersection of 9th Street and Heinz Avenue to Mitigation Measure IV.D-5, the commenter is referred to Master Response 4.

Regarding the loss of on-street parking, the commenter is referred to Response to Comment AA-2

Response to Comment BB-3

Regarding statements about Ecole Bilingue de Berkeley working with the project developers, the commenter is referred to Response to Comment AA-3.
Response to Comment BB-4

This comment requests that the City adopt recommendations provided in Comment Letter Q, the commenter is referred to Response to Comment AA-4.

LETTER CC: Sean A. O’Hara

Response to Comment CC-1

This comment includes observations by the commenter of the traffic conditions in the vicinity of the project site, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment CC-2

This comment requests that the City adopt recommendations provided in Comment Letter O, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER DD: Sabrina Maras

Response to Comment DD-1

Regarding concerns about traffic and safety of the children associated with the Ecole Bilingue de Berkeley, the commenter is referred to Response to Comment AA-1

Response to Comment DD-2

Regarding traffic-calming measures at the intersection of 9th Street and Heinz Avenue, the commenter is referred Response to Comment AA-2.

Regarding adding the intersection of 9th Street and Heinz Avenue to Mitigation Measure IV.D-5, the commenter is referred to Response to Comment AA-2.

Regarding the loss of on-street parking, the commenter is referred to Response to Comment AA-2

Response to Comment DD-3

Regarding statements about Ecole Bilingue de Berkeley working with the project developers, the commenter is referred to Response to Comment AA-3.
Response to Comment DD-4

This comment requests that the City adopt recommendations provided in Comment Letter Q, the commenter is referred to Response to Comment AA-4.

LETTER EE: Neil S. Mayer

Response to Comment EE-1

Regarding addressing the commenter’s issues raised in the commenter’s letter submitted in response to the NOP, as with all letters and oral comments received in response to the NOP, all issues raised in the letters and oral comments were considered when determining the final scope of the EIR. Issues that were found to be CEQA-related and relevant to the proposed project were addressed in the Draft EIR.

Response to Comment EE-2

This comment includes a statement in support of the project, a general statement about minimizing impacts of the project, and other general statements about the project and the City, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment EE-3

Regarding traffic and parking impacts of the proposed project, the commenter is referred to Section IV.D, Transportation/Traffic, on pages IV.D-1 through IV.D-71, which includes an analysis of the traffic-related impacts associated with the proposed project. The analysis concludes that with mitigation, all traffic-related impacts of the project would be reduced to a less-than-significant level.

Regarding the project’s “geographical market,” the commenter is referred to Master Response 7.

Response to Comment EE-4

Regarding a variance versus a General Plan amendment, the City would not consider a variance for the proposed project site because a variance is not the appropriate legislative action for the proposed project. The requested actions (i.e., zone change and General Plan amendment) require a more stringent approval process and allow for the discretion of the Planning Commission and the City Council; a variance would not allow for such discretion by these two bodies. Additionally, allowing a variance for a development such as the West Berkeley Bowl instead of a General Plan amendment would set a precedent for other land owners in West Berkeley who may be interested in changing the use of their property or potential developers to bypass the more stringent process of amending the General Plan instead of the less-involved variance approval process.
Response to Comment EE-5

With regard to mitigation measures required to reduce project-related traffic impacts, mitigation measures related to traffic impacts are not limited to development of a single traffic signal. The commenter is referred to the list of all the traffic mitigation measures, which are required to be implemented by the project applicant, on Table II-1, Section II, Executive Summary, pages II-8 through II-16. The Draft EIR concluded that with implementation of these mitigation measures, all weekday traffic impacts would be less than significant. No additional mitigation measures would be required to reduce project-related traffic impacts during the weekday. For information related to Saturday traffic impacts, the commenter is referred to Master Response 8.

Response to Comment EE-6

With regard to requiring the project owner to mitigate for the loss of manufacturing space, the commenter is referred to Section IV.C, Land Use & Planning, on pages IV.C-1 through IV.C-28 of the Draft EIR, which includes an analysis of the land use-related impacts associated with the proposed project. The analysis concludes that no significant land use and planning impacts would occur. Section 15126.4(a)(3) of the CEQA Guidelines states, “Mitigation measures are not required for effects which are not found to be significant.” Therefore, the project owner is not required to mitigate for the loss of manufacturing space.

LETTER FF: Uma Thomas

Response to Comment FF-1

This comment includes statements about the Berkeley Bowl, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment FF-2

Regarding safety at the intersection of 9th Street and Heinz Avenue, the commenter is referred to Master Response 4.

Regarding project traffic at the intersection of 9th Street and Heinz Avenue, the commenter is referred to Table IV.D-8 on page IV.D-37 that shows traffic generated by the proposed project would not significantly affect the LOS of this intersection.

Regarding traffic generation rates, the commenter is referred to Master Response 9.
Response to Comment FF-3

With regard to parking associated with the West Berkeley Bowl, the commenter is referred to Master Response 5. With regard to limiting access through 9th Street and Heinz Avenue, the commenter is referred to Master Response 4.

Response to Comment FF-4

With regard to traffic generation associated with the West Berkeley Bowl, the commenter is referred to Master Response 9. As stated in Table IV.A-3 on page IV.A-16 of the Draft EIR, to provide for a worst-case scenario, the emissions presented in the table assume the conservative, default traffic-generation values in URBEMIS. Pollutant emissions associated with the proposed project were not underestimated. With regard to TACs, the commenter is referred to Response to Comment TSB-58.

Response to Comment FF-5

This comment includes statements about the commenter, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER GG: Stephen Wollmer

Response to Comment GG-1

With regard to pass-by trips, the commenter is referred to Response to Comment TSA-14.

Regarding the projected customer base, the commenter is referred to Master Response 7.

Regarding traffic associated with the proposed project, the commenter is referred to Section IV.D, Transportation/Traffic, on pages IV.D-1 through IV.D-71, which includes an analysis of the traffic-related impacts associated with the proposed project. The analysis concludes that with mitigation, all traffic-related impacts of the project would be reduced to a less-than-significant level.

LETTER HH: Kimberley Near

Response to Comment HH-1

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
LETTER II:  Mary Lou Van Deventer

Response to Comment II-1

This comment expresses general concerns about the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment II-2

With regard to the commenter’s claim that impacts would be more serious than contemplated in the Draft EIR, this comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this assertion (refer to §15204[c] of the CEQA Guidelines). Therefore, pursuant to §15204(a) of the CEQA Guidelines, no further response to this comment is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Regarding the failure of the Draft EIR to discuss financial impacts, the Lead Agency is not required to include economic information in an EIR (§15131 of the CEQA Guidelines states that economic information may be included in an EIR). Additionally, §15131(a) of the CEQA Guidelines states:

“Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes”

There is no basis to conclude that the proposed project, including the project’s contribution to traffic impacts in the project area, would result in negative financial impacts to businesses in the project area. Furthermore, as discussed in on pages V-21 through V-22 of the Draft EIR, the requested land use changes would not directly encourage or facilitate other General Plan amendments and zone changes in the project area, thereby causing commercial growth. Additionally, there is no basis to conclude that if businesses in the project area were to suffer financially, whether caused by the project or not, that physical impacts to the environment would occur. Thus, the fact the Draft EIR does not include a discussion of financial impacts is not a failure of the Draft EIR. Additionally, this comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the assertion (refer to §15204[c] of the CEQA Guidelines). Therefore, pursuant to §15204(a) of the CEQA Guidelines, no further response to this comment is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Regarding the statement that the project would induce further commercial growth, the commenter is referred to pages V-20 through V-22 of the Draft EIR, which includes a discussion of growth inducing impacts of the proposed project. As discussed on pages V-21 through V-22, the project would not encourage other zone changes to areas in the vicinity of the project site. Thus, the project would not induce further commercial growth.

The remainder of this comment includes statements about industrial land uses in West Berkeley and Oakland, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment II-3**

This comment includes generation statements about industrial land, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment II-4**

With regard to Eugenie Thomson’s comments, the commenter is referred to Responses to Comments OO-1 through OO-12.

**Response to Comment II-5**

With regard to the Ashby Avenue and 7th Street intersection, the commenter is referred to Response to Comment TSB-110.

**Response to Comment II-6**

Regarding pedestrian safety at the intersection of 9th Street and Heinz Avenue, the commenter is referred to Master Response 4.

With regard to the proposed project’s contribution of traffic to Ashby at 7th Street, 9th Street, and San Pablo Avenue, the commenter is referred to Table IV.D-8 on page IV.D-37 of the Draft EIR, which shows that the project would cause a significant LOS impact to the intersection of San Pablo Avenue and Ashby Avenue. Mitigation Measure IV.D-4 on page IV.D-40 would reduce the impact to a less-than-significant level.
Response to Comment II-7

With regard to financial impacts, the commenter is referred to Response to Comment II-2 (second paragraph). Regarding an additional 50,000 vehicle trips per week, the commenter is referred to Response to Comment A-5. The remainder this comment is related to the commenter, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment II-8

With regarding to inducing commercial growth, the commenter is referred to Response to Comment II-2 (third paragraph).

Response to Comment II-9

This comment includes statements about industrial land uses in West Berkeley and Oakland, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment II-10

This comment includes statements about up-zoning industrial land use, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment II-11

This comment includes statements about up-zoning industrial land use, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment II-12

This comment implies that the consistency analysis of the proposed project with the General Plan in the Draft EIR is not adequate, but the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this assertion (refer to §15204[c] of the CEQA Guidelines). Therefore, pursuant to §15204(a) of the CEQA Guidelines, no further response to this
comment is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment II-13

Regarding the comment that, "the smaller-scale alternative is an insufficient consideration and needs to be redone," the primary purpose of the alternatives analysis is to assess a range of reasonable alternatives to the proposed project that would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant impacts of the project. Alternative C (the reduced version of the proposed project) meets this purpose, and thus, is a reasonable alternative under CEQA.

With regard to the statement about considering the original version of the project as an alternative to the proposed project, the development presented as Alternative C is the original project presented by the project applicant.

Response to Comment II-14

This comment includes closing statements, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER JJ: Panda Hershey

Response to Comment JJ-1

Regarding pedestrian safety near the project site, the commenter is referred to Master Response 4.

Response to Comment JJ-2

With regard to safety in the project area, the commenter is referred to Master Response 4. With regard to angled parking, the commenter is referred to Master Response 6.

LETTER KK: Zelda Bronstein

Response to Comment KK-1

This comment includes statements of introduction but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment KK-2

This comment includes general statements regarding CEQA requirements and the General Plan Guidelines, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment KK-3

Regarding the need for the Final EIR to explain how the proposed project is consistent with Objective 4 of the Land Use Element in the General Plan, the project’s consistency with the General Plan was thoroughly addressed in Table IV.C-2 on pages IV.C-10 through IV.C-19 of the Draft EIR by assessing the project’s consistency with the applicable policies of the General Plan. The analysis of the project’s consistency with the General Plan in the Draft EIR meets the requirements of §15125(d) of the CEQA Guidelines.

Response to Comment KK-4

With regard to General Plan policy LU-34, as noted on page IV.C-11 of the Draft EIR, general plans are not intended to be static documents and often contain policies that require interpretation and application over time. It is up to the City Council, in approving or rejecting the proposed project, to interpret the General Plan and balance the sometimes-competing objectives located within it. The commenter does not note any information regarding the General Plan that has not been disclosed, but disagrees with the finding of the Draft EIR that the project is consistent with protecting industrial uses in West Berkeley. The City Council could indeed conclude that the proposed project is not consistent with the cited language in the General Plan and decide that it should therefore not be approved. However, the City Council could also conclude that modifying the boundaries of the MULI district to rezone less than one percent of the MULI area to another use is also consistent with protecting industrial uses, because it would have virtually no effect on them. There is no existing industrial use on the site, it borders on a commercial area, and the project would include a significant expansion of a warehousing use (a protected use in West Berkeley). Although the commenter disagrees with the statement regarding the intent of this section and has expertise in this matter, it is also true that potential impacts on industrial uses of the expansion of the 4th Street retail area was a significant issue in West Berkeley at the time the General Plan was adopted and could be construed as being the main thrust of this policy statement by others who adopted it. The City Council is the deciding authority on this matter.

Response to Comment KK-5

This comment includes general statements about policies and actions in the West Berkeley Plan and a general statement about the commenter being “boggled” by the discussion of the proposed project’s consistency with Goal 1, but the comment does not state a specific concern or question regarding the
sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment KK-6

With regard to the project’s consistency with Goal 1 of the West Berkeley Plan’s Economic Development Element, the West Berkeley Bowl project would expand the warehouse use on the site, a use that is a protected use and fully consistent with existing zoning and Goal 1. The Berkeley Bowl project would also provide reasonably well-paying “blue collar jobs accessible to moderately skilled people” in the form of warehousing and cashiering positions. This too is consistent with at least one of the purposes of retaining manufacturing and industrial uses as described in the Goal. The Goal as written is clearly intended to encourage the City to actively do what it reasonably can to promote manufacturing and industrial activity, and in that respect the proposed project is neutral: neither affirming the goal, nor opposing it (see Response to Comment KK-10 for further discussion). It would therefore have been more accurate to indicate that, rather than the project being consistent (i.e., promoting the goal), the project is not inconsistent. In either case, there are no environmental effects associated with this conclusion.

Response to Comment KK-7

With regard to the relevancy of the project providing “fresh produce, basic goods and jobs” with Goal 1 of the West Berkeley Plan’s Economic Development Element, providing fresh produce and basic goods is not relevant to this specific goal, although relevant to other Economic Development goals. However, for purposes of clarification, the Final EIR has been edited as follows:

- The consistency discussion for Goal 1 of the West Berkeley Plan’s Economic Development Element on page IV.C-21 of the Draft EIR has been changed in the Final EIR (refer to Section IV, Revisions to the Draft EIR) to read as follows:

  “Consistent: The project site is primarily vacant and the occupied portion is underutilized with a dilapidated corrugated metal warehouse. The project promotes the economic development of West Berkeley by converting a mostly vacant, underutilized lot into a business that would generate tax revenue for the City while providing fresh produce, basic goods and jobs to nearby residents and workers. The City is reviewing this project as an action towards expanding the amount of warehouse space on the project site from 8,500 sf of warehouse space with 28,805 sf of new warehouse space and preserving a portion of the site for industrial/manufacturing use adjacent to the existing manufacturing uses in the MU-LI district.”
Response to Comment KK-8

Regarding consistency of the proposed project with Policy C under Goal 3, Policy C is one of three policies listed under Goal 3 that can be pursued to implement Goal 3. Policy C and Policy A (Explore how neighborhood serving retail uses might be brought to San Pablo Avenue specifically) are not applicable to the project because the project is not located in a residential zone and is not located on San Pablo Avenue. Checklist question IX(b) in Appendix G of the CEQA Guidelines requires that the Draft EIR assess the project’s consistency with applicable land use plans, policies, or regulations. The project is consistent with Policy B under Goal 3 (Explore the potential of other locations within West Berkeley to support neighborhood serving retail), helping to achieve one of the primary aspects of Goal 3, which is to provide a food store in West Berkeley. It is for this reason that the project was found to be consistent with Goal 3. Further consistency analysis to include consistency of the proposed project with Policy C under Goal 3 is not required.

Response to Comment KK-9

This comment includes statements about Goal 7 of the Economic Development Element in the West Berkeley Plan and expresses an opinion about the proposed project’s affect on artists and artisans in West Berkeley, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment KK-10

Regarding the proposed project’s effect on rent and artists and artisans, the commenter is referred to the second paragraph of Response to Comment II-2. There is no basis to conclude that effects on rent and artists and artisans, whether caused by the proposed project or not, would result in physical environmental impacts. Thus, the Draft EIR does not need to address the project’s affect on rent and artists and artisans.

The commenter believes that the approval of the project would inexorably lead to increased rents for various uses that are protected under the West Berkeley Plan. There is no basis to conclude that because the zoning designation on less than one percent of the MULI zoned land in West Berkeley is changed, this would necessarily lead to increased rents throughout West Berkeley, thereby driving out existing uses. The commenter provides no evidence to support this relationship. In fact, major industrial uses have recently left and are continuing to leave West Berkeley, such as Flint Ink and Peerless Lighting. These businesses leave for a variety of reasons, including the overall increasing costs of doing business in the Bay Area, and these decisions were made long before a decision has been made on the West Berkeley Bowl project. The West Berkeley Bowl project would occupy largely vacant land on the edge of the district, adjacent to other commercial uses and a mixed residential neighborhood. It would not push out other uses, nor is the project site in the middle of an industrial area. The strong protections included in the West Berkeley Plan for existing industrial and artists’ space and the limitations on use modifications...
elsewhere in West Berkeley would continue to apply. The proposal is a minor boundary change, not wholesale modifications to the protections in the West Berkeley plan for protected use categories. Any further changes would be subject to the same level of analysis and a separate discretionary action and subject to its own CEQA assessment.

**Response to Comment KK-11**

This comment includes statements about Alternative C, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment KK-12**

Regarding the need for the Final EIR to address the questions listed in this comment, the questions in the comment are not related to the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment KK-13**

This comment expresses opinions about the proposed project including a community room, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment KK-14**

Regarding the pharmacy use, the proposed project includes an organic pharmacy as one of the many specific components of the overall grocery uses.

**Response to Comment KK-15**

This comment generally asks about the definition of a supermarket, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment KK-16**

With regard to grocery store/supermarket size and other grocery stores/supermarkets, the commenter is referred to Response to Comment TSA-22.
Response to Comment KK-17

With regard to Alternative C and project objectives, the commenter did not reference the entire project objective that the alternative would not meet. The entire project objective reads:

“To provide for the expansion of an existing, locally owned business, the Berkeley Bowl. To provide a new location in West Berkeley where a full service supermarket can provide a wide range of fresh produce and groceries at competitive prices to an area of West Berkeley that currently lacks access to these products.”

As stated on page VI-17, Alternative C includes development of a reduced version of the project, similar to a previous version of the project made by the applicant. This previous proposal was specifically designed to sell only natural and organic foods and was not intended to be a full service supermarket. Because the project objective list above is to develop a full service supermarket, Alternative C would not meet this objective. No comparative pricing is required to support this discussion.

LETTER LL: Claudia Kawczynska

Response to Comment LL-1

This comment expresses support for the proposed project and reasons for the commenter’s support, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER MM: Jane Metcalfe

Response to Comment MM-1

With regard to concerns about pedestrian safety, the commenter is referred Master Response 4. With regard to concerns about zoning pressure, the commenter is referred to Response to Comment L-6. With regard to concerns about rental rate increases, the commenter is referred to Response to Comment II-10.

Response to Comment MM-2

With regard to concerns about safety and suggestions for changing traffic circulation in the project area for safety purposes, the commenter is referred to Master Response 4. With regard to angled parking, the commenter is referred to Master Response 6.

Response to Comment MM-3

With regard to air quality near the school, the commenter is referred to Response to Comment TSB-58.
Response to Comment MM-4

With regard to parking associated with the West Berkeley Bowl, the commenter is referred to Master Response 5.

Response to Comment MM-5

With regard to the school’s future in relation to the proposed project and that the project would drive the Ecole Bilingue de Berkeley out of the neighborhood, this comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this assertion (refer to §15204[c] of the CEQA Guidelines). Therefore, pursuant to §15204(a) of the CEQA Guidelines, no further response to this comment is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NN: West Berkeley Business Alliance

Response to Comment NN-1

This comment expresses support for the EIR, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment NN-2

This comment expresses the need for a grocery store in West Berkeley based on past studies, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment NN-3

This comment includes information from the West Berkeley Plan and a survey related to food stores in West Berkeley, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment NN-4

This comment includes statements about the employment that would be provided by the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or
mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment NN-5

This comment expresses opinions about the traffic study in the Draft EIR, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment NN-6

This comment expresses an opinion about the size of the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment NN-7

This comment expresses an opinion about the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment NN-8

This comment includes general statements about the Berkeley Bowl, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment NN-9

This comment expresses an opinion about the City, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment NN-10

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the
Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER OO: Eugenie P. Thomson**

*Response to Comment OO-1*

With regard to the commenter’s traffic and parking concerns, the commenter is referred to Response to Comments OO-2 through OO-12.

*Response to Comment OO-2*

With regard to changes in traffic and parking resulting from the proposed project, as discussed on page IV.D-59 of the Draft EIR, the project would not cause on-street parking impacts. The commenter is referred to Master Responses 5 and 6.

Double-parking for loading at businesses is illegal per the vehicle code, is considered a short-term condition, and will not be significantly impacted by the proposed project.

The chart “Vehicle Trip Ends for 100,000 GFA – Weekdays” provided by the commenter misrepresents the project. The project consists of 54,735 square feet of grocery store and 28,805 square feet of warehouse, not 100,000 square feet of grocery store as presumed by the commenter.

With regard to concerns about untenable conditions for businesses in the project area and effects on the businesses and residences in West Berkeley, it is assumed that the comment means “economic conditions” and “economic effects.” Under this assumption, the commenter is referred to Response to Comment II-2 (second paragraph). If not, without further clarification of the comment, no further response can be provided.

*Response to Comment OO-3*

With regard to the delays calculated by the commenter, it is unclear as to how the data were collected during the mentioned field surveys. It appears that 15 observations were collected over the course of one hour and 20 minutes (80 minutes) over the course of two days. The correct methodology to calculate approach delay in the field is described on page 16 through 89 of the 2000 Highway Capacity Manual. The methodology for field calculations requires that the number of vehicles in queue be recorded at several regular intervals during each intersection cycle for a specified survey period. This would mean that more than 300 observations would need to be recorded over an 80-minute time period, assuming 15-second count intervals. Thus, since it does not appear that the commenter followed the standard practice for determining delay in a field study, the delay of 95 seconds provided in this comment can not be considered accurate.
Response to Comment OO-4

With regard to delays at the intersection of 7th Street and Ashby Avenue, the commenter is referred to Response to Comment OO-3.

Response to Comment OO-5

With regard to the proposed project’s regional draw, the commenter is referred to Master Response 7.

With regard to traffic generation associated with the West Berkeley Bowl, the commenter is referred to Master Response 9.

Response to Comment OO-6

With regard to the gross floor area associated with the proposed project, the table, “Gross Floor Area Definition for Proposed Project (Square Feet) as per ITE Gross Floor Area Definition” provided by the commenter does not accurately represent the size of the proposed project. As presented in the Draft EIR, the project sizes for the various land uses are as follows:

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grocery/Ancillary Food Service</td>
<td>54,735 square feet</td>
</tr>
<tr>
<td>Office</td>
<td>4,120 square feet</td>
</tr>
<tr>
<td>Community Room</td>
<td>3,400 square feet</td>
</tr>
<tr>
<td>Warehouse</td>
<td>28,805 square feet</td>
</tr>
</tbody>
</table>

The Community Room was not included in the analysis because use of this room is expected to be infrequent. The warehouse was considered a separate operation, because it would serve as a warehouse for the Oregon Street Berkeley Bowl and the proposed West Berkeley Bowl. As is found at the Oregon Street facility, additional storage for the proposed West Berkeley Bowl is included in the Grocery/Ancillary Food Service square footage.

The porticos (1 and 2) were not included in the trip generation. As stated in the ITE Trip Generation Handbook (Appendix D), “unroofed areas and unenclosed roofed-over spaces, except those contained within the principal outside faces of the exterior walls, should be excluded for the area calculations.” Based on a description of the porticos provided by the applicant, the porticos would have roof coverings but are not enclosed on all sides by exterior building walls. This is shown in the project site plan, Figure III-10 on page III-25 of the Draft EIR.
Response to Comment OO-7

Regarding the square footage associated with the proposed project, the square footages associated with the project that are outlined in Section III, Project Description, on pages III-1 through III-49 in the Draft EIR represent the development size that is the topic of the Draft EIR. If the project is approved and developed, the size of the project would not exceed the square footage included in the Project Description. Additionally, as stated in the ITE Trip Generation Handbook (Appendix D), “For purposes of the trip generation calculation, the gross floor area of any parking garages within the building should not be included within the gross floor area of the entire building.”

Response to Comment OO-8

With regard to parking associated with the West Berkeley Bowl, the commenter is referred to Master Response 5.

It is not clear how the existing parking demand rate as shown on the figure “Parking Demand Rate Comparisons” provided by the commenter was derived. In a previous document written by TTE (February 23, 2005), the parking demand rate was derived by counting active shopping carts inside the store and in the parking lot. If this was the methodology employed, the resulting data is not applicable since the number of shopping carts does not correlate to the parking demand, since people using carts inside the store could have used an alternate mode of transportation.

Response to Comment OO-9

With regard to parking and employee parking associated with the proposed West Berkeley Bowl, the commenter is referred to Master Responses 5 and 3, respectively. It is not clear how the existing parking demand rate as shown on the figure “Parking Demand Rate Comparisons” provided by the commenter was derived. In a previous document submitted by TTE (February 23, 2005), the parking demand rate was derived by counting shopping carts. If this was the methodology employed, the resulting data is not applicable since the number of shopping carts does not correlate to the parking demand, since people using carts inside the store could have used an alternate mode of transportation.

With respect to the alternative calculations, the warehouse space is separate from the grocery store space. The warehouse is intended to receive goods in large tractor trailer trucks. The goods would then be processed through inventory, stored and at the appropriate time distributed to one of the two Berkeley Bowl Stores. Goods destined to the Berkeley Bowl store on Shattuck Avenue would be achieved with the use of smaller trucks. Goods to the West Berkeley Bowl would be delivered via lifts as the store is adjacent to the warehouse. As a result, trip generation for the warehouse should not be calculated with grocery store trip generation rates.
Response to Comment OO-10

With regard to the traffic study addressing pedestrian safety (including school children), the commenter is referred to Master Response 4. With regard to the blockage of Heinz Street, the 9th Street and Heinz Avenue intersection does operate at a poor LOS during peak periods around bell times for the French American School, primarily due to vehicles stopping in the travel lanes on 9th Street and Heinz Avenue to wait for their children. This congestion lasts for approximately 20 minutes. Over the course of an hour, the intersection operates at an acceptable service level and is anticipated to do so with the addition of project traffic. As on aside, the City of Berkeley is working with the school to develop an effective student drop-off/pick-up program. With regard to the loss of parking along the railroad right-of-way, the commenter is referred to Master Response 6.

Response to Comment OO-11

With regard to parking near the loading dock, the commenter is referred to Master Response 2.

Response to Comment OO-12

With regard to pass-by trips, the commenter is referred to Master Response TSA-14.

LETTER PP: Cameron Woo

Response to Comment PP-1

This comment includes statements of introduction, statements about information in the Draft EIR, and expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment PP-2

This comment includes statements about the City, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment PP-3

This comment includes statements about the City and expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the
comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER QQ: Sally Drach**

**Response to Comment QQ-1**

This comment includes statements of introduction, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment QQ-2**

This comment expresses that the commenter has concerns about the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment QQ-3**

This comment expresses that the commenter is concerned about the safety of the school children, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment QQ-4**

This comment expresses an interest in Ecole Bilingue de Berkeley, the project proponents, and the City of Berkeley resolving issues and asks the decision makers to support discussions and promote adoption of satisfactory measures, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment QQ-5**

This comment includes statements about representatives from the Ecole Bilingue de Berkeley in attendance at the Planning Commission meeting, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment QQ-6

This comment expresses concerns about traffic safety and parking, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment QQ-7

This comment expresses concerns about safety of the school children, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment QQ-8

This comment asks for the decision makers to impose traffic-related conditions of approval on the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Also, the commenter is referred to Master Response 4.

Response to Comment QQ-9

This comment includes statements regarding the school’s discussions with the City related to traffic issues, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Also, the commenter is referred to Master Response 4.

Response to Comment QQ-10

With regard to implementing traffic solutions before the project becomes operational, the project applicant would be required to develop all traffic improvements that are part of the project and to implement all required mitigation measures before the project becomes operational. Also, the commenter is referred to Master Response 4.

Response to Comment QQ-11

With regard to the traffic analysis in the Draft EIR, the Draft EIR includes analysis during the 2:00 PM to 4:00 PM peak period to account for the afternoon school pick-up period at the Ecole Bilingue de Berkeley located at the 9th Street and Heinz Avenue intersection. Existing turning movement counts were collected during the School peak period at the study intersections on Heinz Avenue, and daily roadway
segment counts were collected on 9th Street north of Heinz Avenue; both are included in Appendix IV.D of the Draft EIR. The data collection and school peak period analysis were done in response to the comments made by TTE (February 23, 2005). The Draft EIR does acknowledge on page IV.D-16 that congestion occurs on Heinz Avenue and 9th Street during the School peak (which lasts about 20 minutes). However, no project related impacts were found at the 9th Street and Heinz Avenue intersection.

Response to Comment QQ-12

With regard to the intersection of 9th Street and Heinz Avenue, the commenter is referred to Master Response 4.

Response to Comment QQ-13

With regard to the need for additional measures for the intersection of 9th Street and Heinz Avenue, the commenter is referred to Master Response 4.

Response to Comment QQ-14

With regard to the safety of the school children, the commenter is referred to Master Response 4.

Response to Comment QQ-15

With regard to parking associated with the West Berkeley Bowl, the commenter is referred to Master Response 5.

Response to Comment QQ-16

Regarding the loss on on-street parking, the commenter is referred to Master Response 6.

Response to Comment QQ-17

Regarding the loss of on-street parking, the commenter is referred to Master Response 6.

Response to Comment QQ-18

This comment includes statements about parking conditions associated with the Ecole Bilingue de Berkeley, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment QQ-19

Regarding angled parking on the railroad spur, the commenter is referred to Master Response 6.
With regard to parking associated with the West Berkeley Bowl, the commenter is referred to Master Response 5.

**Response to Comment QQ-20**

This comment includes closing statements, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER RR: Gale Garcia**

**Response to Comment RR-1**

With regard to project alternatives, the Draft EIR includes an analysis of a reduced version of the proposed project that is similar to a previous proposal made by the project applicant in November 2002 (refer to Alternative C and pages VI-17 through VI-24 of the Draft EIR). This alternative was not dismissed as a “convenience store.”

**Response to Comment RR-2**

With regard to the statement that the Final EIR would be flawed and inadequate if it does not analyze the environmentally superior alternative, which is the development previously conceived by the applicant, the Draft EIR includes an analysis of a reduced version of the proposed project that is similar to a previous proposal made by the project applicant in November 2002 (refer to Alternative C and pages VI-17 through VI-24 of the Draft EIR). This alternative was not selected as the environmentally superior alternative because another alternative (Alternative B.2) would result in a greater reduction of impacts compared to Alternative C. Therefore, because the Draft EIR has identified an environmentally superior alternative as required by CEQA, the EIR is not flawed or inadequate for these reasons.

**Response to Comment RR-3**

This comment includes questions about the project applicant, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the

---

2 Subsequent to the circulation of the Draft EIR, additional traffic impacts and a new project alternative were identified. The alternatives section of the Draft EIR was substantially revised and is included in the Recirculated Traffic Impact Analysis [Saturday Peak Hour] and Revised Alternatives Analysis of the Draft Environmental Impact Report. Section III.B, Revised Alternatives to the Proposed Project, of the Recirculated Traffic Impact Analysis [Saturday Peak Hour] and Revised Alternatives Analysis of the Draft Environmental Impact Report supersedes Section VI, Alternatives to the Proposed Project in the previously-circulated Draft EIR. Thus, the commenter is also referred to pages III.B-18 through III.B-27 if this document.
Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER SS: Elaine Lee**

*Response to Comment SS-1*

This comment includes statements in support of the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

*Response to Comment SS-2*

This comment includes statements in support of the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

*Response to Comment SS-3*

This comment includes statements in support of the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

*Response to Comment SS-4*

This comment includes statements in support of the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER TT: Joshua Room**

*Response to Comment TT-1*

This comment includes statements in support of the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TT-2

This comment includes statements in support of the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER UU: Adam Fuchs

Response to Comment UU-1

This comment includes statements in support of the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER VV: Adam Fuchs

Response to Comment VV-1

This comment includes statements in support of the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

C. RESPONSES TO COMMENTS ON THE RECIRCULATED DRAFT EIR
(JANUARY 31 – APRIL 24, 2006)

TRANSCRIPT D (TSD)

Response to Comment TSD-1

With regard to widening San Pablo Avenue to improve traffic conditions at the intersection, as a clarification, Mitigation Measure III.A-6 included in the Recirculated Draft EIR is to provide a second northbound left-turn lane on San Pablo Avenue for vehicles turning left onto Ashby Avenue. There are plans to install a westbound left-turn lane on Ashby Avenue for vehicles turning left onto San Pablo Avenue. This improvement was assumed for the cumulative weekday and Saturday analyses and would separate westbound through traffic on Ashby Avenue. In order to reduce the cumulative, significant and unavoidable impact at the Ashby Avenue and San Pablo Avenue intersection to a less-than-significant level, additional right-of-way would have to be acquired for a second northbound left-turn lane on San Pablo Avenue turning onto Ashby Avenue in addition to the left-turn phasing and cycle length modifications already required to mitigate the project’s impact on existing conditions. According to Fehr
& Peers, a second northbound left-turn lane would require the northbound approach of the intersection to be widened by 10 to 12 feet. The southeast corner of the intersection would be widened by 10 to 12 feet, which would consequently shift the northbound through lanes 10 to 12 feet to the east. Right-of-way at the southeast corner can be acquired in cooperation between the City of Berkeley and the adjacent property owner, whose property is currently vacant, and by removing on-street parking. In order to transition the northbound through lanes back to the existing location on the north side of the intersection, additional right-of-way would be needed on the northeast corner of the intersection along the Walgreen’s frontage. An AC Transit bus stop that provides Bus Rapid Transit service exists at this location and would have to be relocated. Given that San Pablo Avenue is a Bus Rapid Transit corridor and that the bus stop at this location provides a transfer point between bus service on Ashby Avenue, Fehr & Peers believes that to remove this bus stop would be a fatal flaw. If the bus stop were maintained at its current location, widening the northeast corner of the intersection would infringe on the Walgreen’s building frontage.

It may be feasible to acquire right-of-way on the southeast corner of the intersection, but may not be feasible to acquire right-of-way on the northeast corner without affecting any existing buildings. Even if adequate right-of-way could be acquired on the southeast corner, the City would have to use eminent domain to do so, and this would not be practical for the following reasons:

1. The City doesn’t have the money to purchase this property at this time.

2. Because the project would contribute to a cumulative impact, the project applicant could not be expected to fully fund the purchase of the property and all improvements; he would be expected to contribute toward the payment. Not only does the City not own the property and can not afford the property, there is no funding mechanism in place for the applicant or other developers to contribute to in order to pay for the property/improvements (as an option).

3. Much of the existing problems experienced at this intersection are related to traffic generated by development in Emeryville and Oakland. The City of Berkeley would have to coordinate with those cities in order to help fund the improvements.

4. Widening the roadway would potentially conflict with General Plan Policy T-26, which states, “Do not widen local collector or major streets unless necessary to allow passage of emergency vehicles, or remove parking from residential streets for the purpose of expanding automobile traffic lanes.”

For these reasons, the effectiveness of the commenter’s suggestion and Mitigation Measure III.A-6 cannot be proven at this time, and therefore, are considered infeasible, and the impact would remain significant and unavoidable.
Response to Comment TSD-2

Regarding the Recirculated Draft EIR, the description and purposed of the document is provided on pages I-1 through I-3 of the Recirculated Draft EIR.

Response to Comment TSD-3

With regard to the traffic generation associated with the proposed project for the Saturday traffic analysis, the commenter is referred to page III.A-14 of the Recirculated Draft EIR that explains how Fehr & Peers determined the Saturday traffic generation rate for the store. With regard to comments on the Draft EIR, the commenter is referred to Master Response 9 and 11.

Response to Comment TSD-4

With regard to the traffic generation associated with the proposed project, the commenter is referred to Master Response 9 and Response to Comment TSD-3. Because the existing Berkeley Bowl and the proposed West Berkeley Bowl would provide the same services, it is reasonable to assume that traffic generation associated with both stores would be similar. With regard to replacing the existing Berkeley Bowl, the existing Berkeley Bowl would not be replaced by the proposed West Berkeley Bowl. The existing Berkeley Bowl would remain operational. With regard to parking associated with the proposed West Berkeley Bowl, the commenter is referred to Master Response 5.

Response to Comment TSD-5

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11.

With regard to the existing and proposed Berkeley Bowl having a regional draw, the commenter is referred to Master Response 7.

Response to Comment TSD-6

This comment implies that the analysis of traffic impacts in the Recirculated Draft EIR is inadequate, but the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this assertion. Therefore, pursuant to §15204(a) of the CEQA Guidelines, no further response to this portion of the comment is required.

Response to Comment TSD-7

With regard to addressing the commenter’s previous statements (refer to Comment TSC-27) about the use of the City of Berkeley versus the CMA’s significance thresholds, Comment TSC-27 is not addressed in the Recirculated Draft EIR. As explained on pages I-1 through I-3 of the Recirculated Draft EIR, the Recirculated Draft EIR only includes the Saturday peak-hour traffic analysis and revised alternatives analysis for the proposed project and is not a “response to comments” document. The Final EIR provides
responses to all comments received during the circulation periods for the Draft EIR and the Recirculated Draft EIR.

With regard to the use of the City of Berkeley versus the CMA’s significance thresholds, the commenter is referred to Master Response 10. The Saturday peak-hour traffic analysis that is included in the Recirculated Draft EIR analyzes intersection LOS and as is appropriate, uses the City of Berkeley’s significance thresholds. The weekday peak-hour traffic analysis of intersection LOS that is in the Draft EIR also uses the City of Berkeley’s significance thresholds. As discussed in the Draft EIR, during the weekday peak-hour, project and cumulative impacts to the LOS at the San Pablo Avenue and Ashby Avenue intersection were found to be less than significant with the implementation of mitigation. As discussed in the Recirculated Draft EIR, during the Saturday peak hour, project impacts to the LOS at the San Pablo Avenue and Ashby Avenue intersection were found to be less than significant, and cumulative impacts were found to be significant and unavoidable.

**Response to Comment TSD-8**

With regard to the freeway, volumes that were used for the freeway and roadway segment analyses were based on the volumes forecasted in the Alameda County Regional model. The model takes into account the capacity and travel time on each of the various links and assigns traffic to those links accordingly; traffic will traverse a route that provides the shortest travel time. This includes trips that go back and forth between local streets and the freeway based on congestion. Therefore, it represents a distribution of traffic as it is most likely to occur in the future.

**Response to Comment TSD-9**

As explained on pages I-1 through I-3 of the Recirculated Draft EIR, the Recirculated Draft EIR only includes the Saturday peak-hour traffic analysis and revised alternatives analysis for the proposed project and is not a “response to comments” document. The Final EIR provides responses to all comments received during the circulation periods for the Draft EIR and the Recirculated Draft EIR.

**TRANSCRIPT E (TSE)**

**Response to Comment TSE-1**

This comment includes statements about land uses in West Berkeley, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSE-2**

This comment includes statements about existing traffic issues in West Berkeley, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures.
contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSE-3**

This comment includes general statements about Saturday traffic and air pollution, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSE-4**

This comment states that the commenter read the correct version of the Recirculated Draft EIR, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSE-5**

This comment includes statements in support of the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSE-6**

This comment includes statements in support of the project as proposed and not a reduced version of the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSE-7**

This comment includes statements in support of the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSE-8**

This comment includes statements in support of the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the
Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSE-9**

This comment includes statements in support of the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSE-10**

This comment includes statements about expanding the commercial node at the intersection of 9th Street and Ashby Avenue, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSE-11**

This comment includes statements in support of the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSE-12**

This comment includes statements in support of the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSE-13**

This comment includes statements in support of the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSE-14**

This comment includes statements in support of the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the
Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSE-15**

This comment includes statements about the commenter, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSE-16**

This comment includes statements in support of the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSE-17**

With regard to the suggestions made by the commenter, the commenter is referred to the responses prepared for Comment Letter T.

**Response to Comment TSE-18**

This comment asks that the project implement a bicycle delivery program, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment TSE-19**

With regard to a variance instead of a zone change, the commenter is referred to Response to Comment EE-4.

**Response to Comment TSE-20**

This comment asks that the project implement a bicycle delivery program, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSE-21

Regarding the character of the neighborhood and the proposed project, the commenter is referred to Response to Comment TSC-192. With regard to the school kids in the project area, the commenter is referred to Master Response 4. With regard to parking associated with the Ecole Bilingue de Berkeley, the commenter is referred to Master Response 6.

Response to Comment TSE-22

This comment asks that the project be denied or reduced in size, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSE-23

This comment includes statements in opposition to the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSE-24

This comment includes statements in opposition to the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSE-25

With regard to Saturday traffic conditions in the project area, in the Recirculated Draft EIR, Fehr & Peers acknowledged that during the Saturday peak hour, vehicle queue lengths exceed available storage on southbound 7th Street. Vehicle queue spillback from Ashby Avenue affects the operations of the signalized 7th Street and Potter Street intersection and the unsignalized 7th Street and Anthony Street intersection. Periodically, vehicle queues extend past the 7th Street and Anthony Street intersection. Southbound vehicles typically remain in queue for one to two cycles of the Ashby Avenue and 7th Street intersection. This delay can be mostly attributed to the lack of signal coordination on the 7th Street corridor. That is, each signal operates in isolation from the other. The result is queue spill back and delay as drivers wait for available green time.

Besides the southbound movement, which operates at LOS F at the 7th Street and Ashby Avenue intersection, the other approaches at the intersection operate at acceptable levels of service and yield an overall acceptable intersection level of service during the Saturday peak hour. Coordination of the signals
on 7th Street would improve the southbound movement to LOS D. However, no signal timing improvements were assumed for the analysis.

Five alternatives were analyzed for this project including alternative land uses and project sizes. The traffic analyses was completed to address the traffic impacts as a function of each alternative, and the results do show that at varying sizes, the project would impact each of the respective study intersections at varying degrees.

Response to Comment TSE-26

This comment includes statements in opposition to the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSE-27

Regarding employee parking, the commenter is referred to Response to Comment TSE-26. With regard to comments on the Draft EIR, the commenter is referred to Master Response 11.

Response to Comment TSE-28

This comment includes statements in opposition to the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSE-29

This comment includes statements about the Planning Commission, zoning, and West Berkeley, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSE-30

This comment includes statements in opposition to the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSE-31

This comment includes statements about the commenter, West Berkeley, and existing traffic conditions, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSE-32

With regard to Eugenie Thomson’s comment letter dated November 21, 2005, the commenter is referred to Response to Comments OO-1 through OO-12. With regard to parking associated with the proposed project, the commenter is referred to Master Response 5. With regard to economic impacts associated with the proposed project, the commenter is referred to Response to Comment II-2.

Response to Comment TSE-33

With regard to studying impacts to the intersection of 7th Street/Ashby Avenue in the Recirculated Draft EIR, the commenter is referred to Tables III.A-6 and III.A-7 on pages III.A-23 and III.A-35 (respectively) in the Recirculated Draft EIR that show project-specific and cumulative impacts at this intersection.

With regard to project causing an expansion of commercial development in West Berkeley, the commenter is referred to Response to Comment II-2.

With regard to the commenter’s statements about a commercial node, these are comments in response to a previous commenter and do not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSE-34

With regard to the commenter’s statement about a commercial node, the commenter is referred to Response to Comment TSE-33. The remaining portion of this comment includes statements about the commenter, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
TRANSCRIPT F (TSF)

Response to Comment TSF-1

This comment includes statements about bicycle connection to the Emeryville greenway, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSF-2

With regard to requiring additional bicycle facilities of the project applicant as a condition of project approval, project impacts related to bicycles were not addressed in the Recirculated Draft EIR. However, such impacts were addressed in the Draft EIR and were found to be less than significant. The project provides for an easement on the eastern and southern portions of the project site frontages to the City for a multi-use path connecting the discontinuous segments of Heinz and Ashby Avenues via 9th Street, which would be designated as a Bicycle Boulevard. As noted by the commenter, the project would not result in any significant impacts related to bicycle traffic. Thus, no additional bicycle facilities are required of the project applicant.

Response to Comment TSF-3

This comment includes questions and statements by the Planning Commission with regard to requiring additional bicycle facilities of the project applicant as a condition of project approval and a response from City staff, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSF-4

This comment includes statements about the commenter, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSF-5

This comment includes a general statement about an increase in traffic related to the project and statements about other people’s concerns regarding the loss of artist housing, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSF-6

This comment includes general statements about traffic and development in West Berkeley, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSF-7

This comment includes general statements about development in West Berkeley, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSF-8

This comment expresses support for the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSF-9

With regard to traffic associated with the proposed West Berkeley Bowl, both the Draft EIR and the Recirculated Draft EIR disclose that the project would result in an increase in traffic. The Recirculated Draft EIR discloses that traffic generated by the project would contribute to a cumulative, significant unavoidable impact at the intersection of San Pablo Avenue and Ashby Avenue.

Response to Comment TSF-10

With regard to project traffic on 9\textsuperscript{th}, 10\textsuperscript{th}, and 8\textsuperscript{th} Streets, Fehr & Peers consulted with City Staff and looked at the trip distribution to determine the trips that would travel on the roadway network. Project trips are in high concentration at the intersections surrounding the proposed project, but they disperse the farther one gets from the project site. Intersections to which significant amounts of project traffic would be added were selected for analysis as they were most susceptible to having a project related impact. The project would contribute so few trips to 8\textsuperscript{th} and 10\textsuperscript{th} Streets that these streets were not included in the analysis, since they would not be significantly affected. 9\textsuperscript{th} Street was included in the traffic analysis for the project (refer to Section III.B of the Recirculated Draft EIR), and impacts to this street were found to be less than significant. Because no significant impacts to these streets were identified, the suggestions made by the commenter are not required. However, outside of the CEQA process, the City decision makers may choose to impose other “mitigation” measures (or “conditions to reduce detriment”) on the proposed project.
Response to Comment TSF-11

This comment expresses support for the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSF-12

This comment expresses support for the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSF-13

With regard to traffic on 9th Street associated with the proposed project, the commenter is referred to Response to Comment TSA-7.

Response to Comment TSF-14

This comment includes statements about the commenter, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSF-15

With regard to the project alternative presented in the Recirculated Draft EIR that would mitigate the cumulative, significant and unavoidable impact at San Pablo Avenue and Ashby Avenue, the commenter is incorrect that the Recirculated Draft EIR identifies the size of the project alternative as 15,000 sf to 16,000 sf. The commenter is referred to pages III.B-20 through III.B-27, which discusses Alternative C – Reduced Project #1. This alternative includes a 65,815-sf development similar to the proposed project, and with mitigation, the traffic generated by Alternative C would not contribute to the cumulative, significant and unavoidable impact that was identified for the proposed project.

With regard to a traffic signal on 9th Street or a “left turn only,” neither the proposed project nor the mitigation measures included in the Draft EIR or the Recirculated Draft EIR call for a traffic signal on 9th Street or a “left turn only.” The commenter is referred to Mitigation Measure IV.D-6 on page IV.D-46 of the Draft EIR that recommends the installation of a traffic signal at the intersection of Heinz Avenue and San Pablo Avenue to reduce a project-specific significant impact.
With regard to the suggestions for traffic barriers or right turn only, it is assumed that the commenter means to apply these suggestions to roadways in the project vicinity; the commenter is referred to Response to Comment TSF-10.

With regard to the location of the bike path, the commenter is referred to Response to Comment TSF-2.

With regard to parking associated with the Ecole Bilingue de Berkeley, the commenter is referred to page IV.D-59 in the Draft EIR, which discusses parking associated with the school.

Response to Comment TSF-16

With regard to the description of the proposed project and the traffic analysis, including changes that are needed to mitigate project impacts, the commenter is referred to Section III, Project Description, on pages III-1 through III-49 in the Draft EIR; Section IV.D, Transportation/Traffic, on pages IV.D-1 through IV.D-72 in the Draft EIR; and Section III.A-1, Traffic Impact Analysis (Saturday Peak Hour), on pages III.A-1 through III.A-36 in the Recirculated Draft EIR.

Response to Comment TSF-17

With regard to people “freeway shop[ping]” at the proposed West Berkeley Bowl, the commenter is referred to Master Response 7.

With regard to businesses in the project area that have deliveries in the area would shut down, there is no basis to conclude that the proposed project would cause businesses to shut down. The commenter is also referred to Response to Comment II-2.

With regard to adequately mitigating traffic impacts associated with the proposed project, as required by CEQA, the Draft EIR and the Recirculated Draft EIR identify mitigation measures and project alternatives as ways to adequately reduce and/or avoid impacts of the proposed project.

Response to Comment TSF-18

This comment includes statements about the project-review/approval process, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSF-19

This comment includes statements in opposition to the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSF-20

With regard to what the Recirculated Draft EIR states about a full-service supermarket, the commenter’s statements that the “EIR says that they could not put a supermarket on a scale of any other supermarket of Berkeley…because that would not be a, quote, full-service supermarket” are incorrect. These statements are not included in Draft EIR or the Recirculated Draft EIR. The Recirculated Draft EIR analyzed two reduced versions of the project, Alternatives C and D. As stated on page III.B-20 of the Recirculated Draft EIR, Alternative C “was specially designed to sell only natural and organic foods and was not intended to be a full-service supermarket. Because the project in Alternative C would only provide premium quality produce and groceries (natural/organic), the prices in this store would be more expensive than in the current marketplace proposal and it would not offer the wide range of produce and other goods provided by a full-service supermarket.” Alternative C is not considered a full-service supermarket due to the limited range of goods that it could be accommodated by a Berkeley Bowl establishment, rather than specifically due to the size of the facility. It was for these reasons that Alternative C would not meet the project objectives of providing a full-service supermarket. Also, the commenter is referred to pages III.B-35 through III.B-37, which show that Alternative D (a reduced version of the project) would meet the project objectives of providing a full-service supermarket.

Response to Comment TSF-21

This comment includes statements in opposition to the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSF-22

This comment includes statements about the commenter, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSF-23

This comment includes general statements about transportation and air quality, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSF-24

This comment includes statements the City of Emeryville, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSF-25

This comment includes statements about the City of Berkeley, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSF-26

This comment includes statements about the City of Emeryville, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSF-27

This comment includes statements about the commenter and statements about what people in West Berkeley want, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSF-28

With regard to the number of weekly trips that would be generated by the project, the commenter is referred to Response to Comment A-5. With regard to comments on the Draft EIR, the commenter is referred to Master Response 11.

Response to Comment TSF-29

With regard to traffic and parking associated with the proposed project, the Draft EIR and the Recirculated Draft EIR fully disclose the significant traffic impacts associated with the project. However, parking associated with the proposed West Berkeley Bowl was found to be adequate. The commenter is referred to Master Response 5.
Response to Comment TSF-30

With regard to the loss of industrially-zoned land, there is no existing industrial use on the site, it borders on a commercial area, and the project would include a significant expansion of a warehousing use (a protected use in West Berkeley). There is no existing industrial use on the site, it borders on a commercial area, and the project would include a significant expansion of a warehousing use (a protected use in West Berkeley). Modifying the boundaries of the MULI district to rezone less than one percent of the MULI area to another use would have virtually no effect on industrial uses in West Berkeley.

Response to Comment TSF-31

This comment includes statements about industrial land uses in other cities, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSF-32

This comment includes statements in favor of Alternatives C and D, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment TSF-33

With regard to basing the Saturday traffic analysis for the proposed project on January counts versus December counts, as noted by the commenter, December traffic volumes are high, in fact considerably higher than throughout the remainder of the year. Due to anticipated time constraints, the City instructed that the analysis of Saturday peak-hour traffic impacts move forward based on December traffic counts, although it was known that these counts did not represent the typical traffic condition and would result in project impacts that would not likely occur through the rest of the year. Because time allowed, January traffic counts were taken as well, which showed that project impacts during the Saturday peak hour would be similar in terms of level-of-significance to impacts identified in the Draft EIR for the weekday PM peak hour and in the Saturday peak-hour analysis based on December counts.

With regard to whether January traffic counts are the lowest of the year, the commenter is referred to Response to Comment TSF-34.

Response to Comment TSF-34

With regard to December traffic counts versus January traffic counts, due to major retail centers on Fourth Street in Berkeley and at the Bay Street Mall in Emeryville, and the significant holiday shopping that takes place between Thanksgiving and Christmas, it is expected that retail traffic on the San Pablo
Avenue corridor during December will be higher than during the rest of the year. Traffic counts for the Saturday peak-hour analysis were taken on January 21st, at a time when most people are back at work after winter and holiday vacations. As a result, the total traffic volumes in January are representative of typical commute conditions. To determine typical trends in the vicinity of the project site, historical data on I-80 at Ashby Avenue were reviewed. Monthly vehicle volumes were highest between April and July, but were only slightly greater than monthly volumes between October and March. August and September had the lowest monthly volumes. For these reasons, the January traffic counts are considered adequate, and averaging the December and January traffic counts is unnecessary.

With regard to peak traffic generation and peak traffic volumes on Saturday, as the commenter notes, Saturday traffic counts were taken during 1:00 PM and 4:00 PM. This is because this time period represents the time when traffic volumes are the highest in the project area. As the commenter notes, the busiest time period for the Berkeley Bowl on Saturday is from 5:00 PM to 6:00 PM. Thus, the traffic generation assumption for the project for the Saturday peak-hour analysis represents this time period. What this shows is that the time when peak traffic volumes occur in the project area on Saturday is not the same time that the Berkeley Bowl generates the most customers. Nonetheless, to provide for a worst-case scenario, the Saturday peak-hour analysis assumes that these two peak periods would overlap. If traffic counts were taken between the hours of 4:00 PM to 7:00 PM on Saturday as suggested by the commenter, traffic volumes would be lower, and project impacts would not be as great as identified in the Recirculated Draft EIR.

**Response to Comment TSF-35**

With regard to Alternative C, the commenter is referred to Response to Comment TSF-20.

**Response to Comment TSF-36**

With regard to the traffic generation associated with the proposed project, the project would not generate 56,000 weekly trips; the commenter is referred to Response to Comment A-5. Additionally, not all of the trips generated by the project would pass through any of the study intersections. The commenter is referred to Figure III.A-4 on page III.A-17 of the Recirculated Draft EIR for a description of project-vehicle trip distribution.

**Response to Comment TSF-37**

This comment includes suggestions to rezone the site so that only a grocery store could be developed on the site in the event that the West Berkeley Bowl no longer exists, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment TSF-38

With regard to averaging the December and January counts, the commenter is referred to Response to Comment TSF-33.

LETTER WW:  Department of Toxic Substances Control (Karen M. Toth)

Response to Comment WW-1

This comment states that the Department of Toxic Substances Control received the Recirculated Draft EIR and has no additional comments other than those submitted in response to the NOP and Draft EIR, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. With regard to the comments submitted in response to the NOP and Draft EIR, the commenter is referred to Responses to Comments E-1 through E-5.

LETTER XX:  State Clearinghouse (Scott Morgan)

This letter comprises the State Clearinghouse notifying reviewing agencies that the comment period for the Recirculated Draft EIR was extended.

LETTER YY:  City of Emeryville

Response to Comment YY-1

With regard to bicycle connections, the proposed project does not just include a path around the corner of the parking lot. Project impacts related to bicycles were not addressed in the Recirculated Draft EIR. However, such impacts were addressed in the Draft EIR and were found to be less than significant. The project includes dedication of land on the eastern and southern portions of the project site frontages to the City for a multi-use path connecting the discontinuous segments of Heinz and Ashby Avenues via 9th Street, which would be designated as a Bicycle Boulevard. As noted by the commenter, the project would not result in any significant impacts related to bicycle traffic. Thus, no additional bicycle facilities are required of the project applicant.

Response to Comment YY-2

This comment includes statements about bicycle connection between the City of Emeryville and the City of Berkeley, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment YY-3

With regard to requiring additional bicycle facilities of the project applicant, the commenter is referred to Response to Comment YY-1.

LETTER ZZ: Department of Transportation

Response to Comment ZZ-1

With regard to mitigation measures identified for the proposed project, the City of Berkeley will be responsible for overseeing implementation of the traffic-related mitigation measures identified in the Draft EIR and the Recirculated Draft EIR. The project applicant would be required fully finance all traffic-related mitigation measures that are needed to reduce project-specific impacts. The project applicant’s fair-share contribution toward mitigation measures identified for cumulative impacts is as follows:

<table>
<thead>
<tr>
<th>Mitigation Measure</th>
<th>Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>IV.D-15</td>
<td>Full</td>
</tr>
<tr>
<td>IV.D-16</td>
<td>The total cost of this mitigation is approximately $50,000. The project applicant is responsible for 22 percent of the cost of this mitigation, which is equivalent to $11,000.</td>
</tr>
<tr>
<td>IV.D-17</td>
<td>Full</td>
</tr>
<tr>
<td>IV.D-18</td>
<td>Full</td>
</tr>
<tr>
<td>III.A-4</td>
<td>Full</td>
</tr>
<tr>
<td>III.A-6</td>
<td>Full</td>
</tr>
</tbody>
</table>

With the exception of Mitigation Measure IV.D-16, all traffic-related mitigation measures shall be completed prior to project occupancy. Mitigation Measure IV.D-16 would be implemented in the future (approximately in the year 2030.)

With regard to mitigation monitoring, the commenter is referred to Section V, Mitigation Monitoring Program, of this document.

With regard to the encroachment permit, the City and the project applicant will comply with all permit requirements.

Response to Comment ZZ-2

With regard to eliminating on-street parking and narrowing the sidewalk to accommodate a second northbound left-turn lane, the commenter is referred to Response to Comment TSD-1.
Response to Comment ZZ-3

With regard to protected left-turn phasing versus protected/permitted phasing and the effect on project impacts:

Weekday Cumulative-Plus-Project: Protected eastbound and westbound left-turn phasing would continue to mitigate the project impact at the San Pablo Avenue and Ashby Avenue intersection under the Cumulative Weekday PM scenario. However, the eastbound and westbound approaches would derive further benefit from protected/permitted phasing rather than protected phasing.

Saturday Existing-Plus-Project: Eastbound protected left-turn phasing would not mitigate the project impacts at the San Pablo Avenue and Ashby Avenue intersection during the Existing-Saturday-Plus Project scenario. Rather than implementing protected or protected/permitted phasing, the project impact could be mitigated by modifying the cycle length to 120 seconds with permissive eastbound left-turn phasing.

Saturday Cumulative-Plus-Project: Protected eastbound and westbound left-turn phasing at the San Pablo Avenue and Ashby Avenue intersection would not mitigate the project impact and would be less effective at reducing the project impact compared to protected/permissive phasing.

Response to Comment ZZ-4

With regard to the Synchro run, this file was emailed to Lisa Carboni on April 27, 2006.

Response to Comment ZZ-5

With regard to the encroachment permit, the City and the project applicant will comply with all permit requirements.

LETTER ZZa: Alameda County Congestion Management Agency

Response to Comment ZZa-1

This comment states that the Alameda County Congestion Management Agency has no comment on the Recirculated Draft EIR. For responses to the previous comment letter sent by the Alameda County Congestion Management Agency on the Draft EIR, the commenter is referred to the responses to Comment Letter C.
LETTER AAA:  Joshua Room

Response to Comment AAA-1

This comment includes statements in support of the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER BBB:  Fran Haselsteiner

Response to Comment BBB-1

With regard to including Dwight Way in the traffic analysis, when selecting the intersections to include in the traffic study for the proposed project, Fehr & Peers consulted with City Staff and looked at the trip distribution to determine the trips that would travel on the roadway network. Project trips are in high concentration at the intersections surrounding the proposed project, but they disperse the farther one gets from the project site. Intersections to which significant amounts of project traffic would be added were selected for analysis as they were most susceptible to having a project related impact.

Based on the City of Berkeley 2000 General Plan, there are approximately 16,000 daily trips on Dwight Way between San Pablo Avenue and Sacramento Street. This yields about 1,600 PM peak-hour trips. Based on the project trip generation and trip distribution, and including a pass-by trip reduction, project vehicle trips on Dwight Way are expected to be about 20 vehicles during the PM peak hour. This represents approximately one percent of the PM peak-hour volume. Therefore, the impact on this roadway would not be significant and thus, was not included in the traffic analysis.

Response to Comment BBB-2

With regard to toxic emissions, the commenter is referred to Response to Comment TSB-58. With regard to the project having a regional draw, the commenter is referred to Master Response 7.

Response to Comment BBB-3

With regard to employee parking, the commenter is referred to Master Response 3. With regard to customers arriving at the store by foot or transit, the existing Berkeley Bowl’s customers are of varying levels of financial status, and many arrive to the store by alternate modes of transportation. The same would likely be true for the West Berkeley Bowl. There is no basis to conclude that only the poor would arrive at the store by foot or transit. With regard to parking associated with the West Berkeley Bowl, the commenter is referred to Master Response 5.
Response to Comment BBB-4

With regard to the purpose of an EIR, the purpose of an EIR is to disclose the environmental impacts associated with a project and to identify ways to reduce or avoid any significant impacts that are identified. There is no requirement under CEQA to mitigate all significant impacts to a less-than-significant level if no feasible mitigation measures are available.

Response to Comment BBB-5

This comment asks that the EIR for the West Berkeley Bowl to not be approved and for the project applicant to reduce the size of the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER CCC: John M. Danielson

Response to Comment CCC-1

This comment includes statements in support of the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER DDD: Edward J. Levitch

Response to Comment DDD-1

This comment includes statements in opposition to the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER EEE: Michael Larrick

Response to Comment EEE-1

This comment includes statements about the commenter, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
**Response to Comment EEE-2**

This comment includes statements about zoning and the loss of artist’s and manufacturing in West Berkeley, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment EEE-3**

This comment includes statements about existing traffic conditions in the project area and expresses support for the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment EEE-4**

This comment includes statements about traffic patterns associated with the Ecole Bilingue de Berkeley, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response to Comment EEE-5**

This comment includes statements in support of the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER FFF: Edward J. Levitch**

**Response to Comment FFF-1**

With regard to the proposed project being a regional draw, the commenter is referred to Master Response 7. The statements in this comment present express opposition to the project but do not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
LETTER GGG: Steve Schiff

Response to Comment GGG-1

This comment includes statements in support of the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER HHH: Lisa Howard

Response to Comment HHH-1

This comment includes statements in support of the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER III: Scott Christensen

Response to Comment III-1

This comment includes statements in support of the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER JJJ: Rachel Crossman

Response to Comment JJJ-1

This comment includes statements in support of the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER KKK: Liz Kwan

Response to Comment KKK-1

This comment includes statements in support of the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in
the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER LLL: Inkworks Press**

*Response to Comment LLL-1*

With regard to economic impacts and traffic associated with the proposed project, the commenter is referred to Response to Comment II-2.

*Response to Comment LLL-2*

With regard to project impacts at the intersection of 7th Street and Heinz Avenue, the commenter is referred to Table III.A-6 on page III.A-23 of the Recirculated Draft EIR and Table III.A-7 on page III.A-35 of the Recirculated Draft EIR, which show that traffic generated by the project would not significantly affect the LOS at this intersection during the Saturday peak hour. The remainder of this comment includes statements about existing loading conditions at adjacent land uses, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

*Response to Comment LLL-3*

This comment expresses opposition to the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER MMM: Christine Staples**

*Response to Comment MMM-1*

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

*Response to Comment MMM-2*

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment MMM-3

This comment expresses support for the proposed project as proposed and opposition to a smaller version of the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment MMM-4

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment MMM-5

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NNN: Rick Auerbach

Response to Comment NNN-1

With regard to the attachments, the attachments do not contain comments on the Recirculated Draft EIR, and no response is required.

LETTER OOO: Edward and Maurice Levitch

Response to Comment OOO-1

This comment includes statements about the commenter, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment OOO-2

With regard to the proposed West Berkeley Bowl being a regional store, the commenter is referred to Master Response 7.
Response to Comment OOO-3

With regard to an AM peak-hour traffic analysis, the majority of the traffic that would be generated by the project would not occur during the AM peak period, because, as the commenter mentioned, the store would not be open. The limited trips generated by employees and delivery trucks would not significantly affect traffic conditions in the project area, especially on Saturday mornings since many of the businesses in the area would not be open. With regard to employee parking in the morning, employees could park in the parking spaces provided at the project site. For these reasons, an analysis of AM peak-hour traffic impacts is not necessary.

Response to Comment OOO-4

With regard to Dwight Way, the commenter is referred to Response to Comment BBB-1. With regard to Grayson and Pardee Streets, these are local streets, and once a signal is installed at the Heinz Avenue and San Pablo Avenue intersection, a direct and efficient route would be created for patrons of the West Berkeley Bowl to access the West Berkeley via Heinz Avenue. Therefore, there is no reason to expect project traffic would use Grayson or Pardee Streets to access the project site.

With regard to parking associated with the proposed project, the commenter is referred to Master Responses 3 and 5.

Response to Comment OOO-5

With regard to parking associated with the proposed project, the existing parking conditions near the project site were taken into consideration in the traffic analysis. The commenter is referred to Master Response 3 and 5.

Response to Comment OOO-6

With regard to parking associated with the proposed project the commenter is referred to Master Responses 3 and 5.

Response to Comment OOO-7

With regard to the traffic volumes mentioned by the commenter, it appears that the commenter is referencing some traffic volumes from the Draft EIR. With regard to comments on the Draft EIR, the commenter is referred to Master Response 11. Additionally, the commenter seems to be comparing some of the project traffic volumes to some of the existing-plus-project traffic volumes, and this comparison is not appropriate. The commenter should compare existing traffic volume to existing-plus-project traffic volumes.

The volumes shown on Figure III.A-4 on page III.A-16 of the Recirculated Draft EIR are the project daily volumes that would be added to the base volumes on 9th Street. Therefore, they represent the total
increase in traffic on 9th Street due to the proposed West Berkeley Bowl. The cumulative traffic growth was calculated based on projected developments that would be constructed between the existing year 2005 and the cumulative year 2030. Given the limited number of proposed developments that would generate traffic on 9th Street north of Heinz Avenue, it is reasonable that cumulative growth is minimal within the neighborhood north of Heinz Avenue.

With regard to traffic impacts on 9th Street, the commenter is referred to Response to Comment TSC-91. With regard to the installation of a traffic signal at Heinz Avenue and San Pablo Avenue that is required as mitigation, this mitigation measure is not required to reduce impacts on 9th Street (as no significant impacts were identified for this street); the traffic signal is required to reduce significant impacts identified for the intersection of Heinz Avenue and San Pablo Avenue.

With regard to an analysis of Sunday traffic impacts, Sundays are typically not included in traffic analyses due to lower background volumes. Based on historical data provided by the City of Berkeley, Sunday traffic volumes on San Pablo Avenue are fifteen to thirty percent lower than Saturday traffic volumes at the same locations.

With regard to holiday traffic conditions, holiday traffic conditions do not represent typical conditions, and as standard engineering practice, are not considered in traffic analyses.

**Response to Comment OOO-8**

With regard to parking associated with the proposed project, the commenter is referred to Master Response 5.

**Response to Comment OOO-9**

With regard to the proposed project having a regional draw, the commenter is referred to Master Response 7. The traffic study for the project did take into consideration the distribution of the anticipated patronage of the West Berkeley Bowl and therefore, is not incomplete or inaccurate for this reason.

**Response to Comment OOO-10**

With regard to streets toward the north of the project site, the commenter is referred to Response to Comments TSF-10 AND OOO-4.

**Response to Comment OOO-11**

With regard to traffic impacts to neighborhood streets, the commenter is referred to Response to Comment OOO-10. With regard to parking associated with the proposed project, the commenter is referred to Master Responses 3 and 5.
Response to Comment OOO-12

With regard to monitoring of post-project traffic conditions, the effectiveness of the mitigation measures prescribed for proposed project is discussed in the Draft EIR and the Recirculated Draft EIR. With the exception of a cumulative impact at the intersection of Ashby Avenue and San Pablo Avenue, all significant impacts would be reduced to a less-than-significant level. Thus, monitoring is not required to further mitigate the project’s significant traffic impacts. However, outside of the CEQA process, the City decision makers may choose to impose other “mitigation” measures (or “conditions to reduce detriment”) on the proposed project.

Response to Comment OOO-13

This comment includes opinions about the project and the neighborhood, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment OOO-14

With regard to measuring and mitigating negative impacts of the proposed project, all of the impact analysis conducted in the EIR for the project was done so in conformance to well-established and tested, professional standards. In no way is assessing impacts in conformance to accepted standards “irresponsible and dangerous.”

LETTER PPP: West Berkeley Artisans & Industrial Companies

Response to Comment PPP-1

With regard to December traffic counts versus January Traffic counts, the commenter is referred to Response to Comment TSF-33.

Response to Comment PPP-2

With regard to peak traffic generation and peak traffic volumes on Saturday, the commenter is referred to Response to Comment TSF-34.

Response to Comment PPP-3

With regard to projected traffic volumes in the project area, given the projected growth in the vicinity of the project area, traffic volumes within the study area on the local streets are not expected to increase substantially. Most of the cumulative projects will not generate traffic on Saturdays, and traffic that is generated on Saturday is likely to travel on major roads such as San Pablo Avenue, Ashby Avenue, and 7th Street.
Response to Comment PPP-4

This comment implies that the analysis of traffic impacts in the Recirculated Draft EIR is inadequate, but the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this assertion. Therefore, pursuant to §15204(a) of the CEQA Guidelines, no further response to this portion of the comment is required.

Response to Comment PPP-5

This comment implies that the analysis of traffic impacts in the Recirculated Draft EIR is inadequate, but the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this assertion. Therefore, pursuant to §15204(a) of the CEQA Guidelines, no further response to this portion of the comment is required.

Response to Comment PPP-6

This comment implies that the analysis of traffic impacts in the Recirculated Draft EIR is inadequate, but the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this assertion. Therefore, pursuant to §15204(a) of the CEQA Guidelines, no further response to this portion of the comment is required.

Response to Comment PPP-7

With regard to the use of the urban grocery store rate, ITE does not distinguish between urban and suburban rates for grocery stores. Considering that West Berkeley is an urban environment, the urban grocery store rate is the most appropriate. Additionally, the project site is located at the intersection of two Bicycle Boulevards and within two blocks of three transit corridors. Heinz Avenue and 9th Street are Bicycle Boulevards along which bicycle travel is encouraged. AC Transit Routes 9, 19, and Transbay Route Z provide service on 7th Street, Routes 9 and Transbay Route H provide service on Ashby Avenue, and Routes 72, 72R, and 72 M provide service on San Pablo Avenue. Route 72R provides Bus Rapid Transit (BRT) service on San Pablo Avenue, which is one of the busiest transit corridors in Alameda County. Pedestrian facilities in the project area include sidewalks, pedestrian signals, and crosswalks. Given the nature of possibilities for alternative modes, the project is considered to be located in an urban area. This further supports the use of the urban grocery store parking generation rate provided by ITE.

Response to Comment PPP-8

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11.

Response to Comment PPP-9

This comment implies that the analysis of traffic impacts in the Recirculated Draft EIR is inadequate, but the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported
by facts in support of this assertion. Therefore, pursuant to §15204(a) of the CEQA Guidelines, no further response to this portion of the comment is required.

Response to Comment PPP-10

With regard to future traffic conditions at the intersection of 7th Street and Heinz Avenue, on Saturday, the 7th Street and Heinz Avenue intersection operates as actuated-uncoordinated, which means that the signal is not coordinated with the other intersections on 7th Street and that the amount of time that the signal will stay green for each movement is not always the same. Instead, the light will stay green for extended periods of time when more vehicles are present at a given approach.

Comparing the intersection volumes between the Existing-Plus-Project and Cumulative-Plus-Project scenarios, it is clear that the volumes on 7th Street grow considerably between the two scenarios. Due to the increased volume, the signal will allocate more green time to the vehicles traveling northbound and southbound on 7th Street, and take away green time from the side street movements on Heinz Avenue.

The levels of service provided in Tables III.A-6 and III.A-7 represent a weighted average of delay at the various study intersections. This means that the approaches with the highest volumes more significantly impact the total delay at a given intersection. Since the movements on 7th Street are allocated additional green time during the Cumulative-Plus-Project scenario, the delay for those movements with the highest volumes were reduced. As a result of these calculations, the average delay at the 7th Street and Heinz Avenue intersection was slightly improved during the Cumulative-Plus-Project scenario compared to the Existing-Plus-Project scenario.

Response to Comment PPP-11

With regard to Alternative D, as discussed on page III.B-35, cumulative impacts at the intersection of Ashby Avenue and San Pablo Avenue would be significant and unavoidable.

Response to Comment PPP-12

With regard to “probable development,” the list of related projects considered for the cumulative analysis reflects the reasonable-foreseeable development that was known at the time the NOP was circulated for the Draft EIR and was considered to be part of the baseline conditions for the project and is supported by section 15125 (a) of the CEQA Guidelines, which states, “An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published...” The list of related project used for the cumulative analysis is included in Appendix I of the Draft EIR. It is likely that some of these projects will never be developed, and the traffic that was assumed to be generated by these projects and assumed in the cumulative analysis will never occur. Also, it is likely that other unknown projects will be developed sometime before 2030. Thus, the cumulative analysis in the Draft EIR is based on the reasonably-foreseeable development that was known at the time the baseline condition was established for the project.
Response to Comment PPP-13

With regard to employee parking, the commenter is referred to Master Response 3.

Response to Comment PPP-14

With regard to parking on Saturdays, street parking on Saturdays in the project area is more widely available. The Draft EIR concluded that the parking supply associated with the project would be adequate during the weekday (refer to Master Response 5), when street parking is in higher demand. It is logical to assume that if parking would be sufficient when street parking is in high demand, then parking would be sufficient when street parking is less in demand. Thus, no parking assessment for Saturday is necessary.

Response to Comment PPP-15

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11.

Response to Comment PPP-16

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11.

Response to Comment PPP-17

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11.

Response to Comment PPP-18

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11.

Response to Comment PPP-19

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11.

Response to Comment PPP-20

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11.

Response to Comment PPP-21

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11. With regard to the project having a regional draw, the commenter is referred to Master Response 7.
Response to Comment PPP-22

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11. Also, the commenter is referred to Response to Comment II-2.

Response to Comment PPP-23

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11. Also, the commenter is referred to Response to Comment II-2.

Response to Comment PPP-24

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11. Also, the commenter is referred to Response to Comment II-2.

Response to Comment PPP-25

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11. Also, the commenter is referred to Response to Comment II-2.

Response to Comment PPP-26

This comment includes statements about the project alternatives, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment PPP-27

This comment expresses support for Alternative C, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment PPP-28

This comment includes a statement about Alternative C, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment PPP-29

With regard to Alternative C, the commenter is referred to Response to Comment N-3. The commenter already cites the reasons why Alternative C does not meet all of the project objectives.

Response to Comment PPP-30

This comment includes statements about Alternative D and the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER QQQ: West Berkeley Artisans & Industrial Companies

Response to Comment QQQ-1

With regard to the economic analysis, the commenter is referred to Response to Comment II-2. With regard to comments on the Draft EIR, the commenter is referred to Master Response 11.

Response to Comment QQQ-2

This comment includes general statements about the traffic analysis in the Recirculated Draft EIR, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

With regard to parking associated with the proposed project, the commenter is referred to Master Response 5.

Response to Comment QQQ-3

With regard to economic impacts, the commenter is referred to Response to Comment II-2.

Response to Comment QQQ-4

With regard to economic impacts, the commenter is referred to Response to Comment II-2.

LETTER RRR: Potter Creek Neighbors

Response to Comment RRR-1

With regard to restricting project north of the project site, the commenter is referred to Responses to Comments TSF-10 and OOO-4.
LETTER SSS: Potter Creek Neighbors

Response to Comment SSS-1

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11.

Response to Comment SSS-2

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11.

Response to Comment SSS-3

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11.

Response to Comment SSS-4

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11. With regard to parking, the commenter is referred to Master Response 5.

Response to Comment SSS-5

With regard to employee parking, the commenter is referred to Master Response 3.

Response to Comment SSS-6

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11.

Response to Comment SSS-7

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11.

Response to Comment SSS-8

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11.

LETTER TTT: Susanne Hering

Response to Comment TTT-1

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11.

Response to Comment TTT-2

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11.
Response to Comment TTT-3

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11.

Response to Comment TTT-4

With regard to comments on the Draft EIR, the commenter is referred to Master Response 11.

LETTER UUU: Amy Merrill

Response to Comment UUU-1

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER VVV: Douglas Smith

Response to Comment VVV-1

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER WWW: Lisa Mikulchik

Response to Comment WWW-1

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER XXX: Barbara Bowman

Response to Comment XXX-1

This comment expresses support for the proposed project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
Response to Comment XXX-2

With regard to noise, the commenter is referred to pages V-13 through V-15 of the Draft EIR that include an analysis of project impacts related to noise and show that these impacts would be less than significant. Also, with regard to comments on environmental topics not included in the scope of the Recirculated Draft EIR, the commenter is referred to Master Response 11.

Response to Comment XXX-3

With regard to the proposed project having a regional draw, the commenter is referred to Master Response 7.

Response to Comment XXX-4

With regard to project traffic on 9th, 10th, and 8th Streets, the commenter is referred to Response to Comment TSF-10.

Response to Comment XXX-5

With regard to on-site circulation, the commenter is referred to Section IV.D, Transportation/Traffic, of the Draft EIR. With regard to comments on environmental topics not included in the scope of the Recirculated Draft EIR, the commenter is referred to Master Response 11.

Response to Comment XXX-6

With regard to impacts to 9th Street, the commenter is referred to Table III.A-6 on page III.A-23 of the Recirculated Draft EIR and Table III.A-7 on page III.A-35 of the Draft EIR that show impacts to intersections involving 9th Street would be less than significant. With regard to 8th and 10th Streets, the commenter is referred to Response to Comment XXX-4.

Response to Comment XXX-7

With regard to monitoring of post-project traffic conditions, the commenter is referred to Response to Comment OOO-12.

Response to Comment XXX-8

This comment expresses concerns about future use of the project site, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Recirculated Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.
This page left blank intentionally.
IV. REVISIONS TO THE DRAFT EIR AND THE RECIRCULATED DRAFT EIR

INTRODUCTION

The section presents corrections and clarifications that have been made to the text of the Draft EIR. These changes include revisions resulting from specific responses to comments and staff-initiated text changes to correct non-substantive errors. The text revisions are organized by section and page number as they appear in the Draft EIR and Recirculated Draft EIR. Text deleted from the documents is shown in strikethrough, and new text is underlined. For corrections resulting from a response to a comment on the documents, references in parentheses refer to the comment letter and comment number.

REVISIONS TO THE DRAFT EIR

SECTION II, EXECUTIVE SUMMARY

The text on page II-12, Table II-1, first column in the Draft EIR has been changed in the Final EIR to read as follows (staff-initiated change):

“Landscaping that is proposed adjacent to the project driveways could limit visibility of drivers existing the site. As part of the site improvements, the project applicant would improve 9th Street, south of Heinz Avenue to the property line, including roadway paving, curbs, and gutters along the eastern property frontage. These improvements would allow drivers to travel from 9th Street south of the project site to 9th Street north of the project site via the parking aisles within the project site, although the site plan, with 9th Street off-set, is designed to discourage this movement. This movement is not currently allowed. This is considered a potentially significant impact.”

Mitigation Measure IV.D-16 on Table II-1 on page II-15 in the Draft EIR has been changed in the Final EIR to read as follows (staff-initiated change):

“IV.D-16: No later than the year 2030, the project applicant City of Berkeley shall modify the traffic signal to provide protected/permitted westbound and eastbound left-turn phases to more effectively make use of the added westbound left-turn pocket. Incorporate the signal phasing changes into the San Pablo Avenue coordination system and update the coordination timing plans. San Pablo Avenue is a designated Smart Corridor within the City of Berkeley and modified traffic signals installed along San Pablo Avenue must meet the Smart Corridor Design Criteria. Countdown pedestrian signal operations shall be provided to facilitate bicycle, pedestrian, and transit users crossing at San Pablo Avenue. The total cost of this mitigation is approximately $50,000. The project applicant
is responsible for 22 percent of the cost of this mitigation, which is equivalent to 
$11,000 and shall be paid to the City by the project applicant prior to project 
occupancy. Implementation of this measure would improve the intersection 
operations during the PM peak hour from LOS F to LOS E with a delay of 77 
seconds and a V/C ratio of 1.09 (as compared to the Cumulative-without-Project 
scenario), reducing the project’s impact to a less-than-significant level.

SECTION III, PROJECT DESCRIPTION

Table III-1 on page III-23 in the Draft EIR has been changed in the Final EIR to read as follows (staff-initiated change):

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Land Use</th>
<th>Size</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jubilee Village</td>
<td>San Pablo, north of Ashby</td>
<td>Residential</td>
<td>64 units</td>
<td>Proposed: Project returned to applicant</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Retail</td>
<td>1,720 sf</td>
<td></td>
</tr>
<tr>
<td>3132 Martin</td>
<td>Martin Luther King/Adeline</td>
<td>Residential</td>
<td>42 units</td>
<td>Proposed: Pending ZAB action in fall 2005</td>
</tr>
<tr>
<td>Luther King</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1001 Ashby</td>
<td>Ashby/9th</td>
<td>Residential</td>
<td>55 units</td>
<td>Approved 2005</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Retail</td>
<td>6,590 sf</td>
<td></td>
</tr>
<tr>
<td>Garr Building</td>
<td>Heinz/5th</td>
<td>Laboratory</td>
<td>80,000 sf</td>
<td>Proposed: Project application incomplete</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Proposed: Project application incomplete</td>
</tr>
<tr>
<td>700 University</td>
<td>700 University</td>
<td>Residential</td>
<td>212 units</td>
<td>Proposed: Project application is incomplete</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Retail</td>
<td>20,000 sf</td>
<td>Proposed: Project application is incomplete</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>pending ZAB action in early 2006</td>
</tr>
</tbody>
</table>

Source: City of Berkeley, 2005.

The second sentence of the second paragraph on page III-24 has been changed in the Final EIR to read as follows (refer to Response to Comment TSC-7):

“The marketplace in Building 1 would have two levels with 51,065 sf of retail space on the 
ground and second floors and 28,805 sf of ancillary storage warehouse space and 4,120 sf of 
office space on the second floor.”

The list of discretionary actions included on pages III-47 and III-48 in the Draft EIR has been changed in 
the Final EIR to read as follows (staff-initiated change):
An amendment to the General Plan Land Use Diagram to change the land use designation of a 1.9-acre portion of the site from “Manufacturing” to “Avenue Commercial.”

- Zone change to rezone a 1.9-acre portion of the site from MU-LI to C-W.

- Zoning ordinance text amendment to the MU-LI use table 23E.80.030 to provide an exemption so that the intended storage area could serve both the existing Central Berkeley Bowl and the proposed West Berkeley Bowl.

- Use Permit per Section 23C.08.00.A to demolish the existing building.

- Use Permit per Section 23E.28.080B to allow parking within 20 feet of Ninth Street.

- Use Permit per Section 23E.64.030 to establish a retail sales use (grocery store).

- Use Permit per Section 23E.64.030 to establish a community center.

- Use Permit per Section 23E.64.030 to allow the retail sale of beer and wine.

- Use Permit per Section 23E.64.030 to establish a quick serve restaurant.

- Use Permit per Section 23E.64.050.B to construct more than 5,000 sf of gross floor area.”

**SUBSECTION IV.C, LAND USE & PLANNING**

Pages IV.C-11 and IV.C-12 in the Draft EIR were inadvertently reversed during reproduction of the document. Thus, page IV.C-12 as it appears in the Draft EIR has been changed in the Final EIR to appear as follows (staff-initiated change):
“Given the broad scope of the General Plan, inherent tensions exist between Plan objectives and policies that must be balanced against one another through the decision-making process on particular development and land use decisions. It is not the intent of the General Plan to predetermine these decisions, but rather to help guide the decision-making process.”

As noted elsewhere in the General Plan, General Plans are not intended to be static documents. The plan itself notes that (page I-7):

“The Plan is intended to be a living document that changes with changing local conditions and community priorities.”

These statements in the General Plan emphasize the General Plan’s clear intent of allowing for change over time. While action B under Policy LU-34 indicates that the boundaries of the MU-LI district should be maintained, it does not and cannot freeze those boundaries, preventing future Councils from considering modifications to those boundaries to reflect changed circumstances and community priorities. When the General Plan was adopted in 2001, there was a significant concern with the expansion of the 4th Street retail area into the surrounding MU-LI zoned areas. In that context, it seems clear that the main intent of Policy LU 34-B was to discourage further expansion of the 4th Street area, not prevent any changes in the MU-LI in any location.

Goal 2 of the West Berkeley Plan, incorporated into the General Plan by reference (and discussed in more detail in Table IV.C-3), indicates that “There are a number of locations – the Ashby Avenue corridor…where retail expansion can occur without damaging industrial activity.” Goal 3 (page 84) indicates the desire of West Berkeley residents for a food store (and again on page 90). There have been no grocery stores proposed in West Berkeley since the adoption of the West Berkeley Plan. Clearly, the proposed project would serve the neighborhood. It may also serve a larger area beyond the neighborhood. Therefore, some balancing of interests must take place between the need for a neighborhood serving grocery store, the lack of previous proposals to provide

<table>
<thead>
<tr>
<th>Element</th>
<th>Policy</th>
<th>Consistency Discussion</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>“Given the broad scope of the General Plan, inherent tensions exist between Plan objectives and policies that must be balanced against one another through the decision-making process on particular development and land use decisions. It is not the intent of the General Plan to predetermine these decisions, but rather to help guide the decision-making process.”</td>
</tr>
</tbody>
</table>

Page IV.C-11 as it appears in the Draft EIR has been changed in the Final EIR to appear as follows (staff-initiated change):
any such store, and the impacts of this application to allow a change in the Zoning and General Plan boundaries to permit a larger grocery store than previously contemplated in an area not previously planned for that use. It is clearly the intent of this General Plan – and of any General Plan for any city – to allow for a balancing of priorities and consideration of changed circumstances to occur. No single policy in the General Plan takes precedence over other policies and it is up to the City Council to balance interests and interpret and apply the various policies involved. If the Council chooses to modify the boundaries of the districts to accommodate a grocery store, it would clearly be consistent with the overall purposes of the General Plan, the West Berkeley Plan and its land use designations.

The proposed rezoning would result in the conversion of 1.9 acres of MU-LI land to C-W land. Per §23E.80.020 (d) and (e) of the City’s Municipal Code, two of the major purposes of the MU-LI District include the following:

“Encourage the creation and continuation of well paid jobs which do not require advanced degrees.”

“Provide for the continued availability of manufacturing and industrial buildings for manufacturing uses, especially of larger spaces needed by medium sized and larger light manufacturers.”

The West Berkeley Plan (page 25) indicates that the MU-LI District is the largest zoning district in West Berkeley (outside of the purely residential areas) and covers roughly 300 acres. The project site represents approximately 0.8 percent of the total area in the MU-LI District. Because of the relatively small size of the site, it is unlikely that the proposed rezoning would significantly affect the critical mass, effectiveness, or purposes of the MU-LI District as a whole. The rezoning would remove a small fraction of land (less than one percent) available for these purposes. The West Berkeley Plan (page 31) indicates that as of 1993, few sites within the MU-LI District have floor area ratios (FARs) over 1.0, even though the West Berkeley Plan allows a maximum FAR of 3.0. Assuming a 0.5 FAR and a single story building, about 50,000 sf of light-industrial land uses

The third and fourth sentences in the first full paragraph on page IV.C-13, third column, in the Draft EIR have been revised in the Final EIR to read as follows (staff-initiated change):

“This results in an employment density of one job per 1,550 sf of space, a reasonable employment multiplier for light industrial space of one job per 1,000 sf, and a single story building of 50,000 square feet would generate about 50 light-industrial jobs.”

The consistency discussion for Goal 1 of the West Berkeley Plan’s Economic Development Element on page IV.C-21 of the Draft EIR has been changed in the Final EIR to read as follows (refer to Response to Comment KK-7):
“Consistent: The project site is primarily vacant and the occupied portion is underutilized with a dilapidated corrugated metal warehouse. The project promotes the economic development of West Berkeley by converting a mostly vacant, underutilized lot into a business that would generate tax revenue for the City while providing fresh produce, basic goods and jobs to nearby residents and workers. The City is reviewing this project as an action towards expanding the amount of warehouse space on the project site from 8,500 sf of warehouse space with 28,805 sf of new warehouse space and preserving a portion of the site for industrial/manufacturing use adjacent to the existing manufacturing uses in the MU-LI district.”

SUBSECTION IV.D, TRANSPORTATION/TRAFFIC

The first sentence of the third paragraph on page IV.D-42 has been changed in the Final EIR to read as follows (refer to Response to Comment C-3):

“Based on LOS standards for the Development Plan EIR established by the ACCMA, the standard of significance for determining project impacts is as follows:”

The second to the last sentence of the third paragraph on page IV.D-42 of the Draft EIR has been changed in the Final EIR to read as follows (refer to Response to Comment C-5):

“The LOS standard on I-80 in the project vicinity is LOS F.”

Tables IV.D-11 and IV.D-12 on page IV.D-43 of the Draft EIR have been changed in the Final EIR to read as follows (refer to Response to Comment TSC-30):
### Table IV.D-11

<table>
<thead>
<tr>
<th>Roadway Segment</th>
<th>Direction</th>
<th>Capacity</th>
<th>Without Project</th>
<th>With Project</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Volume</td>
<td>V/C</td>
</tr>
<tr>
<td>I-80 north of Ashby</td>
<td>NB</td>
<td>11,000</td>
<td>10,200</td>
<td>0.93</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>11,000</td>
<td>8,450</td>
<td>0.77</td>
</tr>
<tr>
<td>I-80 south of Ashby</td>
<td>NB</td>
<td>11,000</td>
<td>10,910</td>
<td>0.99</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>11,000</td>
<td>9,760</td>
<td>0.89</td>
</tr>
<tr>
<td>San Pablo north of Ashby</td>
<td>NB</td>
<td>1,600</td>
<td>2,040</td>
<td>1.28</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>1,600</td>
<td>2,330</td>
<td>1.46</td>
</tr>
<tr>
<td>San Pablo south of Ashby</td>
<td>NB</td>
<td>1,600</td>
<td>1,610</td>
<td>1.01</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>1,600</td>
<td>1,610</td>
<td>1.01</td>
</tr>
<tr>
<td>Ashby east of San Pablo</td>
<td>NB</td>
<td>1,600</td>
<td>1,350</td>
<td>0.84</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>1,600</td>
<td>670</td>
<td>0.42</td>
</tr>
<tr>
<td>Ashby west of San Pablo</td>
<td>NB</td>
<td>1,600</td>
<td>1,460</td>
<td>0.91</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>1,600</td>
<td>1,070</td>
<td>0.67</td>
</tr>
</tbody>
</table>

Notes:
1. Roadway capacities assumed to be 2,200 vehicles per hour per lane for freeway segments and 800 vehicles per hour per lane for arterial roadway segments.

---

### Table IV.D-12

<table>
<thead>
<tr>
<th>Roadway Segment</th>
<th>Direction</th>
<th>Capacity</th>
<th>Without Project</th>
<th>With Project</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Volume</td>
<td>V/C</td>
</tr>
<tr>
<td>I-80 north of Ashby</td>
<td>NB</td>
<td>11,000</td>
<td>10,660</td>
<td>0.97</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>11,000</td>
<td>8,860</td>
<td>0.81</td>
</tr>
<tr>
<td>I-80 south of Ashby</td>
<td>NB</td>
<td>11,000</td>
<td>11,530</td>
<td>1.05</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>11,000</td>
<td>9,960</td>
<td>0.91</td>
</tr>
<tr>
<td>San Pablo north of Ashby</td>
<td>NB</td>
<td>1,600</td>
<td>2,180</td>
<td>1.36</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>1,600</td>
<td>2,480</td>
<td>1.55</td>
</tr>
<tr>
<td>San Pablo south of Ashby</td>
<td>NB</td>
<td>1,600</td>
<td>1,780</td>
<td>1.11</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>1,600</td>
<td>1,990</td>
<td>1.24</td>
</tr>
<tr>
<td>Ashby east of San Pablo</td>
<td>NB</td>
<td>1,600</td>
<td>1,480</td>
<td>0.93</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>1,600</td>
<td>560</td>
<td>0.35</td>
</tr>
<tr>
<td>Ashby west of San Pablo</td>
<td>EB</td>
<td>1,600</td>
<td>1,610</td>
<td>1.01</td>
</tr>
<tr>
<td></td>
<td>WB</td>
<td>1,600</td>
<td>780</td>
<td>0.49</td>
</tr>
</tbody>
</table>

Notes:
1. Roadway capacities assumed to be 2,200 vehicles per hour per lane for freeway segments and 800 vehicles per hour per lane for arterial roadway segments.
The second to the last sentence of the first paragraph on page IV.D-57 in the Draft EIR has been changed in the Final EIR to read as follows (staff-initiated change):

“The location of the parking garage support columns could impede parking maneuvers due to their proximity to the drive aisles.”

Mitigation Measure IV.D-16 on page IV.D-71 in the Draft EIR has been changed in the Final EIR to read as follows (staff-initiated change):

“IV.D-16: No later than the year 2030, the project applicant City of Berkeley shall modify the traffic signal to provide protected/permissioned westbound and eastbound left-turn phases to more effectively make use of the added westbound left-turn pocket. Incorporate the signal phasing changes into the San Pablo Avenue coordination system and update the coordination timing plans. San Pablo Avenue is a designated Smart Corridor within the City of Berkeley and modified traffic signals installed along San Pablo Avenue must meet the Smart Corridor Design Criteria. Countdown pedestrian signal operations shall be provided to facilitate bicycle, pedestrian, and transit users crossing at San Pablo Avenue. The total cost of this mitigation is approximately $50,000. The project applicant is responsible for 22 percent of the cost of this mitigation, which is equivalent to $11,000 and shall be paid to the City by the project applicant prior to project occupancy. Implementation of this measure would improve the intersection operations during the PM peak hour from LOS F to LOS E with a delay of 77 seconds and a V/C ratio of 1.09 (as compared to the Cumulative-without-Project scenario), reducing the project’s impact to a less-than-significant level.

SECTION V. GENERAL IMPACT CATEGORIES

The last paragraph on page V-18, which continues onto page V-19 in the Draft EIR, has been changed in the Final EIR to read as follows (refer to Response to Comment B-3):

“The project would not require or result in the construction of a new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. The City of Berkeley provides sanitary sewer and water service to the project site. The project applicant would pay the City of Berkeley a sanitary sewer connection fee to fund the maintenance and improvement of the sanitary sewer system. Additionally, the City has indicated that as a condition of project approval, the project applicant would be required to connect to the sewer main in Heinz Street and would be required to preserve the existing sewer easement that crosses the project site and provide sufficient access to the easement. Wastewater treatment services to the proposed project would be provided by EBMUD. According to EBMUD, the Main Wastewater Treatment Plant is anticipated to have adequate dry weather capacity to treat the proposed wastewater flow from the project, provided the wastewater
flow meets the standards of EBMUD’s Environmental Services Division. Additionally, the City of Berkeley Public Works Department has confirmed that there is available wastewater capacity within Subbasin 17-101 to accommodate flows from the proposed project.¹ The amount of water consumed and wastewater generated by the proposed project would not require or result in the construction of new facilities or the expansion of existing facilities. Therefore, project impacts related to water and wastewater treatment facilities would be less than significant, and no further analysis of this issue is required.”

¹—Yee, Henry, Supervising Civil Engineer, City of Berkeley Public Works Department, E-mail, March 21, 2006.

REVISIONS TO THE RECIRCULATED DRAFT EIR

Tables III.A-6 and III.A-7 on pages III.A-23 and III.A-35 (respectively) of the Recirculated Draft EIR have been changed in the Final EIR to read as follows (staff-initiated change):
Table III.A-6
Existing and Existing-Plus-Project Saturday Peak-Hour Intersection 2000 HCM LOS

<table>
<thead>
<tr>
<th>Intersection</th>
<th>Control</th>
<th>Existing</th>
<th></th>
<th>Existing Plus Project</th>
<th></th>
<th>Delay ( (\text{V/C Ratio}) ) Increase ( ^3 )</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Delay ( ^2 )</td>
<td>LOS</td>
<td>V/C Ratio ( ^6 )</td>
<td>Delay ( ^3 )</td>
<td>LOS</td>
</tr>
<tr>
<td>1. San Pablo Avenue/Heinz Avenue</td>
<td>SSSC</td>
<td>23 sec(^4)</td>
<td>F</td>
<td>n/a</td>
<td>130 sec(^{3,4,5})</td>
<td>F</td>
</tr>
<tr>
<td>2. San Pablo Avenue/Ashby Avenue</td>
<td>Signal</td>
<td>50 sec ( ^4 )</td>
<td>F</td>
<td>1.03</td>
<td>94 sec(^{3,5})</td>
<td>F</td>
</tr>
<tr>
<td>3. 9(^{th}) Street/Heinz Avenue</td>
<td>AWSC</td>
<td>8 sec</td>
<td>A</td>
<td>n/a</td>
<td>9 sec</td>
<td>A</td>
</tr>
<tr>
<td>4. 9(^{th}) Street/Ashby Avenue</td>
<td>Signal</td>
<td>4 sec</td>
<td>A</td>
<td>0.38</td>
<td>8 sec</td>
<td>B</td>
</tr>
<tr>
<td>5. 7(^{th}) Street/Ashby Avenue</td>
<td>Signal</td>
<td>31 sec</td>
<td>C</td>
<td>0.69</td>
<td>33 sec</td>
<td>C</td>
</tr>
<tr>
<td>6. 7(^{th}) Street/Potter Street</td>
<td>Signal</td>
<td>12 sec</td>
<td>B</td>
<td>0.41</td>
<td>13 sec</td>
<td>B</td>
</tr>
<tr>
<td>7. 7(^{th}) Street/Heinz Avenue</td>
<td>Signal</td>
<td>6 sec</td>
<td>A</td>
<td>0.45</td>
<td>7 sec</td>
<td>A</td>
</tr>
</tbody>
</table>

Notes:

1. Signal = Signalized intersection; AWSC = All-way stop-controlled intersection; SSSC = Side-street stop-controlled intersection.

2. For side-street stop-controlled intersections, delay for each movement is calculated using the 2000 HCM method, and the highest control delay (worst movement) is presented. For signalized and all-way stop-controlled intersections, average control delay for the intersection is calculated using the 2000 HCM method.

3. **Bold italics** represent a potentially significant impact.

4. Eastbound approach is critical approach.

5. Although the 2000 HCM can provide results for intersections over capacity, it recognizes that modest increases in traffic volumes cause significant increases in delay at intersections over capacity. As such, the methodology becomes less reliable for estimating actual delay when an intersection is over capacity.


Table III.A-7
Cumulative (2030) Without and With Project
Saturday Peak-Hour Intersection 2000 HCM LOS

<table>
<thead>
<tr>
<th>Intersection</th>
<th>Control</th>
<th>Cumulative (Year 2030)</th>
<th>Cumulative (Year 2030) Plus Project</th>
<th>Delay (V/C Ratio) Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Delay</td>
<td>LOS</td>
<td>V/C Ratio</td>
</tr>
<tr>
<td>1. San Pablo Avenue/Heinz Avenue</td>
<td>SSSC</td>
<td>70 sec</td>
<td>F</td>
<td>n/a</td>
</tr>
<tr>
<td>2. San Pablo Avenue/Ashby Avenue</td>
<td>Signal</td>
<td>69 sec</td>
<td>1.35</td>
<td>100 sec</td>
</tr>
<tr>
<td>3. 9th Street/Heinz Avenue</td>
<td>AWSC</td>
<td>8 sec</td>
<td>A</td>
<td>n/a</td>
</tr>
<tr>
<td>4. 9th Street/Ashby Avenue</td>
<td>Signal</td>
<td>4 sec</td>
<td>A</td>
<td>0.41</td>
</tr>
<tr>
<td>5. 7th Street/Ashby Avenue</td>
<td>Signal</td>
<td>41 sec</td>
<td>D</td>
<td>0.77</td>
</tr>
<tr>
<td>6. 7th Street/Potter Street</td>
<td>Signal</td>
<td>13 sec</td>
<td>B</td>
<td>0.45</td>
</tr>
<tr>
<td>7. 7th Street/Heinz Avenue</td>
<td>Signal</td>
<td>6 sec</td>
<td>A</td>
<td>0.49</td>
</tr>
</tbody>
</table>

Notes:
1. Signal = Signalized intersection; AWSC = All-way stop-controlled intersection; SSSC = Side-street stop-controlled intersection.
2. For side-street stop-controlled intersections, delay for each movement is calculated using the 2000 HCM method, and the highest control delay (worst movement) is presented. For signalized and all-way stop-controlled intersections, average control delay calculated using the 2000 HCM method.
3. Bold italics represent a potentially significant impact.
4. Eastbound approach is critical approach.
5. Although the 2000 HCM can provide results for intersections over capacity, it recognizes that modest increases in traffic volumes cause significant increases in delay at intersections over capacity. As such, the methodology becomes less reliable for estimating actual delay when an intersection is over capacity.

The second to last row on Table VI.3 on page III.B-39 in the Recirculated Draft EIR has been changed in the Final EIR to read as follows (staff-initiated change):

<table>
<thead>
<tr>
<th>Cumulative Impacts</th>
<th>Significant &amp; Unavoidable</th>
<th>No Impacts</th>
<th>Less Than Significant w/Mitigation¹</th>
<th>Less Than Significant w/Mitigation¹</th>
<th>Significant &amp; Unavoidable</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

¹ Mitigation: 1
V. MITIGATION MONITORING PROGRAM

A. MITIGATION MONITORING PROGRAM PROCEDURES

Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a “reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment” (Mitigation Monitoring Program [MMP], §15097 of the CEQA Guidelines provides additional direction on mitigation monitoring or reporting). The City of Berkeley is the Lead Agency for the West Berkeley Bowl project.

The Draft EIR and Recirculated Draft EIR were prepared to address the potential environmental impacts of the proposed project. Where appropriate, these documents identified project design features or recommended mitigation measures to avoid or to mitigate identified potential impacts to a level where no significant impact on the environment would occur. This MMP is designed to monitor implementation of the mitigation measures identified for the project. The required mitigation measures are listed and categorized by impact area, with an accompanying identification of the following:

- Monitoring/Implementing Phase, the phase of the project during which the mitigation measure shall be implemented and monitored:
  - Pre-Construction, including the design phase
  - Construction
  - Occupancy (post-construction)

- Implementing Party, the party responsible for implementing the mitigation measure.
- The Enforcement Agency, the agency with the power to enforce the mitigation measure.
- The Monitoring Agency, the agency to which reports involving feasibility, compliance, implementation and development are made.

The MMP for West Berkeley Bowl project will be in place throughout all phases of the project. The project applicant shall be responsible for implementing all mitigation measures unless otherwise noted. The applicant shall also be obligated to provide certification, as identified below, to the appropriate monitoring agency and the appropriate enforcement agency that compliance with the required mitigation measure has been implemented. The City of Berkeley will be used as the basic foundation for the MMP procedures and will also serve to provide the documentation for the reporting program.

Generally, each certification report will be submitted to the City of Berkeley in a timely manner following completion/implementation of the applicable mitigation measure and shall include sufficient information to reasonably determine whether the intent of the measure has been satisfied. The City of Berkeley shall
assure that project construction occurs in accordance with the MMP. Departments listed below are all departments of the City of Berkeley unless otherwise noted.

AIR QUALITY

Required Mitigation Measures

IV.A-1: The project sponsors shall require that the following practices be implemented by including them in the contractor construction documents:

- The first phase of construction shall require 30 percent of construction equipment to meet Tier 1 EPA certification standards for clean technology. The remainder of construction equipment (70 percent), which would consist of older technologies, shall be required to use emulsified fuels.

- The second phase of construction shall require 30 percent of construction equipment to meet Tier 2 EPA certification standards for clean technology and 50 percent to meet Tier 1 EPA certification standards. The remaining 20 percent of construction equipment, which would consist of older technologies, shall use emulsified fuels.

- For all larger vehicles, including cement mixers or other devices that must be delivered by large trucks, vehicles shall be equipped with CARB level 3 verified control devices.

- Water all active construction areas at least twice daily.

- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.

- Pave, apply water three times daily, or apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and staging areas at the construction sites.

- Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at the construction sites.

- Sweep public streets adjacent to construction sites daily (with water sweepers) if visible soil material is carried onto the streets.

- Hydroseed or apply non-toxic soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).

- Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.).
• Limit traffic speeds on unpaved roads to 15 miles per hour.

• Install sandbags or other erosion control measures to prevent silt runoff to public roadways.

• Replant vegetation in disturbed areas as soon as possible.

• Install wheel washers for all exiting trucks or wash off the tires or tracks of all trucks and equipment leaving the construction site.

• Install wind breaks at the windward sides of the construction areas.

• Suspend excavation and grading activities when wind (as instantaneous gusts) exceeds 25 miles per hour.

**HYDROLOGY & WATER QUALITY**

**Required Mitigation Measures**

**IV.B-1:** The project applicant shall retain a professional engineer registered in the State of California to review the project site plans and evaluate and determine the specific BMP(s), location(s), and sizing based on Alameda County design criteria standards.

**IV.B-2:** The project applicant shall modify the project site plans to include some or all of the following BMPs to the degree necessary to comply with the SWPPP, City Municipal Code requirements, and the monitoring and maintenance agreement:

- Integrate bioswales into the parking lot design, either between the rows of parked cars or along the margins of the lot. To be effective, bioswales must be sized to treat the flow of runoff from a rain event equal to at least two times the 85th percentile hourly rainfall intensity. Treatment could be further enhanced if the swales are designed to infiltrate runoff through an engineered soil/sand base and then collected in subdrains that discharge to the municipal storm drain network.
• Install and maintain oil/water separators or centrifugal separators at locations not served by other treatment controls, particularly where vehicle traffic is heavy.

• Integrate modular pavers or pervious pavement into the parking stalls

• Measures b and c would require an engineered biofilter subdrain with collection and conveyance toward the municipal storm drain on Heinz Street.

• Cover trash enclosures and design to prevent storm water from contacting trash.

• Identify, design, and implement BMPs for roof runoff, collection, and treatment. Roof runoff and the need for additional stormwater runoff treatment measures could be reduced and managed through the incorporation of a “green roof” design. A green roof design has multiple benefits, including reducing the impervious area of the project by more than 50 percent. Other BMPs could be considered such as directly runoff to a biofilter.

**Monitoring/Implementing Phase**

<table>
<thead>
<tr>
<th>Implementation Agency</th>
<th>Enforcement Agency</th>
<th>Monitoring Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction, Pre-occupancy</td>
<td>City Public Works Department</td>
<td>City Public Works Department</td>
</tr>
<tr>
<td>City Public Works Department</td>
<td>City Public Works Department</td>
<td>City Public Works Department</td>
</tr>
</tbody>
</table>

**TRANSPORTATION/TRAFFIC**

**Required Mitigation Measures**

**IV.D-1:** The project applicant is required to prepare and implement a construction-traffic management plan for the proposed project. This plan shall be developed prior to the commencement of any construction activities at the project site. The plan shall be subject to the review and approval by the City of Berkeley. The construction-traffic management plan shall include the following items:

• A map documenting material and equipment staging and storage locations for all phases of construction.

• A map documenting working parking locations for all phases of construction.

• A construction schedule that outlines days and hours of construction to limit noise impacts.

• Signage plans relating to any temporary lane closures on public streets with a particular focus on Heinz Avenue and 9th Street.
- Notification procedures for adjacent businesses, residents, and public safety personnel for all major deliveries, detours, and street closures that would affect traffic in the vicinity of the development.

- Provisions for monitoring surface streets designated as truck routes so that any damage and debris attributed to the trucks can be identified and corrected.

- Signage plans documenting any detours for bicycle and pedestrian traffic with a particular focus on Heinz Avenue and 9th Street.

### Monitoring/Implementing Phase

<table>
<thead>
<tr>
<th>Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Implementation Agency</td>
</tr>
<tr>
<td>Enforcement Agency</td>
</tr>
<tr>
<td>Monitoring Agency</td>
</tr>
</tbody>
</table>

### IV.D-2:
Regional access to the project site for all construction traffic shall occur via I-80 and the Ashby Avenue interchange. Construction vehicles shall then use 9th Street to access the site, thereby avoiding the neighborhood streets.

<table>
<thead>
<tr>
<th>Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Implementation Agency</td>
</tr>
<tr>
<td>Enforcement Agency</td>
</tr>
<tr>
<td>Monitoring Agency</td>
</tr>
</tbody>
</table>

### IV.D-3:
All staging and parking related to construction shall take place on-site. The project applicant shall construct the South Parking Lot first to be used as a staging area and on-site parking for construction workers. The project applicant shall also water down the site to reduce dust due to construction vehicles.

<table>
<thead>
<tr>
<th>Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Implementation Agency</td>
</tr>
<tr>
<td>Enforcement Agency</td>
</tr>
<tr>
<td>Monitoring Agency</td>
</tr>
</tbody>
</table>

### IV.D-4:
The project applicant shall install a traffic signal at the Heinz Avenue/San Pablo Avenue intersection, incorporate the signal into the San Pablo Avenue coordination system, and update the coordination timing plans. San Pablo Avenue is a designated Smart Corridor within the City of Berkeley and new traffic signals installed along San Pablo Avenue must meet the Smart Corridor Design Criteria. Countdown pedestrian signal operations and crosswalks shall be provided to facilitate bicycle, pedestrian, and transit users crossing at San Pablo Avenue. The installation of a traffic signal would improve intersection operations to an acceptable LOS B and would provide secondary pedestrian, bicycle and transit benefits.
The project applicant shall remove the stop sign on 9th Street, and maintain the Potter Street stop sign. This would allow for more effective use of the southbound green time at the Ashby Avenue/9th Street intersection, which controls the capacity of 9th Street between Ashby Avenue and the project site. To reduce right-of-way issues at the intersection, eastbound left-turns from Potter Street onto 9th Street shall be prohibited. This option was analyzed with Sim Traffic micro simulation software, which showed that the removal of the stop-sign on southbound 9th Street at Potter Street would reduce queues on 9th Street by approximately 60 percent (approximately 150 feet). Operation of 9th Street between Ashby Avenue and the project site shall be analyzed one year subsequent to project opening to determine if additional improvements within the existing right-of-way would improve corridor operations.

Signalize the San Pablo Avenue/Heinz Avenue intersection. Install countdown pedestrian signal operations to facilitate pedestrian and bicycle crossings. Interconnect the signal with the Ashby Avenue/San Pablo Avenue signal. Provide transit preemption for the San Pablo Bus Rapid Transit Route.

Provide a raised pedestrian walkway and speed bumps within the parking lots to slow vehicles driving through the West Berkeley Bowl parking lot (refer to Figure IV.D-7 in Section IV.D, Transportation/Traffic).
IV.D-8: Install “Car Coming” warning system (visual and audible) at entrance to subterranean garage to warn pedestrians of an on-coming vehicle exiting the garage.

Monitoring/Implementing Phase: Construction, Pre-occupancy
Implementation Agency: City Public Works Department
Enforcement Agency: City Public Works Department
Monitoring Agency: City Public Works Department

IV.D-9: Maintain landscaping in areas near driveways to a height of less than two feet and tree branches trimmed to heights greater than six feet to provide sight distance visibility for drivers.

Monitoring/Implementing Phase: Construction/Occupancy
Implementation Agency: City Public Works Department
Enforcement Agency: City Public Works Department
Monitoring Agency: City Public Works Department

IV.D-10: Eliminate six parking spaces in the North Parking Lot to facilitate access to the subterranean garage from 9th Street, and allow for two-way circulation in the North Parking Lot.

Monitoring/Implementing Phase: Construction
Implementation Agency: City Public Works Department
Enforcement Agency: City Public Works Department
Monitoring Agency: City Public Works Department

IV.D-11: Install a vehicle warning system at the subterranean level of the parking garage to detect vehicles on the ramp entering the parking garage and alert the driver accessing the ramp to exit the garage that there is an on-coming vehicle.

Monitoring/Implementing Phase: Construction, Pre-occupancy
Implementation Agency: City Public Works Department
Enforcement Agency: City Public Works Department
Monitoring Agency: City Public Works Department

IV.D-12: Install a vehicle counting system to inform drivers of the number of available spaces in the garage. Parking attendant monitoring may be necessary during high activity periods.

Monitoring/Implementing Phase: Construction, Pre-occupancy
Implementation Agency: City Public Works Department
Enforcement Agency: City Public Works Department
Monitoring Agency: City Public Works Department
IV.D-13: Schedule warehouse deliveries for off-peak periods (i.e., before 11:00 AM) to prevent conflicts between warehouse delivery trucks and shopping patron vehicles and install yellow “loading zone” curb along the warehouse frontage.

Monitoring/Implementing Phase

<table>
<thead>
<tr>
<th>Implementation Agnc</th>
<th>Occupancy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enforcement Agency</td>
<td>City Public Works Department</td>
</tr>
<tr>
<td>Monitoring Agency</td>
<td>City Public Works Department</td>
</tr>
</tbody>
</table>

IV.D-14: Locate the support columns in the parking garage three feet in from the drive aisles and spaced at least 30-feet on center to facilitate parking maneuvers. With implementation of this measure, the project’s potentially significant impacts related to parking stall dimensions would be less than significant.

Monitoring/Implementing Phase

<table>
<thead>
<tr>
<th>Implementation Agnc</th>
<th>Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enforcement Agency</td>
<td>City Public Works Department</td>
</tr>
<tr>
<td>Monitoring Agency</td>
<td>City Public Works Department</td>
</tr>
</tbody>
</table>

IV.D-15: Implementation of Mitigation Measure IV.D-4 (installation of a traffic signal at the Heinz Avenue/San Pablo Avenue intersection) would improve intersection operations to an acceptable LOS B and would provide secondary pedestrian, bicycle and transit benefits.

Monitoring/Implementing Phase

<table>
<thead>
<tr>
<th>Implementation Agnc</th>
<th>Construction, Pre-occupancy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enforcement Agency</td>
<td>City Public Works Department</td>
</tr>
<tr>
<td>Monitoring Agency</td>
<td>City Public Works Department</td>
</tr>
</tbody>
</table>

IV.D-16: No later than the year 2030, the City of Berkeley shall modify the traffic signal at the intersection of Heinz Avenue/San Pablo Avenue to provide protected/permitted westbound and eastbound left-turn phases to more effectively make use of the added westbound left-turn pocket. Incorporate the signal phasing changes into the San Pablo Avenue coordination system and update the coordination timing plans. San Pablo Avenue is a designated Smart Corridor within the City of Berkeley and modified traffic signals installed along San Pablo Avenue must meet the Smart Corridor Design Criteria. Countdown pedestrian signal operations shall be provided to facilitate bicycle, pedestrian, and transit users crossing at San Pablo Avenue. The total cost of this mitigation is approximately $50,000. The project applicant is responsible for 22 percent of the cost of this mitigation, which is equivalent to $11,000 and shall be paid to the City by the project applicant prior to project occupancy. Implementation of this measure would improve the intersection operations during the PM peak hour from LOS F to LOS E with a delay of 77 seconds, and a V/C ratio of 1.09 (as
compared to the Cumulative-without-Project scenario), reducing the project’s impact to a less-than-significant level.

**Monitoring/Implementing Phase**

| Traffic Signal Modification: No later than 2030; Payment of Fee: Pre-occupancy |
| Implementation Agency | City Public Works Department |
| Enforcement Agency    | City Public Works Department |
| Monitoring Agency     | City Public Works Department |

**IV.D-17:** The project applicant shall modify the traffic signals at the 7th Street/Ashby Avenue intersection to provide north/south protected phasing, as opposed to split phasing. Modify the traffic signal at the 7th Street/Potter Street intersection to provide northbound protected/permitted phasing and southbound permitted phasing, as opposed to split phasing. This is a similar phasing to that found at the Ashby Avenue/Shattuck Avenue intersection in the City of Berkeley. Retime the 7th Street corridor intersections. This mitigation measure would improve intersection operations to LOS D, reducing the cumulative impact to a less-than-significant level.

**Monitoring/Implementing Phase**

| Traffic Signal Modification: No later than 2030; Payment of Fee: Pre-occupancy |
| Implementation Agency | City Public Works Department |
| Enforcement Agency    | City Public Works Department |
| Monitoring Agency     | City Public Works Department |

**IV.D-18:** Implement Mitigation Measure IV.D-5 in conjunction with updating the signal timing at the 9th Street/Ashby Avenue intersection to more efficiently allocate green time. With implementation of this mitigation measure, the project’s potentially significant impact related to potentially blocking the unsignalized 9th Street/Potter Street intersection would be less than significant.

**III.A-1:** The project applicant shall implement Mitigation Measure IV.D-4. Implementation of this measure would improve intersection operations at San Pablo Avenue/Heinz Avenue to an acceptable LOS B, provide secondary pedestrian, bicycle and transit benefits, and reduce this impact to a less-than-significant level.

**Monitoring/Implementing Phase**

| Construction, Pre-occupancy |
| Implementation Agency | City Public Works Department |
| Enforcement Agency    | City Public Works Department |
| Monitoring Agency     | City Public Works Department |
Implementation Agency: City Public Works Department
Enforcement Agency: City Public Works Department
Monitoring Agency: City Public Works Department

III.A-2: The project applicant shall implement Mitigation Measure IV.D-5. The effectiveness of this measure was analyzed with Sim Traffic, a micro simulation software, which showed that the removal of the stop sign on 9th Street at Potter Street would reduce queues on 9th Street to about 60 feet. In addition, the project applicant shall install “KEEP CLEAR” markings at the intersection to instruct drivers not to block the intersection. Implementation of this measure would reduce the project impact to a less-than-significant level.

Monitoring/Implementing Phase: Construction, Pre-occupancy
Implementation Agency: City Public Works Department
Enforcement Agency: City Public Works Department
Monitoring Agency: City Public Works Department

III.A-3: The project applicant shall modify the traffic signal at the intersection of San Pablo Avenue/Ashby Avenue to provide a 120 second cycle length and to provide protected/permitted eastbound left-turn phasing. Countdown pedestrian signal operations should be provided to facilitate bicycle, pedestrian, and transit users crossing at San Pablo Avenue. Implementation of this measure would improve the intersection operations to LOS D during the Saturday peak hour by reducing the overall intersection V/C ratio, reducing the project’s impact to a less-than-significant level.

Monitoring/Implementing Phase: Construction, Pre-occupancy
Implementation Agency: City Public Works Department
Enforcement Agency: City Public Works Department
Monitoring Agency: City Public Works Department

III.A-4: Implementation of Mitigation Measure IV.D-4 in the previously-circulated Draft EIR would improve intersection operations at San Pablo Avenue/Heinz Avenue to an acceptable LOS B, provide secondary pedestrian, bicycle and transit benefits, and reduce this impact to a less-than-significant level.

Monitoring/Implementing Phase: Construction, Pre-occupancy
Implementation Agency: City Public Works Department
Enforcement Agency: City Public Works Department
Monitoring Agency: City Public Works Department

III.A-5: To reduce the proposed project’s contribution to the impact at the San Pablo Avenue/Ashby Avenue intersection, the addition of a second northbound left-turn lane, signal modifications
to provide eastbound and westbound protected/permitted left-turn phasing and retiming of the signal would be required. Construction of a second northbound left-turn lane is not possible due to the limited right-of-way available at the intersection. As a result, the LOS at this intersection cannot be mitigated to a less-than-significant level. Thus, this impact would be significant and unavoidable.

**III.A-6:** Implementation of Mitigation Measure III.A-2 would reduce this impact to a less-than-significant level.
This page left blank intentionally.