



REVISED FINAL

ENVIRONMENTAL IMPACT REPORT

FOR THE

MARTINEZ GENERAL PLAN UPDATE

(SCH: 2015052064)

OCTOBER 2022

Prepared for:

City of Martinez
Community Development Department
525 Henrietta Street
Martinez, CA 94533

Prepared by:

De Novo Planning Group
1020 Suncastr Lane, Suite 106
El Dorado Hills, CA 95762

D e N o v o P l a n n i n g G r o u p

A Land Use Planning, Design, and Environmental Firm



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Prepared for:

City of Martinez
Community Development Department
525 Henrietta Street
Martinez, CA 94533
925-372-3500

Prepared by:

De Novo Planning Group
1020 Suncastr Lane, Suite 106
El Dorado Hills, CA 95762

This Final Environmental Impact Report (FEIR) was prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (Section 15132). The City of Martinez is the lead agency for the environmental review of the City of Martinez General Plan (General Plan, General Plan Update, or Project) and has the principal responsibility for approving the Project. This FEIR assesses the expected environmental impacts resulting from approval and adoption of the City of Martinez General Plan and responds to comments received on the Draft EIR.

The Martinez General Plan is the overarching policy document that guides land use, housing, transportation, open space, public safety, community services, and other policy decisions throughout the City of Martinez and the Sphere of Influence (collectively referred to as the Study Area). The General Plan includes the eight elements mandated by State law, to the extent that they are relevant locally, including: Circulation, Conservation, Housing, Land Use, Noise, Open Space, Environmental Justice, and Safety. General plans must also address the topics of climate change and resiliency planning, either as separate elements or as part of other required elements. At the discretion of each jurisdiction, the general plan may combine these elements and may add optional elements relevant to the physical features of the jurisdiction. The City may also address other topics of interest; this General Plan includes elements related to Historic, Cultural & Arts, Parks & Community Facilities, Environmental Justice (EJ) & Disadvantaged Communities, and Growth Management. The General Plan sets out the goals, policies, and implementation measures in each of these areas, serves as a policy guide for how the City will make key planning decisions in the future, and guides how the City will interact with Contra Costa County, surrounding cities, and other local, regional, State, and Federal agencies.

Refer to Section 2.0 (Project Description) of the Draft EIR for a more comprehensive description of the details of the proposed Project.

1.1 PURPOSE AND INTENDED USES OF THE EIR CEQA REQUIREMENTS FOR A FINAL EIR

This FEIR for the City of Martinez General Plan has been prepared in accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines. State CEQA Guidelines Section 15132 requires that a FEIR consist of the following:

- the Draft Environmental Impact Report (Draft EIR) or a revision of the draft;
- comments and recommendations received on the Draft EIR, either verbatim or in summary;
- a list of persons, organizations, and public agencies commenting on the Draft EIR;
- the responses of the lead agency to significant environmental concerns raised in the review and consultation process; and
- any other information added by the lead agency.

In accordance with State CEQA Guidelines Section 15132(a), the Draft EIR are incorporated by reference into this Final EIR.

1.0 INTRODUCTION

An EIR must disclose the expected environmental impacts, including impacts that cannot be avoided, growth-inducing effects, impacts found not to be significant, and significant cumulative impacts, as well as identify mitigation measures and alternatives to the proposed project that could reduce or avoid its adverse environmental impacts. CEQA requires government agencies to consider and, where feasible, minimize environmental impacts of proposed projects, and obligates them to balance a variety of public objectives, including economic, environmental, and social factors.

PURPOSE AND USE

The City of Martinez, as the lead agency, has prepared this EIR to provide the public and responsible and trustee agencies with an objective analysis of the potential environmental impacts resulting from adoption of the General Plan Update and subsequent implementation of projects consistent with the General Plan Update. The environmental review process enables interested parties to evaluate the proposed Project in terms of its environmental consequences, to examine and recommend methods to eliminate or reduce potential adverse impacts, and to consider a reasonable range of alternatives to the project. While CEQA requires that consideration be given to avoiding adverse environmental effects, the lead agency must balance adverse environmental effects against other public objectives, including the economic and social benefits of a project, in determining whether a project should be approved.

This EIR will be used as the primary environmental document to evaluate all subsequent planning and permitting actions associated with the General Plan Update. This EIR may also be used by other agencies. Responsible and trustee agencies that may use the EIR are identified in Chapter 1.0 of the Draft EIR.

1.2 ENVIRONMENTAL REVIEW PROCESS

The review and certification process for the EIR has involved, or will involve, the following general procedural steps:

NOTICE OF PREPARATION

The City of Martinez circulated a Notice of Preparation (NOP) of an EIR for the proposed project on January 28, 2022 to trustee and responsible agencies, the State Clearinghouse, and the public. A scoping meeting was held virtually on February 7, 2022 via Zoom. Oral comments on the NOP related to the EIR were presented during the scoping meeting. Additionally, during the 30-day public review period for the NOP, which ended on February 28, 2022, five written comment letters were received on the NOP. The NOP and all comments received on the NOP are presented in Draft EIR Appendix A.

NOTICE OF AVAILABILITY AND DRAFT EIR

The City of Martinez published a public Notice of Availability (NOA) for the Draft EIR on August 5, 2022, inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH# 20215052064) and was published

in the Martinez Gazette pursuant to the public noticing requirements of CEQA. The Draft EIR was available for public review from August 8, 2022 through September 22, 2022. The Public Draft Martinez General Plan was also available for public review and comment during this time period.

The Draft EIR contains a description of the Project, description of the environmental setting, identification of the Project's direct and indirect impacts on the environment and General Plan policies and actions to reduce impacts to the extent feasible, as well as an analysis of Project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. This Draft EIR identifies issues determined to have no impact or a less than significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in this EIR.

RESPONSE TO COMMENTS/FINAL EIR

The City of Martinez received five comment letters regarding the Draft General Plan EIR from public agencies, organizations, and members of the public during the 45-day review period.

In accordance with CEQA Guidelines Section 15088, this Final EIR responds to the written comments received on the Draft EIR. The Final EIR also contains minor edits to the Draft EIR, which are included in Chapter 3.0, Errata. This document and the Draft EIR, as amended herein, constitute the Final EIR.

CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

The Martinez City Council will review and consider the Final EIR. If the City Council finds that the Final EIR is "adequate and complete," then it may certify it in accordance with CEQA. The rule of adequacy generally holds that an EIR can be certified if:

- 1) The EIR shows a good faith effort at full disclosure of environmental information; and
- 2) The EIR provides sufficient analysis to allow decisions to be made regarding the proposed project in contemplation of environmental considerations.

Upon review and consideration of the Final EIR, the Martinez City Council may take action to approve, revise, or reject the Project. A decision to approve the Martinez General Plan, for which this EIR identifies significant environmental effects, must be accompanied by written findings in accordance with State CEQA Guidelines Sections 15091 and 15093.

Policies and actions to mitigate potential environmental impacts have been incorporated into the Project. No additional mitigation is feasible or available, as described in Chapters 4.1 through 5.0 of the Draft EIR. The annual report on general plan status required pursuant to the Government Code will serve as the monitoring and reporting program for the Project.

1.3 ORGANIZATION OF THE FINAL EIR

This Final EIR has been prepared consistent with Section 15132 of the State CEQA Guidelines, which identifies the content requirements for Final EIRs. This Final EIR is organized in the following manner:

SECTION 1.0 - INTRODUCTION

Section 1.0 briefly describes the purpose of the environmental evaluation, identifies the lead agency, summarizes the process associated with preparation and certification of an EIR, and identifies the content requirements and organization of the Final EIR.

SECTION 2.0 – COMMENTS ON DRAFT EIR AND RESPONSES

Section 2.0 provides a list of commenters, copies of written comments made on the Draft EIR (coded for reference), and responses to those written comments.

SECTION 3.0 – ERRATA

Section 3.0 consists of minor revisions to the Draft EIR in response to comments on the Draft EIR. The revisions to the Draft EIR do not change the intent or content of the analysis.

2.1 INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA) Guidelines, Section 15088, the City of Martinez, as the lead agency, has evaluated the comments received on the Public Review Draft Martinez General Plan Environmental Impact Report (Draft EIR) (State Clearinghouse No. 20215052064).

CEQA Guidelines Section 15088.5 states that: *New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.*

Sections 2.0 and 3.0 of this Final EIR include information that has been added to the EIR since the close of the public review period in the form of responses to comments and/or errata.

2.2 LIST OF COMMENTERS

Table 2-1 lists the comments on the Draft EIR that were submitted to the City during the 45-day public review period. The assigned comment letter, letter author, affiliation, if presented in the comment letter or if representing a public agency, and letter date are also listed.

**Table 2-1
List of Commenters**

Response Letter	Agency/Author	Date
A	Tim Platt	August 31, 2022 September 13, 2022 September 21, 2022
B	Tim Platt	September 5, 2022
C	Carol Wiley	September 19, 2022
D	Kristin Henderson	September 22, 2022
E	San Francisco Bay Conservation and Development Commission	September 22, 2022

2.3 COMMENTS AND RESPONSES

REQUIREMENTS FOR RESPONDING TO COMMENTS ON A DRAFT EIR

CEQA Guidelines Section 15088 requires that lead agencies evaluate and respond to all comments on the Draft EIR that regard an environmental issue. The written response must address the significant environmental issue raised and be detailed, especially when specific comments or suggestions (e.g., additional mitigation measures) are not accepted. In addition, the written

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

response must be a good faith and reasoned analysis. However, lead agencies only need to respond to significant environmental issues associated with the project and do not need to provide all the information requested by the commenter, as long as a good faith effort at full disclosure is made in the EIR (CEQA Guidelines Section 15204(a)).

CEQA Guidelines Section 15204 recommends that commenters provide detailed comments that focus on the sufficiency of the Draft EIR in identifying and analyzing the possible environmental impacts of the project and ways to avoid or mitigate the significant effects of the project, and that commenters provide evidence supporting their comments. Pursuant to CEQA Guidelines Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

CEQA Guidelines Section 15088 also recommends that revisions to the Draft EIR be noted as a revision in the Draft EIR or as a separate section of the Final EIR. Section 3.0 of this Final EIR identifies all revisions to the City of Martinez General Plan Draft EIR.

RESPONSES TO COMMENT LETTERS

Written comments on the Draft EIR are reproduced on the following pages, along with responses to those comments. To assist in referencing comments and responses, the following coding system is used:

- a) Each comment letter is lettered (i.e., Letter A), each comment within each letter is numbered (i.e., A-1, A-2, etc.), and each response is numbered correspondingly (i.e., A-1, A-2, etc.).

If changes to the Draft EIR text result from the response to comments, those changes are included in the response and identified with revisions marks (underline for new text, ~~strike-out~~ for deleted text).

The revisions to the Draft EIR do not change the intent or content of the analysis or mitigation.

Comments on the “Public Review Draft Environmental Impact Report for the Martinez General Plan Update August 2022”

E-mail of these Revised Draft Environmental Impact Report (EIR) comments to GPcomments@cityofmartinez.org and Martinez City Council.

Comments are below. Note EIR page number and Impact numbers are in numeric order. Impact number is noted where available. Comments on errors in the EIR review process and my request for extension of the review deadline are at the end of this report.

Page ES-2. Alternatives to the Proposed Project

It seems counter intuitive that **Alternative 1 No Project** should not be an improvement in pollution and GHG and circulation, since it would be a reduction in commercial space and also would be a reduction in housing units and population which is the major source of environmental impacts.

A-1

We have asked the City for over a year to give the public a comparison of our current General Plan and the Draft General Plan, so we could have an understanding of growth and changes in policies. No such comparison has been provided (a partial report was finally issued on 8/25/22 and does an inadequate job of comparing.)

A-2

Because we do not have that information, the comparison in Alternative 1 does not seem useful.

Alternative 2 Workforce misses the mark, but shows a more meaningful alternative in at least reducing the commercial goals of the Draft GPU.

A-3

The most meaningful alternative would be to show not only the commercial reduction in Alternative 2 but also a 30% reduction in housing. That would give

the public a good picture of how those possible changes would affect us. **Probably GHG, VTM and Transportation would all be reduced to 1. That would open some eyes.**

And reducing housing by that much still appears to meet our RHNA goal.

This large reduction in housing (and all its impacts) is **feasible because our projected growth under this plan exceeds our RHNA goal by about 700 housing units.** (RHNA is about 1350 units. Projected growth is 2060). See “Table 3-1: Growth Projection” on page 72 of the EIR for details.)

This would mean we could actually look at doing that 30% reduction and saving the impacts from that 700 housing units that are in excess of what the State and ABAG mandate.

I believe we should do this as Alternative 4 and hold off the EIR until it is completed and circulated to the public and public officials.

Note: Table 3-1 is very useful. It would be much more useful if it could include WHERE this projected growth would occur in Martinez. This would make comments on impacts much more meaningful and make it possible to tailor mitigation measures. **It would be worthwhile to put off this EIR review until that information is available.**

Alternative 3 Agriculture seems relatively meaningless. That is because the amount of land that is involved and the impact of the changed usage are overall quite insignificant, being only about 4.5 acres in a city 12 square miles in size.

The one thing this alternative does show is how important it is to NOT convert the farmland, or that a significant public benefit should be given to the public to offset the impact of that change. For instance, the owner could give open space easements on some of the surrounding ridge land, or donate land for a park or help out with park or other public amenities in some other way that would offset this loss of critical farmland.

A-3
Cont.

A-4

A-5

Page ES-4 Impact 4.1-1 This is a Significant and Unavoidable Impact and is Cumulatively Considerable. Approximately 45 blocks in the Downtown are subject to extensive commercial/retail and housing development. Housing densities range from 30-43 units/acre and FARs range to 4.0. Height limits of 3 stories/40 ft. are in place in some sectors, but there is NO LIMIT to how high building can go, as the Planning Commission is given authority to raise the height by issuing a use permit.

So we have the prospect of canyons of view between blocks of solid building that can range to 40 ft. at least, and can fill the entire block---with buildings to the edges of the lots.

This area ranges from about 8 blocks wide by 8 blocks deep. To say this is not a Significant and Unavoidable Impact and Cumulatively Considerable is to deny facts right in front of us. This area now is comprised primarily of buildings that don't surpass about 3 stories, with many lower. The views of surrounding hills to the west, including the historically preserved Olive Grove, and the marshland and parks to the north will be demolished for citizens, if this building occurs.

Study of this issue should be required and could result in Significant and Unavoidable Impacts and Cumulatively Considerable Impacts.

Mitigation measures may need to be specified.

The statement under many Mitigations "Minimized to the greatest extent feasible through General Plan Goals, Policies, and Implementation Measures" is **not a sufficient Mitigation because virtually none of the Goals, Policies or Measures is mandatory**. Virtually all of them are suggestions or recommendations, and therefore cannot be counted on to mitigate anything.

If the General Plan Goals, Policies, and Implementation Measures mitigations were mandatory, using words like "will" and "shall", they could actually act as mitigations to some extent.

A-6

A-7

One obvious mitigation is to reduce the amount of new development in the Draft General Plan, which makes sense when we are proposing in the Draft General Plan housing well beyond our need to meet RHNA.

See “Table 3-1: Growth Projection” on page 72 of the EIR. RHNA is about 1350 housing units. Projected growth is about 2060. Excess housing units is approximately 700.

(Table 3-1 is very useful. It would be much more useful if it could be expanded to include WHERE this projected growth would occur in Martinez. This would make comments on impacts much more meaningful and make it possible to tailor mitigation measures. It may be worthwhile to put off this EIR review until that information is available.)

A-8

Page ES-4 Impact 4.1-4 Massive housing/commercial/retail development from 35-43 housing units/acre and Far as high as 3.0 is proposed for north of the railroad track across from the Amtrak station and from approximately the Telfer property.

This land is literally within about 50 feet of the salt marsh open space that is a local treasure and is the major natural defense against sea-level rise that is foretold for this area. Both periodic and permanent flooding are predicted for this area.

The housing and retail/commercial development would bring in the neighborhood of a 1000 people to this area fulltime. The housing units would mean this human presence would be 24 hours a day. The light pollution, noise pollution and general pollution that this would mean for that marsh and park area are obvious. Additionally, pets of those residents would be key predators of the wildlife that inhabits the marsh. That wildlife includes the salt marsh harvest mouse, an endangered species.

Also impacts of the cooling and shadowing caused by the high buildings would occur.

A-9

All of this can be scientifically attested to by the East Bay Regional Park District that owns most of this land.

Study of this issue should be required and could result in Significant and Unavoidable Impacts and Cumulatively Considerable Impacts.

Mitigation measures may need to be specified.

The statement under many Mitigations “Minimized to the greatest extent feasible through General Plan Goals, Policies, and Implementation Measures” is **not a sufficient Mitigation because virtually none of the Goals, Policies or Measures is mandatory**. Virtually all of them are suggestions or recommendations, and therefore cannot be counted on to mitigate anything.

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One obvious mitigation is to reduce the amount of new housing in the Draft General Plan, which makes sense when we are proposing in the Draft General Plan housing well beyond our need to meet RHNA.

See “Table 3-1: Growth Projection” on page 72 of the EIR. RHNA is about 1350 housing units. Projected growth is about 2060. Excess housing units is approximately 700.

(Table 3-1 is very useful. It would be much more useful if it could be expanded to include WHERE this projected growth would occur in Martinez. This would make comments on impacts much more meaningful and make it possible to tailor mitigation measures. It may be worthwhile to put off this EIR review until that information is available.)

Page ES-4 4.2.1, 4.2-2 & Conclusion Paragraph This Impact refers to the conversion of some private prime farmland to housing.

**A-9
Cont.**

A-10

A-11

This impact is not ameliorated by the Goals, Policies and Measures. The opposite appears to be true, wherein one such Measure in the General Plan is an ordinance that appears punitive to those living close to this converted land. It appears to constrain those residents from complaining about the remaining neighboring farmland. That is adding insult to injury.

This impact of converting the farmland to housing may be mitigatable by having the owner(s) of the land provide some off-setting public benefit. For instance, scenic easements on the other land they own, or dedication of the land could be given to the City or the John Muir Land Trust or some similar agency. Or a public amenity like park land or park amenities could be provided. Or a donation to a publicly supported entity could be made.

The Impact of this conversion is underscored by Alternative 3 Farmland on pg. ES-3 which shows that this land conversion has a large effect on Agricultural Resources.

The main thing this Alternative does show is how important it is to NOT convert the farmland, or that a significant public benefit should be given to the public to offset the impact of that change.

Study of this issue should be required and could result in Significant and Unavoidable Impacts and Cumulatively Considerable Impacts.

Mitigation measures need to be specified.

The statement under many Mitigations “Minimized to the greatest extent feasible through General Plan Goals, Policies, and Implementation Measures” is **not a sufficient Mitigation because virtually none of the Goals, Policies or Measures is mandatory.** Virtually all of them are suggestions or recommendations, and therefore cannot be counted on to mitigate anything.

If the General Plan Goals, Policies, and Implementation Measures mitigations were mandatory, using words like “will” and “shall”, they could actually act as mitigations to some extent.

Page ES-5 4.3-2 and Conclusion Paragraph

Mitigation measures need to be improved.

The statement under many Mitigations “Minimized to the greatest extent feasible through General Plan Goals, Policies, and Implementation Measures” is **not a sufficient Mitigation because virtually none of the Goals, Policies or Measures is mandatory**. Virtually all of them are suggestions or recommendations, and therefore cannot be counted on to mitigate anything.

If the General Plan Goals, Policies, and Implementation Measures mitigations were mandatory, using words like “will” and “shall”, they could actually act as mitigations to some extent.

One obvious mitigation is to reduce the amount of new housing in the Draft General Plan, which makes sense when we are proposing in the Draft General Plan housing well beyond our need to meet RHNA.

(See “Table 3-1: Growth Projection” on page 72 of the EIR. RHNA is about 1350 housing units. Projected growth is about 2060. Excess housing units is approximately 700. Table 3-1 is very useful. It would be much more useful if it could be expanded to include WHERE this projected growth would occur in Martinez. This would make comments on impacts much more meaningful and make it possible to tailor mitigation measures. It may be worthwhile to put off this EIR review until that information is available.)

Less housing means a lower population which will reduce air pollution. Human activity is the biggest single generator of air pollution. Both the daily activities of humans and the industrial activity to support humans are directly responsible for huge amounts of air pollution.

Also, reduction of commercial development will improve air quality as shown under Alternative 2 Workforce where reduction of commercial development of 30% improved Air Quality, VMT and GHG. See “Table ES-1” on page ES-3.

Reducing the amount of housing/commercial/retail development mandated under the Draft General Plan will reduce the amount of human activity, thereby reducing air pollution.

A-12
Cont.

Page ES-5 4.4-1, 4.4-.2, 4.4-4, 4.4-6, & Conclusion Paragraph THE SALT MARSH HARVEST MOUSE IS AN ENDANGERED SPECIES THAT RESIDES IN THE SALT MARSH NORTH OF THE RAILROAD TRACKS. East Bay Regional Park District has mentioned that in their NOP letter. I also mentioned it in my NOP letter. (See Appendix A, pg. 733)

It has been mentioned several times in verbal and written communications to the City. A possible harvest mouse carcass has recently been found on the marsh and sent to the California Department of Fish and Wildlife for DNA testing.

So the above Impacts are incorrect. And an Impact Level of Significant and Unavoidable and Cumulatively Considerable is possible.

Study of this issue should be required and could result in Significant and Unavoidable Impacts and Cumulatively Considerable Impacts.

Mitigation measures may need to be specified.

Mitigation Measures should include no development beyond what is currently there on the land directly north of the railroad tracks, as well as mitigation measures appropriate for this species.

The statement under many Mitigations “Minimized to the greatest extent feasible through General Plan Goals, Policies, and Implementation Measures” is **not a sufficient Mitigation because virtually none of the Goals, Policies or Measures is mandatory.** Virtually all of them are suggestions or recommendations, and therefore cannot be counted on to mitigate anything.

A-13

If the General Plan Goals, Policies, and Implementation Measures mitigations were mandatory, using words like “will” and “shall”, they could actually act as mitigations to some extent.

One obvious mitigation is to delete the new housing/commercial/retail development in this area that is specified in the Draft General Plan. This is doable because we are proposing in the Draft General Plan housing well beyond our need to meet RHNA.

See “Table 3-1: Growth Projection” on page 72 of the EIR. RHNA is about 1350 housing units. Projected growth is about 2060. Excess housing units is approximately 700.

**A-13
Cont.**

Page ES-6 4.4-2, 4.4-3, 4.4-4 & Conclusion Paragraph The proposed high-density housing and high-rise commercial/retail development north of the railroad tracks will impinge upon the salt marsh open space and park land and Alhambra Creek.

All of these critical resources are within 50 ft. of this massive planned development that could include 400 housing units.

This proposed development would have serious impacts as described in my NOP letter and the NOP letter from East Bay Regional Park District. Both are incorporated by reference. Excerpts from my NOP letter:

- “impacts on flora and fauna in the immediately adjacent park and open space land and on the entire waterfront;
- impact of the noise from the development day and night that will affect the fauna and also those of us using the park and open space;
- impacts on the sports and park facilities in Waterfront Park that are popular now but will be occluded with this massive change from the increased housing density, population, traffic, etc.;
- impacts of light pollution caused by the development;
- impacts of the cooling and shadowing caused by the high buildings;

A-14

- impacts caused by the buildings to the visual connection with the waterfront;
- impacts on the ability of the salt-water marsh and park land to absorb sea-level rise;
- impact on Alhambra Creek which is straddled by the huge development and yet is trying to be restored to a more natural state with fish and wildlife returning; etc.”

These impacts should be a part of this EIR.

Study of these issues should be required and should result in Significant and Unavoidable Impacts and Cumulatively Considerable Impacts.

Mitigation measures need to be specified.

The statement under many Mitigations “Minimized to the greatest extent feasible through General Plan Goals, Policies, and Implementation Measures” is **not a sufficient Mitigation because virtually none of the Goals, Policies or Measures is mandatory**. Virtually all of them are suggestions or recommendations, and therefore cannot be counted on to mitigate anything.

If the General Plan Goals, Policies, and Implementation Measures mitigations were mandatory, using words like “will” and “shall”, they could actually act as mitigations to some extent.

One obvious mitigation is to delete from the Draft General Plan the new housing/commercial/retail development in this area. This can be done because the Draft General Plan is proposing housing well beyond our need to meet RHNA.

See “Table 3-1: Growth Projection” on page 72 of the EIR. RHNA is about 1350 housing units. Projected growth is about 2060. Excess housing units is approximately 700.

**A-14
Cont.**

A-15

HARVEST MOUSE WHICH WILL BE DIRECTLY AFFECTED BY THE HUGE POTENTIALLY 400 UNIT DEVELOPMENT PROJECT THE GENERAL PLAN UPDATE SHOWS FOR NORTH OF THE RAILROAD TRACKS.

See Impacts 4.4-1 etc. above for more information. This Impact should be a part of this EIR.

This was mentioned often and is in the NOP letters from East Bay Regional Park District and me that are part of this EIR.

PLEASE MAKE THIS CORRECTION IN THIS EIR AND MAKE OTHER NECESSARY CHANGES IN ALL IMPACTS BASED UPON THIS CORRECTION.

Study of this issue and others described above should be required and should result in Significant and Unavoidable Impacts and Cumulatively Considerable Impacts.

Mitigation measures need to be specified.

The statement under many Mitigations “Minimized to the greatest extent feasible through General Plan Goals, Policies, and Implementation Measures” is **not a sufficient Mitigation because virtually none of the Goals, Policies or Measures is mandatory**. Virtually all of them are suggestions or recommendations, and therefore cannot be counted on to mitigate anything.

If the General Plan Goals, Policies, and Implementation Measures mitigations were mandatory, using words like “will” and “shall”, they could actually act as mitigations to some extent.

One obvious mitigation is to delete from the Draft General Plan the new housing/commercial/retail development in this area. This can be done because the Draft General Plan is proposing housing well beyond our need to meet RHNA.

See “Table 3-1: Growth Projection” on page 72 of the EIR. RHNA is about 1350 housing units. Projected growth is about 2060. Excess housing units is approximately 700.

Page ES-7 4.5-1 & Conclusion Paragraph

Historic buildings abound in the Downtown area. This has been noted in the descriptions of the area included in the Land Use Element 2.

“The quality of Downtown’s heritage creates an historic urban fabric unparalleled in Contra Costa County.” (Page 2-20 of Land Use Element 2---red-lined version). This quote underscores both the presence and importance of historical resources in Martinez.

Additionally that importance and presence is acknowledged in the Goals, Policies and Measures in this section: LU-G-2 “...preserves...small-town historic character...to the maximum extent feasible.”

Also LU-1-2.2c, LU-P-2.4, LU-I-2.4a show the importance of historic resources.

Additionally, an entire Element is dedicated to this: “Historic, Cultural & Arts Element 4”.

Yet approximately 45 blocks that are filled with these historic resources in the Downtown area are subject to extensive commercial/retail and housing development. Housing densities range from 30-43 units/acre and FARs range to 4.0. Height limits of 3 stories/40 ft. are in place in some sectors, but there is NO LIMIT to how high building can go, as the Planning Commission is given authority to raise the height by issuing a use permit.

So we have the prospect of canyons of view between blocks of solid building that can range to 40 ft. at least, and can fill the entire block---with buildings to the edges of the lots.

This area ranges from about 8 blocks wide by 8 blocks deep. To say this is not a Significant and Unavoidable Impact and Cumulatively Considerable to historic character is to deny facts right in front of us. This area now is comprised primarily of older buildings that don’t surpass about 3 stories, with many lower. The views of surrounding hills to the west, including the

historically preserved Olive Grove, and the marshland and parks to the north will be demolished for citizens, if this building occurs.

This level of development will potentially have a devastating effect of the current historic resources in our Downtown area. Historic buildings that, while maybe not listed, define the historic character of our town will be subject to tremendous pressure to be torn down and replaced with much more lucrative developments.

A Level of Significant and Unavoidable and Cumulatively Considerable Impacts is appropriate.

Study of this issue should be required and would result in Significant and Unavoidable Impacts and Cumulatively Considerable Impacts.

Mitigation measures need to be specified.

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If the General Plan Goals, Policies, and Implementation Measures mitigations were mandatory, using words like “will” and “shall”, they could actually act as mitigations to some extent.

One obvious mitigation is to reduce the amount of new housing in the Draft General Plan, which makes sense when we are proposing in the Draft General Plan housing well beyond our need to meet RHNA.

See “Table 3-1: Growth Projection” on page 72 of the EIR. RHNA is about 1350 housing units. Projected growth is about 2060. Excess housing units is approximately 700.

(Table 3-1 is very useful. It would be much more useful if it could be expanded to include WHERE this projected growth would occur in Martinez. This would make comments on impacts much more meaningful and make it possible to tailor mitigation measures. It may be worthwhile to put off this EIR review until that information is available.)

Page ES-8 4.6-1, 4.6-3, 4.6-4 & Conclusion Paragraph Liquefaction dangers and danger from earthquake are substantial in and around areas designated for high-density development that are in the waterfront or in the areas south and north of the railroad tracks.

This includes most of the areas described in my comments on Impacts 4.1-1 and 4.1-4 above, but is not limited to them.

A Level of Significance and Unavoidable and Cumulatively Considerable is appropriate. Appropriate mitigation measures need to be determined. They should include **mandatory** testing and reduction (or elimination) of development intensity. These areas are subject to major development in this General Plan.

A-17

Three pieces of evidence support the SU and CC impacts.

1. South of the railroad tracks in the vicinity of Pine/Escobar area, the recent main County building had to be seriously revised when, during construction last year, serious undiscovered unstable soil issues made the planned building unsafe.

The building had to be reduced by one story in height. The underground parking for the building had to be deleted altogether. This real-life experience shows the dangers of this soil from potential liquefaction.

This information is public knowledge and has been reported in the newspapers. Yet no discussion or mapping or Goals/Policies/Measures bring up the serious nature of this on all the lands on both sides of the railroad tracks.

Indeed major high-density development is being designated for all the land by the tracks and south of them. And substantial development is being designated for land north of the tracks also. Both of these areas of development have been described in comments above.

Additionally, the City has been advised of these concerns by citizens like myself.

A-18

2. From the earthquake standpoint, I have forwarded to the City information that says earthquake damage to the areas north of the train tracks now designated for major development (again described in Impacts above) will be flattened in the event of a major earthquake. Here is a quote from that earthquake report.

“The main trace of the Concord-GreenValley fault is approximately 2.5 miles from the Plan area. A review of current maps published by ABAG indicates the maximum potential ground shaking intensities in Martinez are associated with the Concord-Green Valley fault. **A large earthquake on this fault is expected to produce a Modified Mercalli intensity ranging from very strong (VIII) south of the railroad tracks to very violent (X) north of the tracks.**”

The report defines “**very violent X**” as : “Most **masonry and frame structures destroyed with their foundations**. Some well-built wooden structures and **bridges destroyed**. Serious damage to dams, dikes, embankments. Large landslides. Water thrown on banks of canals, rivers, lakes, etc. Sand and mud shifted horizontally on beaches and flat land. Rails bent slightly.”

The report also discsses liquefaction.

This is serious.

The report was done in support of the Downtown Specific Plan which is an explicit part of the General Plan. Yet no reference to that report is included in the General Plan, even though it has been brought to the attention of the City by me and possibly others.

The report is:

“LSA ASSOCIATES, INC. DECEMBER 2004

DOWNTOWN MARTINEZ DRAFT SPECIFIC PLAN EIR”

3. At the 1/12/22 Public Meeting, Planning Commissioner Jon Bash talked about a recent HazMat report that describes a similar situation at the train tracks in the Shell/Marina Vista area where it was suggested this could result in liquefaction and displacement of the train tracks leading possibly to the

tipping of a train.

The above information underscores the danger of earthquake destruction and liquefaction at the site of proposed high-density housing which is on fragile soils both south and north of the railroad tracks running the width of Martinez. These areas are also susceptible to sea-level rise and its effects.

So to say there are no impacts under 4.6-1, 4.6-3 and 4.6-4 is wrong. There are Significant and Unavoidable and Cumulatively Considerable Impacts, and these land areas need to be subject to mitigation measures like building restrictions or prohibitions on all the affected land.

And these mitigation measures must be mandated, not just suggested or encouraged.

BLURB

Study of this issue should be required and would result in Significant and Unavoidable Impacts and Cumulatively Considerable Impacts.

Mitigation measures need to be specified.

The statement under many Mitigations “Minimized to the greatest extent feasible through General Plan Goals, Policies, and Implementation Measures” is **not a sufficient Mitigation because virtually none of the Goals, Policies or Measures is mandatory**. Virtually all of them are suggestions or recommendations, and therefore cannot be counted on to mitigate anything.

If the General Plan Goals, Policies, and Implementation Measures mitigations were mandatory, using words like “will” and “shall”, they could actually act as mitigations to some extent.

One obvious mitigation is to reduce the amount of new housing in the Draft General Plan, which makes sense when we are proposing in the Draft General Plan housing well beyond our need to meet RHNA.

See “Table 3-1: Growth Projection” on page 72 of the EIR. RHNA is about 1350 housing units. Projected growth is about 2060. Excess housing units is approximately 700.

(Table 3-1 is very useful. It would be much more useful if it could be expanded to include WHERE this projected growth would occur in Martinez. This would make comments on impacts much more meaningful and make it possible to tailor mitigation measures. It may be worthwhile to put off this EIR review until that information is available.)

Page ES-9 4.7-1 and Conclusion Paragraph

The plan conflicts with State goals for greenhouse gas reduction. The added housing will result in increased population. VTM will increase. Human activity is one of the largest sources of greenhouse gas generation. This increase will work against the major goal of the State to reduce greenhouse gas emission to substantially lower levels.

Increased commercial and retail activity will have the same effect.

The damage proposed housing/commercial/retail development on the waterfront and environs (see Impacts 4.1-1 and 4.1-4 for some locations) would cause to our saltwater marsh must be determined before letting that development go forward. The impacts on the marsh and park land would be significant and cumulative.

Study of this issue should be required and would result in Significant and Unavoidable Impacts and Cumulatively Considerable Impacts.

Mitigation measures need to be specified.

The statement under many Mitigations “Minimized to the greatest extent feasible through General Plan Goals, Policies, and Implementation Measures” is **not a sufficient Mitigation because virtually none of the Goals, Policies or Measures is mandatory**. Virtually all of them are suggestions or recommendations, and therefore cannot be counted on to mitigate anything.

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One obvious mitigation is to reduce the amount of new housing in the Draft General Plan, which makes sense when we are proposing in the Draft General Plan housing well beyond our need to meet RHNA.

See “Table 3-1: Growth Projection” on page 72 of the EIR. RHNA is about 1350 housing units. Projected growth is about 2060. Excess housing units is approximately 700.

(Table 3-1 is very useful. It would be much more useful if it could be expanded to include WHERE this projected growth would occur in Martinez. This would make comments on impacts much more meaningful and make it possible to tailor mitigation measures. It may be worthwhile to put off this EIR review until that information is available.)

Page ES-9 Conclusion Paragraph Future development resulting from implementation of the General Plan Update would result in Cumulatively Considerable Impact.

ES-9 4.8-1 and 4.8-3 The construction of housing north of the railroad tracks in the area described in Impact 4.1-4 above would disturb soils that were used as part of a City dump in the past. This is common knowledge and has even been mentioned by elected officials.

The potential to release hazardous materials is real and needs to be studied to determine its significance.

**A-22
Cont.**

A-23

The LS Level of Significance may well be wrong and Mitigation may be required. This should be analyzed before the EIR is approved.

Study of this issue should be required and could result in Significant and Unavoidable Impacts and Cumulatively Considerable Impacts.

Mitigation measures may need to be specified.

The statement under many Mitigations “Minimized to the greatest extent feasible through General Plan Goals, Policies, and Implementation Measures” is **not a sufficient Mitigation because virtually none of the Goals, Policies or Measures is mandatory**. Virtually all of them are suggestions or recommendations, and therefore cannot be counted on to mitigate anything.

If the General Plan Goals, Policies, and Implementation Measures mitigations were mandatory, using words like “will” and “shall”, they could actually act as mitigations to some extent.

One obvious mitigation is to reduce the amount of new housing in the Draft General Plan, which makes sense when we are proposing in the Draft General Plan housing well beyond our need to meet RHNA.

See “Table 3-1: Growth Projection” on page 72 of the EIR. RHNA is about 1350 housing units. Projected growth is about 2060. Excess housing units is approximately 700.

ES-9 Impact 4.8-5, 4.8-6 & Conclusion Paragraph Implementation of the General Plan will have a direct and dangerous impact on emergency evacuation of the waterfront. It could also affect the ability of the public to evacuate the area in case of wildfire which is potentially possible.

There are only two streets that go over the railroad tracks at the waterfront. They are the only ways into or out of the waterfront and marina. Both have been closed off at the same time by trains in the past year. The last time was approximately a week ago. Cars were backed up for about an hour, I believe, with

no way to get out of the waterfront or into it. (Even the police car that was trapped there just had to wait.)

This is extremely dangerous and could cause loss of life.

The effects of this kind of closing of both railroad crossings by train breakdown or accident or other reasons is dramatically magnified with the proposed development increase in the General Plan Update that is proposed for the areas north of the railroad tracks described in Impact 4.1-4 above.

That development could result in potentially 400 housing units with 1000+ residents. A blockage of both railroad crossings with that kind of development would be catastrophic.

This issue with details has been brought up several times by the public in writing and in public hearings. It is confusing why this issue is not noted here.

This is a Significant and Unavoidable Impact and Cumulatively Considerable Impact. It needs to be listed as such here in the EIR.

Mitigation measures need to be specified. They should potentially include denial of this kind of development there.

Study of this issue should be required and would result in Significant and Unavoidable Impacts and Cumulatively Considerable Impacts.

Mitigation measures would need to be specified.

The statement under many Mitigations “Minimized to the greatest extent feasible through General Plan Goals, Policies, and Implementation Measures” is **not a sufficient Mitigation because virtually none of the Goals, Policies or Measures is mandatory**. Virtually all of them are suggestions or recommendations, and therefore cannot be counted on to mitigate anything.

If the General Plan Goals, Policies, and Implementation Measures mitigations were mandatory, using words like “will” and “shall”, they could actually act as mitigations to some extent.

One obvious mitigation is to delete all this housing/commercial/retail development specified here under the Draft General Plan, which makes sense

when we are proposing in the Draft General Plan housing well beyond our need to meet RHNA.

See “Table 3-1: Growth Projection” on page 72 of the EIR. RHNA is about 1350 housing units. Projected growth is about 2060. Excess housing units is approximately 700.

(Table 3-1 is very useful. It would be much more useful if it could be expanded to include WHERE this projected growth would occur in Martinez. This would make comments on impacts much more meaningful and make it possible to tailor mitigation measures. It may be worthwhile to put off this EIR review until that information is available.)

Page ES-9 Conclusion Future development resulting from implementation of the General Plan Update would result in Significant and Unavoidable Impact and Cumulatively Considerable Impact.

It needs to be listed as such here in the EIR.

Mitigation measures need to be specified. They should potentially include denial of this kind of development there.

Study of this issue should be required and could result in Significant and Unavoidable Impacts and Cumulatively Considerable Impacts.

Mitigation measures may need to be specified.

The statement under many Mitigations “Minimized to the greatest extent feasible through General Plan Goals, Policies, and Implementation Measures” is **not a sufficient Mitigation because virtually none of the Goals, Policies or Measures is mandatory**. Virtually all of them are suggestions or recommendations, and therefore cannot be counted on to mitigate anything.

If the General Plan Goals, Policies, and Implementation Measures mitigations were mandatory, using words like “will” and “shall”, they could actually act as mitigations to some extent.

One obvious mitigation is to delete all this housing/commercial/retail development specified here under the Draft General Plan, which makes sense when we are proposing in the Draft General Plan housing well beyond our need to meet RHNA.

See “Table 3-1: Growth Projection” on page 72 of the EIR. RHNA is about 1350 housing units. Projected growth is about 2060. Excess housing units is approximately 700.

(Table 3-1 is very useful. It would be much more useful if it could be expanded to include WHERE this projected growth would occur in Martinez. This would make comments on impacts much more meaningful and make it possible to tailor mitigation measures. It may be worthwhile to put off this EIR review until that information is available.)

**A-24
Cont.**

Page ES-10 Impact 4.9-2, 4.9-3, 4.9-4 & Conclusion Paragraph The effect of the development in the area both south and north of the railroad tracks in the vicinity of Embarcadero Road can directly impact the salt water marshland that actually abuts the railroad tracks in places. The marsh land is our best defense against sea-level rise, as has been documented. The massive amount of development in the area described in Impact 4.1-4 above and the area south of the railroad tracks in and around the Telfer property have a direct effect on the health of this marsh.

The changes this development will force on the marsh need to be studied and noted as to significance in this EIR. East Bay Regional Park District and other government bodies have probably studied some of these effects. California Fish and Wildlife Department may have also. Both have noted that the endangered salt marsh harvest mouse inhabits the marsh.

But these areas need to be studied for impacts on the saltwater marsh and on the flooding capability of Alhambra Creek. Recent news articles have related the

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possibility of creeks like Alhambra Creek being flooded due to extreme runoff from the Sierras due to climate change.

Additionally, the possibility of pollutant release from the garbage dump that underlies much of that area of the marsh is a real concern and needs to be studied before allowing massive development proposed in the General Plan.

Before we put in place massive development on these areas, we need to know what the potential of flooding and pollutant release is.

Study of this issue should be required and could result in Significant and Unavoidable Impacts and Cumulatively Considerable Impacts.

Mitigation measures may need to be specified.

The statement under many Mitigations “Minimized to the greatest extent feasible through General Plan Goals, Policies, and Implementation Measures” is **not a sufficient Mitigation because virtually none of the Goals, Policies or Measures is mandatory**. Virtually all of them are suggestions or recommendations, and therefore cannot be counted on to mitigate anything.

If the General Plan Goals, Policies, and Implementation Measures mitigations were mandatory, using words like “will” and “shall”, they could actually act as mitigations to some extent.

One obvious mitigation is to reduce the amount of new housing/commercial/retail development specified in the Draft General Plan for both north and south of the railroad tracks, which makes sense when we are proposing in the Draft General Plan housing well beyond our need to meet RHNA.

See “Table 3-1: Growth Projection” on page 72 of the EIR. RHNA is about 1350 housing units. Projected growth is about 2060. Excess housing units is approximately 700.

(Table 3-1 is very useful. It would be much more useful if it could be expanded to include WHERE this projected growth would occur in Martinez. This would make comments on impacts much more meaningful and make it possible to tailor mitigation measures. It may be worthwhile to put off this EIR review until that information is available.)

Page ES-11 Impact 4.10.2 & Conclusion Paragraph Numerous internal conflicts between various sections and elements of the Draft General Plan and land use have been included in my comments to the City in writing to GPComments@cityofmartinez.org. Those conflicts are incorporated by reference.

Here is the link to them on the City website:

<https://www.cityofmartinez.org/departments/planning/general-plan-update/revised-draft-gp-2035/public-comments-on-revised-draft-gp-2035>

The short EIR comment period that has also been interfered with due to some inaccurate information from the City has not allowed me to detail them here.

The General Plan appears to be internally inconsistent in several respects.

Study of this issue should be required and could result in Significant and Unavoidable Impacts and Cumulatively Considerable Impacts.

Mitigation measures may need to be specified.

A-26

ES-11 Impacts 4.11-1, 4.11-2, 4.11-5, 4.11-6 & Conclusion Paragraph Noise levels in and around the railroad tracks exceed levels allowed in the General Plan. Additionally, no testing has been done in closest proximity to where the greatest amount of new housing is being proposed. This includes both land south of the railroad tracks in and around the Telfer property and areas north of the tracks described in Impact 4.1-4.

This excerpt from my GPComment letter dated 2/6/22 to the City gives data on the concern here regarding both noise and vibration:

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“The noise level to the new residents from the frequent trains and the switching yard is potentially in the “do not build housing here” range that the draft GPU calls for.

The Element 9.0 noise testing most pertinent to the proposed high-density housing site showed noise levels at or exceeding 75db, the “do not build housing here” level.

“Element 9.0. Noise & Air Quality” says community noise exposure greater than 75db equals “Clearly Unacceptable. New construction or development should not be undertaken.”

Noise in the entire proposed high-density housing area is actually probably above the tested level, as the pertinent testing was done noticeably further from the train tracks than the proposed high-density housing.

Additionally, samples of train whistle noise levels and other instantaneous readings ranged upwards to 105db, hugely louder than the 75db level that calls for no housing.

(To give an idea of how much louder 105db is than the 75db level that says no new construction should be allowed, note this from the Internet: “An increase of 3dB doubles the sound intensity...Therefore a small increase in decibels represents a large increase in intensity. For example - 10dB is 10 times more intense than 1dB, while 20dB is 100 times more intense than 1dB.”)

Allowing housing at this site conflicts with “9.0 Noise & Air Quality Element” on noise criteria, and such an inconsistency is not allowed by law. More important, the noise levels at the proposed site exceed those that the draft GPU says should be allowed for housing, and support the contention that this area is unsafe for the proposed high-density housing.

The vibration in the high-density housing area needs to be tested. The draft GPU calls vibration from commuter rail a potentially significant issue (90 Vdb). (No mention is made of vibration from freight trains, but it makes sense they would cause even more vibration.) The effect of that level of vibration on residents is “Difficulty with tasks such as reading a video or computer screen.”

Vibration would be greater than probably any other area in Martinez because of the proximity and frequency of the trains to the proposed high-density housing and the activity at the switching yard which is quite busy. Vibration also may be more of an issue with sea-level rise affecting the soil consistency and vibration attenuation.

Vibration appears to be another reason why changing the site to high-density housing is dangerous for potential residents.”

The rushed review period of this DEIR (45 days with the erroneous information that this 45 days included review of the Draft GPU also) left little time to review the new noise study. But many of the values in that study exceed 75 db, and some range close to 100 db. These values are too high.

Also it appears no sensors were put in the area of the most egregious and dangerous noise pollution (both land south of the railroad tracks in and around the Telfer property and areas north of the tracks described in Impact 4.1-4). Not only were no sensor readings apparently collected in these logical area, but sensors in other areas close to the railroad tracks were not located nearly as close to the tracks as the housing would be located in the area of major housing development in the waterfront.

Study of these issues should be required and could result in Significant and Unavoidable Impacts and Cumulatively Considerable Impacts.

Mitigation measures may need to be specified.

The statement under many Mitigations “Minimized to the greatest extent feasible through General Plan Goals, Policies, and Implementation Measures” is **not a sufficient Mitigation because virtually none of the Goals, Policies or Measures is mandatory**. Virtually all of them are suggestions or recommendations, and therefore cannot be counted on to mitigate anything.

If the General Plan Goals, Policies, and Implementation Measures mitigations were mandatory, using words like “will” and “shall”, they could actually act as mitigations to some extent.

One obvious mitigation is to reduce or delete the amount of new housing/commercial/retail development in the Draft General Plan that is

subject to the high noise levels, which makes sense when we are proposing in the Draft General Plan housing well beyond our need to meet RHNA.

See “Table 3-1: Growth Projection” on page 72 of the EIR. RHNA is about 1350 housing units. Projected growth is about 2060. Excess housing units is approximately 700.

(Table 3-1 is very useful. It would be much more useful if it could be expanded to include WHERE this projected growth would occur in Martinez. This would make comments on impacts much more meaningful and make it possible to tailor mitigation measures. It may be worthwhile to put off this EIR review until that information is available.)

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Cont.**

ES-12 Impact 4.12-1, 4.12-2 ,and Conclusion Paragraph Population increase will definitely result from implementation of the General Plan. That is its goal. That increase will have an adverse impact on greenhouse gas emissions and almost all the other factors being reviewed here. Human activity is the main source of GHG and most of the other causes of climate change.

Cumulatively, the affect has been catastrophic worldwide. To say that these impacts on our air, water, open space/parks, infrastructure, quality of life and more will not be Significant and Unavoidable and Cumulatively Considerable is to be naive.

I see no study of these effects or calculations of their severity in Martinez based upon the GPU implementation. I do not even see a careful, clear and detailed calculation of the number of housing units that could be developed under the Draft GPU or the population they would hold.

Generating that information needs to occur before this impact can be evaluated, and it is logical that the EIR should be held up until this information has been generated and analyzed and presented to the public for comment.

A-28

Additionally, probably the majority of the new development will occur in the Downtown area where a relatively large number of people live now. They will potentially be displaced, and their housing units will very probably be replaced by more expensive units.

I have seen no information to calculate how many people will be affected, nor any plan to help them with transition to different housing once they are displaced.

Again, this information should be generated and reviewed by the public before the EIR moves forward. .

Study of these issues and implementation of the General Plan Update would result in Significant and Unavoidable Impact and Cumulatively Considerable Impact.

Study of this issue should be required and would result in Significant and Unavoidable Impacts and Cumulatively Considerable Impacts.

Mitigation measures would need to be specified. They should potentially include reduction of kind and/or quantity of development proposed here.

The statement under many Mitigations “Minimized to the greatest extent feasible through General Plan Goals, Policies, and Implementation Measures” is **not a sufficient Mitigation because virtually none of the Goals, Policies or Measures is mandatory**. Virtually all of them are suggestions or recommendations, and therefore cannot be counted on to mitigate anything.

If the General Plan Goals, Policies, and Implementation Measures mitigations were mandatory, using words like “will” and “shall”, they could actually act as mitigations to some extent.

One obvious mitigation is to reduce the amount of new housing in the Draft General Plan, which makes sense when we are proposing in the Draft General Plan housing well beyond our need to meet RHNA.

See “Table 3-1: Growth Projection” on page 72 of the EIR. RHNA is about 1350 housing units. Projected growth is about 2060. Excess housing units is approximately 700.

(Table 3-1 is very useful. It would be much more useful if it could be expanded to include WHERE this projected growth would occur in Martinez. This would make comments on impacts much more meaningful and make it possible to tailor mitigation measures. It may be worthwhile to put off this EIR review until that information is available.)

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Cont.

Page ES-13 Impacts 4.13-1, 4.13-2 & Conclusion Paragraph The plan for massive housing/commercial/retail development on the north of the railroad tracks (see Impacts 4.1-1 and 4.1-4 for approximate locations) will require fire and police forces to develop new and costly ways to access the potentially 400 housing units and approximately 1000 new residents that will live there 24 hours/day---not to mention the workers and shoppers that will be drawn there. There will be a need for a major change in access to the area should an emergency occur.

There is no discussion of or plan for providing that access, and no development of that nature should be envisioned, much less approved, without the solution to that issue. A plan needs to be in place and funding needs to be also.

Study of this issue should be required and would result in Significant and Unavoidable Impacts and Cumulatively Considerable Impacts.

Mitigation measures would need to be specified.

The statement under many Mitigations “Minimized to the greatest extent feasible through General Plan Goals, Policies, and Implementation Measures” is **not a sufficient Mitigation because virtually none of the Goals, Policies or Measures is mandatory**. Virtually all of them are suggestions or recommendations, and therefore cannot be counted on to mitigate anything.

If the General Plan Goals, Policies, and Implementation Measures mitigations were mandatory, using words like “will” and “shall”, they could actually act as mitigations to some extent.

A-29

One obvious mitigation is to delete the housing/commercial/retail development now authorized under the Draft General Plan for here. That makes sense since we are proposing in the Draft General Plan housing well beyond our need to meet RHNA.

See “Table 3-1: Growth Projection” on page 72 of the EIR. RHNA is about 1350 housing units. Projected growth is about 2060. Excess housing units is approximately 700.

(Table 3-1 is very useful. It would be much more useful if it could be expanded to include WHERE this projected growth would occur in Martinez. This would make comments on impacts much more meaningful and make it possible to tailor mitigation measures. It may be worthwhile to put off this EIR review until that information is available.)

Page ES-13 Impact 4.13-4, 4.13-5 and Conclusion Paragraph The proposed population increase will put us even further behind our goal for parkland that is imbedded in our City Municipal Code.

That goal is currently 5 acres/1000 residents. We are at approximately 4.6 acres/1000, and that ratio will decrease with the added population that the GPU will cause.

Currently the City has magically added almost 135 acres to our City Park Inventory. I believe that addition is phony and will mislead our citizens and jeopardize our ability to collect developer park impact fees to pay for the pressure their developments will place on our parks. I believe it will also damage our ability to successfully apply for grants and other park support funds.

Below is a discussion of this issue which is yet to be resolved. It is included here to support the contention that **a significant impact to park funding will result from this invented increase in our park acreage that showed up in the Draft General Plan Update released to us on 8/8/22.**

**A-29
Cont.**

A-30

The discussion was sent to GPComments@cityofmartinez.org on 9/11/22. The City is currently no longer keeping public input like this on the City webpage, which several citizens are protesting.

“Comments on GPU Revised Draft--- Parks and Community Facilities Element 5---Dangerously Overstate Acreage

This covers comments for pgs 5-1 through p. 5-19

Page numbers refer to those in red-lined version with tracked changes of draft GPU

E-mail to GPcomments@cityofmartinez.org and Martinez City Council

This new Parks and Community Facilities Element Land Use Element 5 states Martinez has a total of 281 acres of park land, 7.33 acres/1000 residents. **I believe that is wrong. The correct figure is much lower, 175.3 acres---4.56 acres/1000 residents.** That is **below the City goal** of 5 acres/1000 residents.

This gross error:

- misleads Martinez citizens to think we are doing fine with park land, **when we are not.** The City’s error undermines our drive to secure more park land for our growing population.
- **reduces our chances of getting grants** and other park funding by making it look as though we do not need more park land.
- potentially **undermines our ability to collect developer park mitigation fees (several thousands of dollars per housing unit)** to offset the pressure development projects put on our existing parks—pressure that will certainly increase with the 1300+ new housing units the City Council looks ready to approve in this General Plan update.

Park acreage has been artificially inflated in two ways:

1. For the first time ever, you’ve decided to call the marina a “park” which makes no sense---but adds 60 acres to the Park Inventory.

**A-30
Cont.**

The marina is not in the official Park Inventory list and never has been. It's owned and controlled by the State, which authorizes and encourages significant commercial development, like boat repair and storage, commercial fishing, the marina itself and more. No neighboring city lists its marina as a park, not Benecia, Antioch or Pittsburg (see attached park lists).

2. You have increased our Waterfront Park from 31 acres to 76.5 acres, magically without buying any more land or telling the public about it that I can find.

Waterfront Park has been 31 acres for decades before now. No new uses that increase the park size have appeared at the park. And no new land purchases have occurred. But when you published this latest draft GPU on 8/8/22, the park magically grew to 76 acres. Yet Waterfront Park was 31 acres in your first Draft GPU that we all commented on earlier this year.

Please **correct these errors** immediately and **correct all the other sections of this Element and throughout this GPU that are based on this erroneous information.**

The City goal for park acreage is 5 acres/1000 residents. We have NOT met that goal. Our current ratio is 4.56 acres/1000 residents. **The Draft GPU must NOT state that we've met our goal and don't need to try to develop new parks.**

Martinez residents cherish their parks. They are a source of relaxation, learning, exercise and connection with nature and with others. **They are a major key to our quality of life.** Don't undermine those parks as you are doing here.

We need to be working on increasing park land---for both our existing population and the new residents that the GPU plans for.

The actual official listing of Martinez parks is shown below. It is the "Parks Inventory of Existing Conditions & Resources" from the City of Martinez "Park System Master Plan 2007-2012" that you reference in this Element. It verifies the park list and individual and total acreages I've reported here.

The only significant change to park land since this Inventory was published is to add Pine Meadow Park for about 9 acres. This park came about through citizen action that was actually opposed by the Council and was a singular victory for the citizens of Martinez. It is the first new park in Martinez in over 20 years. (Two small parkettes have also been added totaling .87 acres.)

Please note the statement at the top of the Parks Inventory: "The total developed parkland acreage is 165.2 acres." This now changes to 175.3 acres with the addition of Pine Meadow Park and the two parkettes.

1. Parks Inventory of Existing Conditions & Resources

The inventory of park system facilities is divided into the following sections: The total developed parkland acreage in Martinez is 165.2 acres. The following summary lists Martinez parks by type and size: Parks, Open Space, Recreation Buildings, Memorial Parks, Major Trails. The list of facilities is arranged alphabetically within each section.

Various types of developed parks serve the Martinez community.

Park Name	Type	Acreage
Alhambra Park	Plaza	.55
Cappy Ricks Park	Neighborhood	1.90
Ferry Point Picnic Area	Memorial Park	3.80
Foothills Park	Linear Park	2.30
Golden Hills Park	Neighborhood	9.60
Highland Avenue Park	Neighborhood	.25
Hidden Lakes Park	Community	24.00
Hidden Valley Park	Community & School*	17.00
Hidden Valley Linear Park	Linear Park	2.3
Holiday Highlands Park	Neighborhood	2.00
John Muir Park	School Park*	7.40
Morello Park	Neighborhood & School Park*	7.10
Mountain View Park	Neighborhood*	4.50
Nancy Boyd Park	Community Memorial Park	7.30
Plaza Ignacio Martinez	Plaza	1.00
Rankin Park	Community	42.00
Susana Street Park	Neighborhood	1.20
Waterfront Park	Community*	31.00
Veterans Park Memorial Park	Memorial Park	.20
Total		165.40

* Denotes lease in effect for a portion or all of space.

Please don't undermine our precious park system that so many in Martinez use and enjoy. It is among the top reasons why people say they love Martinez. **The Draft GPU needs to protect these assets, not threaten them.**

Below is information on calculating the ratio and on why the marina is not a park.

Tim Platt

09/10/2022

How the park ratios are calculated and what the actual numbers should be:

From the "Parks Inventory of Existing Conditions & Resources" in the City of Martinez "Park System Master Plan 2007-2012" the total park acreage is 165.4 acres. To that acreage Pine Meadow Park (9 acres) and two small parkettes (John Muir Memorial Park--.42 acres and Main Street Plaza---.45 acres) need to be added.

That brings the current total park acreage to 175.3 acres. (The Land Use Designations for the land north of the railroad tracks has been changed for unspecified reasons, but does not affect the parks inventory.)

From the City website page "Martinez Fast Facts", the population of Martinez is 38,402. (This page may need updating. For instance, it shows Noralea Gipner as Vice Mayor.)

The ratio is $175.3/38.402 = 4.56$ acres/1000 residents.

That is well below the statutory City goal of 5 acres/1000 residents. **The goal has NOT been met.**

Why the Marina is not a park. Partial list.

The city does not own the marina and never will. It only holds it in trust.

The State owns the land.

The marina is a special use area where the **State allows and encourages commercial uses**, as well as recreational and environmental uses. The state actively supports commercial for-profit uses like boat repair and maintenance, commercial fishing, boat storage, restaurants, marina and other for-profit uses.

The marina is a profit-making enterprise that must pay returns to the State.

It is incredibly more complicated than a park.

The marina requires **major long-term multi-million dollar funding** to operate and succeed. **And it can fail.**

It requires specialized operational and business management with skills much different than those needed for park management.

The marina has its own funding source separate from parks.

The marina has never been called a “park”.

The marina has **never appeared on the official “Parks Inventory of Existing Conditions & Resources” list** that appears above.

No other major town nearby calls its marina a “park”. See lists attached for Benicia, Pittsburg and Antioch.

The marina has fulltime residents living in it.

Part of the marina’s 60 acres are actually underwater.

The marina is in great jeopardy for complete flooding, and certainly of periodic flooding, due to sea-level rise.”

Study of this issue should be required and could result in Significant and Unavoidable Impacts and Cumulatively Considerable Impacts.

Mitigation measures may need to be specified.

Ultimately the incorrect information may have to be removed from the Draft General Plan Update, as well as all the verbiage that is based on that incorrect information.

The statement under many Mitigations “Minimized to the greatest extent feasible through General Plan Goals, Policies, and Implementation Measures” is **not a sufficient Mitigation because virtually none of the Goals, Policies or Measures is mandatory**. Virtually all of them are suggestions or recommendations, and therefore cannot be counted on to mitigate anything.

If the General Plan Goals, Policies, and Implementation Measures mitigations were mandatory, using words like “will” and “shall”, they could actually act as mitigations to some extent.

Page ES-14 Impact 4.14-1, 4.14-2, 4.14-3, 4.14-4 and Conclusion Paragraph

GP implementation would conflict with programs/policies etc. for bike safety and safety of similar modes of transportation that are now being encouraged by the City.

The draft General Plan Update plans for huge housing and retail/commercial development in the Downtown/ Waterfront and also in selected residential and commercial areas throughout Martinez. But I do not believe the GPU includes any plans to deal with the ramifications of this development, especially regarding increased parking needs that results in the dangerous crowding of already narrow streets.

This poses a real danger to bike riders and others using similar modes of transportation that are being encouraged now. It conflicts with programs/policies/etc. that encourage safe bike and similar transportation in our town.

As parking needs are not addressed in our Downtown area and throughout Martinez, bike and other similar alternative transportation users will be put in jeopardy.

**A-30
Cont.**

A-31

The simple fact is that the planned housing development is increasing our population. That will also increase the number of cars and trucks, and they all need a place to be parked.

Many will end up parked on the street, as no requirement exists mandating adequate off-street parking.

As no plan is in place for safe parking, then this will undoubtedly increase the amount of street parking, and that will be dangerous to bike riders, etc. Car doors being opened, cars pulling out of parking places, and similar actions will endanger bike riders and **will narrow the streets they ride on**. And at the same time, car traffic on the roads will increase, further endangering bike riders. This will be a double whammy for them.

Parking in the Downtown/Waterfront will be impacted for two reasons. Parking requirements will be dramatically increased due to the large amount of residential and retail/commercial development planned. Additionally, existing parking areas are slated for housing and retail/commercial development. They will be lost for parking and will actually reduce the amount of available parking.

Areas like the Ferry Street parking lot and the Amtrak lot across from the Amtrak station are slated for replacement with high density housing. So we will lose existing safe parking at the same time we will be dramatically increasing the demand for more parking. And bike riders and users of similar modes of transportation will be put in jeopardy.

Yet there is no discussion of, or plan for, handling these impacts on bike riding and other similar modes of transportation that we are encouraging and that the large population increase is endangering.

Parking issues do not only make it unsafe for biker riders, etc. in the Downtown area. In the older residential neighborhoods, it is a significant issue. Parking is insufficient now in many of the neighborhoods surrounding Downtown where major streets like Pine, Arriba, Castro and others are essentially dangerous one-lane-only streets for significant amounts of time when cars are parked on both sides of the street.

This will only get worse with the significant added in-fill housing being proposed by the State and in this draft GPU for residential areas throughout Martinez.

The added burden of more parking to accommodate the in-fill housing (and high-density housing planned for many of those areas) will combine with the increase in vehicle traffic and the increase in bike riding to really make a dangerous situation.

Significant high-density, high-rise development is authorized in some of these areas. For instance, all along Pacheco Blvd from Court to Morello and sprinkled around a number of residential areas elsewhere in town.

These impacts on biker riders and other users of similar modes of transportation must be studied and appropriate mitigation measures need to be put in place.

To add more housing without addressing the ramifications of more parked vehicles, narrower streets and more traffic generally on these streets is wrong and dangerous.

Study of this issue should be required and could result in Significant and Unavoidable Impacts and Cumulatively Considerable Impacts.

Mitigation measures may need to be specified.

The statement under many Mitigations “Minimized to the greatest extent feasible through General Plan Goals, Policies, and Implementation Measures” is **not a sufficient Mitigation because virtually none of the Goals, Policies or Measures is mandatory**. Virtually all of them are suggestions or recommendations, and therefore cannot be counted on to mitigate anything.

If the General Plan Goals, Policies, and Implementation Measures mitigations were mandatory, using words like “will” and “shall”, they could actually act as mitigations to some extent.

One obvious mitigation is to reduce the amount of new housing in the Draft General Plan, which makes sense when we are proposing in the Draft General Plan housing well beyond our need to meet RHNA.

See “Table 3-1: Growth Projection” on page 72 of the EIR. RHNA is about 1350 housing units. Projected growth is about 2060. Excess housing units is approximately 700.

(Table 3-1 is very useful. It would be much more useful if it could be expanded to include WHERE this projected growth would occur in Martinez. This would make

comments on impacts much more meaningful and make it possible to tailor mitigation measures. It may be worthwhile to put off this EIR review until that information is available.)

ES-15 Impact 4.15.1 & Conclusion Paragraph We are subject to droughts here and have had several cutbacks in years past. The regional reservoir, Los Vaqueros, is under review to be expanded. Drought conditions are dire with the Colorado River being sucked dry, and no end in sight to our current drought.

This is obviously a Significant and Unalterable and Cumulatively Considerable Impact. It is directly affected by population increase, and that is propelled by the huge state-wide drive for more housing.

Study of this issue could result in Significant and Unavoidable Impact and Cumulatively Considerable Impact.

A study of the significant and cumulative effects is required.

Mitigation measures may need to be specified.

One obvious mitigation is to reduce the amount of new housing in the draft General Plan, which makes sense when we are proposing in the GPU housing well beyond our need to meet RHNA----see Table 3-1: Growth Projection on page 72 of the EIR. RHNA is about 1350 units. Projected growth is 2060.

The statement under Mitigations “Minimized to the greatest extent feasible through General Plan Goals, Policies, and Implementation Measures” is insufficient because virtually none of the Goals, Policies or Measures is mandatory. Virtually all of them are suggestions or recommendations, and therefore cannot be counted on to mitigate anything.

If the General Plan Goals, Policies, and Implementation Measures mitigations were mandatory, they could actually act as mitigations to some extent.

ES-15 Impacts 4.15-2, 4.14-3, 4.15-4, 4.15-5 & Conclusion Paragraph There is a wastewater treatment plant located on our waterfront in the salt marsh north of the railroad tracks. This area is subject to sea level rise that will probably cause both periodic and permanent flooding. Additionally, the soils are increasingly subject to liquefaction and would experience earthquake damage discussed in Impact 4.6-1 above.

Here is an excerpt from the report in Impact 4.6-1 above: **“A large earthquake on this fault is expected to produce a Modified Mercalli intensity ranging from very strong (VIII) south of the railroad tracks to very violent (X) north of the tracks.”**

The report defines **“very violent X”** as : **“Most masonry and frame structures destroyed with their foundations. Some well-built wooden structures and bridges destroyed...”**

Study of this issue should be required and could result in Significant and Unavoidable Impacts and Cumulatively Considerable Impacts.

Mitigation measures may need to be specified.

The statement under many Mitigations **“Minimized to the greatest extent feasible through General Plan Goals, Policies, and Implementation Measures”** is **not a sufficient Mitigation because virtually none of the Goals, Policies or Measures is mandatory.** Virtually all of them are suggestions or recommendations, and therefore cannot be counted on to mitigate anything.

If the General Plan Goals, Policies, and Implementation Measures mitigations were mandatory, using words like **“will”** and **“shall”**, they could actually act as mitigations to some extent.

One obvious mitigation is to reduce the amount of new housing in the Draft General Plan, which makes sense when we are proposing in the Draft General Plan housing well beyond our need to meet RHNA.

See “Table 3-1: Growth Projection” on page 72 of the EIR. RHNA is about 1350 housing units. Projected growth is about 2060. Excess housing units is approximately 700.

ES-16 Impact 4.16-1 & Concluding Paragraph The potential housing development authorized in the Draft General Plan for waterfront land north of the railroad tracks could equate to 400 or more dwelling units and 1000 or more new residents. This entire area is blocked from the City and all its services by the railroad---except for two track overcrossings that have been continually blocked on a regular basis because of train accidents or stoppages.

One such blockage lasting for an hour or more occurred within the last 10 days. No vehicles could get on or off the waterfront for that time, including a police car that was trapped like the rest of us.

More details on impacts for this area can be found under Impact 4.8-5 above.

This area is described in Impact 4.1-4 above.

The emergency response and/or emergency evacuation plan for this area would have to be severely improved if the General Plan is implemented. A very expensive raised overcrossing of the tracks would most likely be required. If not, then those 1000+ new residents would be locked onto the waterfront in any emergency.

That is true now, but nowhere near that number of people are ever stranded at the waterfront now. Siting high-density housing there will probably increase the number of people trapped by a factor of 10.

Study of this issue should be required and could result in Significant and Unavoidable Impacts and Cumulatively Considerable Impacts.

Mitigation measures may need to be specified.

The statement under many Mitigations “Minimized to the greatest extent feasible through General Plan Goals, Policies, and Implementation Measures” is **not a sufficient Mitigation because virtually none of the Goals, Policies or Measures is mandatory**. Virtually all of them are suggestions or recommendations, and therefore cannot be counted on to mitigate anything.

If the General Plan Goals, Policies, and Implementation Measures mitigations were mandatory, using words like “will” and “shall”, they could actually act as mitigations to some extent.

One obvious mitigation is to delete the huge housing/commercial/retail development that the Draft General Plan authorizes for this area now, which makes sense when we are proposing in the Draft General Plan housing well beyond our need to meet RHNA.

See “Table 3-1: Growth Projection” on page 72 of the EIR. RHNA is about 1350 housing units. Projected growth is about 2060. Excess housing units is approximately 700.

(Table 3-1 is very useful. It would be much more useful if it could be expanded to include WHERE this projected growth would occur in Martinez. This would make comments on impacts much more meaningful and make it possible to tailor mitigation measures. It may be worthwhile to put off this EIR review until that information is available.)

Page ES-16 Impact 4.16-2, 4.16-4 & Concluding Paragraph Wildfire danger exists in Martinez and is noticeably greater with fires starting in the Highway 4 roadway about ½ mile west of Alhambra Ave., traveling over the hills in an easterly direction, and threatening structures all along Alhambra Ave.

The potential for catastrophic fires of structures in that area, including Downtown, is increased with the density of housing in that area. The Draft General Plan specifies a great deal of high-density housing/commercial/retail development in the Downtown as described in more detail in Impact 4.1-1 and 4.1-4 above.

Fire danger could potentially be decreased to the extent that new high-density housing/commercial/retail development is not built Downtown.

Study of this issue should be required and could result in Significant and Unavoidable Impacts and Cumulatively Considerable Impacts.

**A-34
Cont.**

A-35

Such a study may find mitigations that would lessen the impact of wildfires by reducing the amount of high-density housing/commercial/retail development to a minimum.

Mitigation measures may need to be specified.

One obvious mitigation is to reduce this massive housing/commercial/retail development Downtown and on the Waterfront in the draft General Plan.

This is possible to do because the projected housing growth is approximately 700 units more than the growth needed to meet the RHNA goal---see Table 3-1: Growth Projection on page 72 of the EIR. RHNA is about 1350 units. Projected growth is 2060.

(Table 3-1 is very useful. It would be much more useful if it could be expanded to include WHERE this projected growth would occur in Martinez. This would make comments on impacts much more meaningful and make it possible to tailor mitigation measures. It may be worthwhile to put off this EIR review until that information is available.)

The statement under Mitigations “Minimized to the greatest extent feasible through General Plan Goals, Policies, and Implementation Measures” **is not a sufficient because virtually none of the Goals, Policies or Measures is mandatory.** Virtually all of them are suggestions or recommendations, and therefore cannot be counted on to mitigate anything.

If the General Plan Goals, Policies, and Implementation Measures mitigations were mandatory, using words like “will” and “shall”, they could actually act as mitigations to some extent.

Page ES-16 Conclusion Paragraph General Plan implementation could result in cumulatively considerable impacts due to wildfires.

Below are the two e-mails I noted at the top. The first details problems with the process. The second is asking for an extension of the EIR review period.

**A-35
Cont.**

A-36

Tim Platt

9/21/22

Here is e-mail on 9/13/22 outlining some problems that really hindered my review of the EIR. I believe others were hindered too. See Items 1 and 2.

----- Forwarded Message -----

From: Tim Platt <tim_mart2001@yahoo.com>

To: Gpcomments <gpcomments@cityofmartinez.org>; ROB SCHRODER <rschroder@cityofmartinez.org>; dmckillop@cityofmartinez.org <dmckillop@cityofmartinez.org>; LARA DELANEY <ldelaney@cityofmartinez.org>; Brianne Zorn <bzorn@cityofmartinez.org>; MARK ROSS <mross@cityofmartinez.org>

Cc: mikechandler031612 <mchandler@cityofmartinez.org>; Dee Dee Fendley <dfendley@cityofmartinez.org>; Hector J. Rojas <hrojas@cityofmartinez.org>; Sean Trambley <strambley@gmail.com>; 'Jonathan Bash' Sierra <jonathan.t.bash@gmail.com>; Dylan Radke <dylanradke@gmail.com>; Tim Platt <tim_mart2001@yahoo.com>; Patrick O'Keeffe <pokeeffe@managementpartners.com>

Sent: Tuesday, September 13, 2022 at 06:03:50 PM PDT

Subject: GP Comments on Mistakes Park Inflation Density Errors Video

Comments on Mistakes Park Inflation Density Errors Video

E-mail to GPcomments@cityofmartinez.org and Martinez City Council

A number of items on the Draft General Plan Update (GPU) and Draft Environmental Impact Report (EIR) were clarified yesterday---unfortunately not in a good way. See the numbered list below

If the City wants to engage the public as you've avowed during the 8/31/22 meeting, you should accept responsibility for your mistakes and take meaningful steps to make up for them. And you should also make more information available, not less.

I believe you should **extend the DEIR deadline and post all public comments.**

**A-36
Cont.**

1. The City made a mistake in publishing in several places that the deadline for comments was 9/24/22. **The deadline is 9/22/22.**

A-37

2. The City made a mistake telling us this was the deadline for comments on **both** the Draft GPU and the Draft EIR. **This is the deadline for comments on the Draft Environmental Impact Report (EIR) only.** There is no deadline for comments on the Draft GPU.

A-38

This has materially affected citizens who have concentrated on GPU comments believing they were the most important comments to make in the short comment period and have not spent time yet on the 800+ pages of the Draft EIR. I ask you to extend the deadline for the Draft EIR comments because of your error.

I advised the City that this error was still on the City webpage as of yesterday.

3. The City told me that any **comments the public sends in on the Draft GPU will not be seen by others** in the community. And we cannot even confirm our comments have been received by the city. That is because the city is not keeping a web page showing all the comments received on this second draft GPU. They did that on the first Draft GPU that came out in November of last year, and it was very helpful.

A-39

I had to ask this question. The City did not bring it up.

It is a great loss to not let the citizens know what others are saying to the City about this complicated and tremendously important issue.

I request you change that. (Some of my comments can be found on the website www.thousandfriendsofmartinez.org.)

4. In my comments on 9/10/22 about the City's inflating of the park acreage, it was confirmed that action can affect our ability to collect developer park impact fees for new developments that put added pressure on our current parks.

A-40

Additionally, the area that will lose the most fees (they are several thousand dollars per housing unit) will probably be the Downtown area where the most development is planned. This will be popular with the developers, but will shortchange the public.

That 9/10/22 comment letter is important for the public to see, but you are hiding it from the public by not posting any public comment letters on the City website. I think that is wrong.

5. I looked at the City density comparison the City published on 8/25/22 to partially respond to our year-old requests for that and a deeper comparison between our current General Plan and what is being proposed in the GPU.

There is no time for me to do a deep analysis with the 9/22/22 deadline, but a few examples show the City analysis is misleading, at best.

At Haven/Pine your analysis is wrong. You have to look at the maps. Significant parts of that area have been changed from light brown to pink---which means from 12 dwellings/acre to 30 dwelling units/acre. That's 250% of the current density.

At Talbert/Green/Arlington, significant parts of that area have been changed from light brown to dark brown and dark red---which means from 12 units/acre to 17units/ acre or 30 dwelling units/acre respectively. That's at **50% increase for the 17 units and a 150% increase for the red.**

There are examples like this ALL OVER OUR CITY, not just in the Downtown area.

You have to look at the maps. Significant parts of the map areas have been changed to higher density. The City compared categories of land use, but did not tell you where areas of Martinez have been put into higher density categories.

You should redo this analysis or give us time to do it for you.

This is one more reason why you should extend the comment deadline---so we can pay attention to new issues you have bought up with this density report.

**A-40
Cont.**

A-41

6. It turns out the staff is still looking at housing on the waterfront and still looking at increasing the height limit in our Downtown. I had been told those two issues were now off the table, but staff has confirmed both are still under consideration.

The video is working now. You can see Lara Delaney, Mark Ross and Sean Trambley all calling for higher height limits than those some of us worked hard to get put in the GPU. You can also see Brianne Zorn say these limits are adequate, especially as they can be changed by the Planning Commission on a project basis. (She also is the only public official who expressed concern about the schedule for the entire comment and approval process because of lack of staff or other roadblocks.)

Tim Platt

09/13/22

A-42

Request to Extend EIR Review Deadline in Comments to City Council and Staff at 8/31/22 City Council Meeting during Public Comment

The deadline for the end of the 45-day period to review the General Plan Update (GPU) and DEIR is fast approaching. It needs to be extended beyond 9/22/22.

No one can review all the changes in the current over 1000 pages of new data and reports by then. It is unfair to put both the public and public officials under this impossible deadline.

Public input in collaboration with Staff has resulted in some very good changes to the Plan and corrected some big errors. I think the major staff member at the center of this effort, Hector Rojas, Planning Director, would agree. But he resigned from the City last Friday.

That is going to slow any further meaningful staff collaboration with everyone.

Please keep the spirit of collaboration with the public in place and extend that deadline now.

We are producing a better General Plan in this joint review effort. I plead with you to extend the comment period deadline and keep that collaboration going.

A-43

Tim Platt

8/31/22

Response to Comment Letter A

Tim Platt

August 31, 2022

- A-1 The comment states Alternative 1 No Project is a reduction in commercial space and housing and should be an improvement in pollution and GHG and circulation.

Alternative 1, Existing General Plan/No Project would allow for the existing, adopted General Plan to continue to be implemented with no changes to the General Plan, zoning or City policies and programs associated with the proposed General Plan Update. As indicated in Draft EIR Table 6-2, Alternative 1 would have slightly less growth when compared to the proposed General Plan, but overall would have similar development potential as the proposed General Plan Update. Section 6.0, Alternatives of the Draft EIR provides an evaluation of the Alternatives and their ability to reduce impacts when compared to the proposed Project. As discussed in Section 6.0, Alternative 1 would slightly reduce air quality impacts. Although the amount of development would be slightly reduced under Alternative 1 when compared to the proposed Project, Alternative 1 would not provide a land use plan and policy framework with the intent of reducing GHG emissions and would not implement an updated land use plan and policies that encourage the reduction of vehicle trips through infill development and mixed-use development opportunities, which contribute toward reduced vehicle miles traveled (VMT) and GHG emissions.

- A-2 The comment states the commenter has requested a comparison of the current General Plan and the Draft General Plan to understand the growth and changes in policies and that a partial report was provided, but is inadequate, and without this information the comparison in Alternative 1 is not useful.

Draft EIR Table 6-2 provides a comparison of the growth potential associated with each Alternative as compared to the proposed General Plan Update. It is noted that Draft EIR Table 6-2 has been revised in the Draft EIR to reflect modifications to the proposed Land Use Map to change the previously proposed Downtown Government (DG) designation for the block north of the Union Pacific Railroad (UPRR) tracks and east of Berrellesa Street to Public Institutions (PI) and the Downtown Shoreline (DS) designation of the block north of the UPRR tracks and west of Berrellesa Street to the proposed Marina Waterfront (MW) designation. Neither of these proposed land use designations (PI or MW) would allow for residential development. The revisions are provided in the Final EIR Section 3.0, Errata.

The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is necessary.

- A-3 The comment notes that Alternative 2 “misses the mark”, but shows a more meaningful alternative in reducing the commercial goals of the Draft General Plan Update. The

comment further states that it should also show a 30% reduction in housing which would probably reduce GHG, VMT, and Transportation and that the reduction in housing will meet the RHNA goal.

These comments are noted and will be provided to the Martinez appointed and elected officials for their consideration. It is noted that an update to the General Plan Housing Element has been initiated as part of a separate process and will specifically address the Regional Housing Needs Allocation (RHNA), as well as the distribution of housing units to meet the associated income levels and required densities.

The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is necessary.

- A-4 The comment notes Table 3-1 is useful, but would be more useful to show where the projected growth would occur, which would make comments on impacts more meaningful and tailor mitigation measures. The comment also notes the EIR review should be “put off” until the information is available.

The comment is noted. The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is necessary. It is also noted that this statement is made several times throughout the Comment Letter.

- A-5 The comment asserts Alternative 3 is meaningless and that it shows the importance of not converting farmland. The comment further states a public benefit should be given to offset the impact and provides examples.

The comment is noted. The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is necessary.

- A-6 The comment states Impact 4.1-1 is significant and unavoidable and is cumulatively considerable. The comment specifically references the Downtown and associated densities and height limit of three stories/40 feet, and states there is no limit to how high the building can go, as the Planning Commission is given authority to raise the height.

The Martinez Downtown Specific Plan is a policy and a regulatory document that guides development of the Downtown Specific Plan area and is therefore discussed in the regulatory section of applicable sections of the Draft EIR. A Specific Plan is regulated by State Government Code Sections 65450-65457. Specific Plans serve as a standalone planning document, describing property-specific guidelines to aid in meeting the General Plan goals. The proposed General Plan Update Land Use designations would be consistent with the land use designations in the Downtown Specific Plan. The Downtown Specific Plan currently allows development at a height limit of 40 feet or three stories. Further, the Downtown Specific Plan allows for the Planning Commission to approve taller buildings by

use permit. This would occur on a project-by-project basis. The General Plan Update incorporates the existing height limits of the Downtown Specific Plan into the applicable land use designations for consistency with the Martinez Downtown Specific Plan. The potential for development at these heights has been analyzed within the certified Martinez Downtown Specific Plan EIR. Future development within the Martinez Downtown Specific Plan would be required to comply with the development standards and the design standards and guidelines specific to the district in which it is located.

In addition to site-specific development being reviewed for consistency with General Plan goals and policies, Municipal Code Chapter 2.26, Design Review Committee, provides that development projects in “visually significant areas,” within City limits be reviewed on the basis of Chapter 22.34, General Requirements and Exceptions, which establishes provisions and exceptions that are common to more than one or all zoning districts. This review ensures that the architecture and general appearance of the site, structures and grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the City, and reflect City development policies and goals. The analysis is accurate and does not warrant any changes based on this comment.

- A-7 The comment states implementation of General Plan goals, policies, and implementation measures is not sufficient mitigation because virtually none are mandatory.

These comments are noted. It is the City’s policy, and state law, that Projects be analyzed pursuant to the requirements of CEQA. The City undertook this analysis in good faith, and presented their results in the Draft EIR. Where the City identified impacts, the City responded by identifying existing regulations and General Plan policies and implementation measures that can be implemented to reduce the impact. The General Plan Update goals, policies, and implementation measures provide a framework for how the City will grow and develop in the future. These components work together to guide development and reduce potential environmental impacts. Future development would be reviewed for consistency with the General Plan Update goals, policies, and implementation measures. Due to the nature of a General Plan, an individual goal, policy, or implementation measure may not on its own fully mitigate an environmental impact; however, when applied comprehensively along with existing City ordinances and standards, or state and federal laws (existing regulations), impacts would be reduced, as documented within the Draft EIR.

- A-8 The commenter states an obvious mitigation is to reduce the amount of new development in the General Plan and references the growth projections and Regional Housing Needs Allocation (RHNA) of 1,350 and the projected growth of about 2,060 residential units. This comment is provided throughout the comments as a response to reduce impacts asserted by the commenter in all environmental topical areas.

The comment is noted; an update to the General Plan Housing Element has been initiated as part of a separate process and will specifically address the RHNA, as well as the distribution of housing units to meet the associated income levels and required densities.

The projected new development potential identified in Draft EIR Table 2-3 has been revised and reduced in the Final EIR to reflect modifications to the proposed Land Use Map to change the previously proposed Downtown Government (DG) designation for the block north of the Union Pacific Railroad (UPRR) tracks and east of Berrellesa Street to Public Institutions (PI) and the Downtown Shoreline (DS) designation of the block north of the UPRR tracks and west of Berrellesa Street to the proposed Marina Waterfront (MW) designation. Neither of these proposed land use designations (PI or MW) would allow for residential development. The revisions are provided in the Final EIR Section 3.0, Errata and provide for 1,830 new residential units and 2,550,113 square feet of non-residential development, which is a reduction of 230 residential units and 257,974 square feet of non-residential development.

The Draft EIR identifies significant and unavoidable impacts to agricultural resources, air quality, greenhouse gas emissions, climate change & energy, and transportation. All other topical areas were determined to be less than significant upon implementation of General Plan Update policies and implementation measures and compliance with existing regulatory framework established to address environmental impacts. It is noted that although a VMT transportation impact occurs for both VMT per employee and VMT per capita based on the thresholds, the VMT per capita would actually decrease with implementation of the General Plan Update. Since VMT is also directly related to air quality, greenhouse gas emissions, climate change & energy impacts, the potential development of non-residential uses are a more significant contributor to these impacts than the potential development of residential uses, as the VMT per employee would increase with the General Plan Update. As discussed in Draft EIR Section 4.3, Air Quality, since VMT per capita would decrease with implementation of the General Plan Update, the proposed General Plan Update would further the fundamental goals of the Bay Area Air Quality Management District (BAAQMD) in reducing emissions of criteria pollutants associated with VMT. Similarly, as discussed in Draft EIR Section 4.7, Greenhouse Gas Emissions, Climate Change & Energy, although VMT per employee would increase when compared to existing conditions, overall, buildout of the proposed General Plan Update would result in a reduction in VMT per service population when compared to existing conditions due to the reduction in VMT per capita.

CEQA requires that a Draft EIR analyze a reasonable range of feasible alternatives that meet most or all project objectives while reducing or avoiding one or more significant environmental effects of the project. The range of alternatives required in a Draft EIR is governed by a “rule of reason” that requires a Draft EIR to set forth only those alternatives necessary to permit a reasoned choice (CEQA Guidelines Section 15126.6[f]). Alternatives

are addressed in Section 6.0 Alternatives. As stated, the Draft EIR identified significant and unavoidable impacts to agricultural resources, air quality, greenhouse gas emissions, climate change & energy, and transportation (workforce VMT). The Alternatives include Alternative 1: Existing General Plan/No Project, which would maintain the City's existing General Plan, allowing for similar dwelling units and less non-residential square footage when compared to the proposed Project and Alternative 2: VMT Reduction Alternative, allowing for reduced non-residential development and intensity. The alternatives analysis provides a summary of the relative impact level of significance associated with each alternative for each of the environmental issue areas analyzed in this EIR that were found to result in significant and unavoidable impacts. Also refer to Response A-4.

- A-9 The comment references the potential for development north of the railroad tracks and its proximity to the salt marsh open space, the introduction of people, and the associated light pollution, noise pollution, and general pollution to the marsh and parks. The potential impacts of wildlife associated with pets and the impacts of cooling and shadowing by buildings is also identified. The comment states the issue should be studied and could result in significant and unavoidable impacts and cumulatively considerable impacts.

Draft EIR Figure 2-2, 2035 General Plan Land Use Map, has been revised in the Final EIR to change the previously proposed Downtown Government (DG) designation for the block north of the Union Pacific Railroad (UPRR) tracks and east of Berrellesa Street to Public Institutions (PI) and the Downtown Shoreline (DS) designation of the block north of the UPRR tracks and west of Berrellesa Street to the proposed Marina Waterfront (MW) designation. Neither of these proposed land use designations (PI or MW) would allow for residential development. Refer also to Response A-8.

- A-10 The comment is in reference to the previous comment regarding development north of the railroad tracks and the commenter states an obvious mitigation is to reduce new housing development and references the RHNA requirements.

Refer to Responses A-4, A-7, and A-8. As discussed in Response A-8, Draft EIR Figure 2-2, 2035 General Plan Land Use Map, has been revised in the Final EIR to change the previously proposed Downtown Government (DG) designation for the block north of the Union Pacific Railroad (UPRR) tracks and east of Berrellesa Street to Public Institutions (PI) and the Downtown Shoreline (DS) designation of the block north of the UPRR tracks and west of Berrellesa Street to the proposed Marina Waterfront (MW) designation. Neither of these proposed land use designations (PI or MW) would allow for residential development.

- A-11 The comment references the impact associated with the potential conversion of prime farmland to housing and states the impact is not ameliorated by goals, policies, and measures and references a measure as "punitive" to those living close to converted land. The comment states the impact may be mitigated by having the owner of land provide a

public benefit for conversion and provides examples. The comment states Alternative 3 does not show how important it is to not convert the farmland.

Draft EIR Section 4.2, Agricultural Resources, discusses the potential impacts to agricultural resources associated with implementation of the General Plan Update. Although the proposed General Plan Update would not lead to direct conversion of designated Important Farmland, it would also not require the preservation of Important Farmland located within the City area. Since this land could result in the conversion of farmland to non-agricultural use, it is considered a significant and unavoidable impact. The General Plan Update includes several policies and implementation measures supporting the protection of existing farmland. Policies address the potential for new development to occur adjacent to existing agricultural areas in a manner that would ensure the protection of agricultural uses.

Draft EIR Alternative 3: Agricultural Preservation Alternative, would designate the approximately 4.5 acres of Unique Farmland for agricultural or conservation lands instead of Low Density Residential, thereby eliminating the potential for the development of the land for residential uses and preserving the Unique Farmland. Refer also to Response A-7.

- A-12 The comment references Draft EIR Air Quality Impact 4.3-2 and that mitigation measures need to be improved. Similar to previous comments, the commenter notes an “obvious” mitigation is to reduce the amount of new housing. The comment states less housing means lower population and reduced air pollution and references Alternative 2 and a reduction in non-residential development will improve air quality.

The comment is noted. The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is necessary.

Refer also to Response A-7 and A-8.

- A-13 The comment references impacts to Biological Resources summarized in the Draft EIR Executive Summary and specifically the potential impacts the harvest mouse that resides in the salt marsh north of the railroad tracks. The commenter asserts the impacts are incorrect and an impact level of significant and unavoidable and cumulative considerable is possible. The commenter states no development should be allowed on land north of the railroad tracks and the Draft EIR should include specific mitigation for the species. The commenter states an obvious mitigation is to delete the new housing/commercial/retail development in this area and references the RHNA requirements.

Draft EIR Section 4.4, Biological Resources, provides a list of special-status species that are documented within one mile of Martinez, their habitat, and current protective status, which includes the salt-marsh harvest mouse. The Draft EIR documents that subsequent development under the proposed General Plan Update could result in the direct loss of habitat areas associated with these special-status animal species, since suitable habitat for

these species does occur in the region. Additionally, indirect impacts to special-status animal species could occur with implementation of the General Plan Update. Indirect impacts could include habitat degradation as a result of impacts to water quality, increased human presence, and the loss of foraging habitat. Special-status animal species receive protection from various federal and State laws and regulations, including FESA and CESA. These regulations generally prohibit the taking of a species or direct impact to foraging and breeding habitat without a special permit. Additionally, the proposed General Plan Update includes numerous policies and implementation measures intended to reduce or avoid impacts to special-status animal species. The analysis is accurate and does not warrant any changes based on this comment.

Refer also to Responses A-7, A-8, and A-10. As discussed in Response A-8, Draft EIR Figure 2-2, 2035 General Plan Land Use Map, has been revised in the Final EIR to change the previously proposed Downtown Government (DG) designation for the block north of the Union Pacific Railroad (UPRR) tracks and east of Berrellesa Street to Public Institutions (PI) and the Downtown Shoreline (DS) designation of the block north of the UPRR tracks and west of Berrellesa Street to the proposed Marina Waterfront (MW) designation. Neither of these proposed land use designations (PI or MW) would allow for residential development.

- A-14 The comment references impacts to Biological Resources summarized in the Draft EIR Executive Summary and specifically the potential impacts housing and commercial/retail development north of the railroad tracks will “impinge upon the salt marsh open space and park land and Alhambra Creek”. Specific references are made to comments provided in the NOP to flora and fauna associated with noise; impacts on sports and park facilities in Waterfront Park; impacts of light pollution; impacts of colling and shadowing; impacts caused by buildings to the visual connection with the waterfront; impacts on the ability of the salt-water marsh and park land to absorb sea level rise; and impacts on Alhambra. The commenter states an obvious mitigation is to delete the new housing/commercial/retail development in this area and references the RHNA requirements.

Refer to Responses A-7, A-8, and A-10. As discussed in Response A-8, Draft EIR Figure 2-2, 2035 General Plan Land Use Map, has been revised in the Final EIR to change the previously proposed Downtown Government (DG) designation for the block north of the Union Pacific Railroad (UPRR) tracks and east of Berrellesa Street to Public Institutions (PI) and the Downtown Shoreline (DS) designation of the block north of the UPRR tracks and west of Berrellesa Street to the proposed Marina Waterfront (MW) designation. Neither of these proposed land use designations (PI or MW) would allow for residential development. The analysis is accurate and does not warrant any changes based on this comment.

- A-15 The comment references impacts to Biological Resources summarized in the Draft EIR Executive Summary and specifically the potential impacts the harvest mouse that resides in the salt marsh north of the railroad tracks. The commenter asserts the impacts are

incorrect. The commenter states an obvious mitigation is to delete the new housing/commercial/retail development in this area and references the RHNA requirements.

Refer to Response A-13.

- A-16 The comment references Cultural Resources Impact 4.5-1 and states housing densities and height limits within the Downtown area would create “canyons of view between blocks of solid building” and this is a significant and unavoidable and cumulatively considerable impact. The commenter states the area has older buildings that are not greater than three stories with views of surrounding hills and marshland and parks. The commenter asserts that development will potentially devastate the current historic resources and that mitigation measures need to be identified. Similar to previous comments, the commenter notes an “obvious” mitigation is to reduce the amount of new housing and references the RHNA requirements.

The Martinez Downtown Specific Plan is a policy and a regulatory document that guides development of the Downtown Specific Plan area and is therefore discussed in the regulatory section of applicable sections of the Draft EIR. A Specific Plan is regulated by State Government Code Sections 65450-65457. Specific Plans serve as a standalone planning document, describing property-specific guidelines to aid in meeting the General Plan goals. The proposed General Plan Update Land Use designations would be consistent with the land use designations in the Downtown Specific Plan. The Downtown Specific Plan currently allows development at a height limit of 40 feet or three stories. Further, the Downtown Specific Plan allows for the Planning Commission to approve taller buildings by use permit. This would occur on a project-by-project basis. The General Plan Update incorporates the existing height limits of the Downtown Specific Plan into the applicable land use designations for consistency with the Martinez Downtown Specific Plan. The potential for development at these heights has been analyzed within the certified Martinez Downtown Specific Plan EIR. Future development within the Martinez Downtown Specific Plan would be required to comply with the development standards and the design standards and guidelines specific to the district in which it is located.

In addition to site-specific development being reviewed for consistency with General Plan goals and policies, Municipal Code Chapter 2.26, Design Review Committee, provides that development projects in “visually significant areas,” within City limits be reviewed on the basis of Chapter 22.34, General Requirements and Exceptions, which establishes provisions and exceptions that are common to more than one or all zoning districts. This review ensures that the architecture and general appearance of the site, structures and grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the City, and reflect City development policies and goals.

Draft EIR Section 4.5, Cultural and Tribal Cultural Resources, addresses the potential for substantial adverse change in the significance of historical resources. The Draft EIR recognizes known and potentially unknown historic resources within the City and states that while the General Plan Update does not directly propose any changes to any historic resources, future development allowed under the General Plan Update could cause a substantial adverse change in the significance of known historical resources or unknown historical resources which have not yet been identified. This is considered a potentially significant impact. The proposed General Plan Update includes goals, policies, and implementation measures to address the protection of historical resources. HCA-I-1.1d requires the preparation of a historic context for Downtown Martinez and other historic areas of the City; which will then be utilized to identify structures that may be eligible for local, State and national historic resource designation. HCA-1.1e allows for the continued effort to work with and support the Martinez Historical Society in their efforts to help preserve Martinez's history. Implementation Measure HCA-I-1.1f requires a cultural and archaeological survey prior to approval of any project where a known historic, archaeological, or other cultural resource is located, where a project would require excavation in an area that is known to be sensitive for cultural or archaeological resources, or on land that has not been significantly disturbed previously. Additionally, Implementation Measure LU-2.1a in the Land Use Element requires the City to continue to implement the Downtown Specific Plan. The Downtown Specific Plan includes goals and policies related to the protection and preservation of historic structures.

As future development and infrastructure projects are considered by the City, each project would be evaluated for conformance with the City's General Plan, Municipal Code, and other applicable State and local regulations relative to historic and potentially historic resources. Subsequent development and infrastructure projects would also be analyzed for potential environmental impacts, consistent with the requirements of CEQA, pursuant to the City's entitlement review process. Projects would need to comply with the City of Martinez Municipal Code Chapter 22.47, which establishes the framework for the preservation of structures and districts which significantly contribute to the cultural and architectural heritage of the City. Further, for structures that potentially have historical significance, the City would require preparation of a study by a qualified professional archaeologist or historian to determine the significance of the structure and potential impacts of the proposed development in compliance with CEQA. Therefore, compliance with the General Plan Update policies and actions and existing regulations, would not cause a substantial adverse change in the significance of a historical resource. The analysis is accurate and does not warrant any changes based on this comment.

Refer also to Response A-4, A-7, and A-8.

- A-17 The comment references impacts to Geology, Soils & Mineral Resources summarized in the Draft EIR Executive Summary and specifically liquefaction dangers and danger from

earthquake around areas identified for housing in the waterfront or in areas south and north of the railroad tracks. The comment states a level of significant and unavoidable and cumulative considerable is appropriate and mitigation should include mandatory testing and reduction (or elimination) of development intensity.

As discussed in Response A-8, Draft EIR Figure 2-2, 2035 General Plan Land Use Map, has been revised in the Final EIR to change the previously proposed Downtown Government (DG) designation for the block north of the Union Pacific Railroad (UPRR) tracks and east of Berrellesa Street to Public Institutions (PI) and the Downtown Shoreline (DS) designation of the block north of the UPRR tracks and west of Berrellesa Street to the proposed Marina Waterfront (MW) designation. Neither of these proposed land use designations (PI or MW) would allow for residential development.

Draft EIR Section 4.6, Geology, Soils & Mineral Resources addresses the potential impacts associated with liquefaction. Specifically, Draft EIR Figure 4.6-2 identifies areas of liquefaction potential. There are a variety of geotechnical strategies that can be implemented to mitigate the potential for structural damage. These include appropriate foundation design, engineering soils, groundwater management, and the use of special flexible materials for construction. As future development and infrastructure projects are considered by the City, each project will be evaluated for conformance with the CBSC, the City's General Plan, Zoning Ordinance, and other regulations, which include site-specific geotechnical and soil studies. Specifically Public Safety Element Policy PS-P-1.2 and Implementation Measure PS-1-3.1.c requires developments within areas with identified geotechnical hazards shall conform to the mitigation measures identified in a site-specific geotechnical report and/or the project and/or site shall be modified to respond to the site's hazards and conditions. Subsequent development and infrastructure projects would also be analyzed for potential environmental impacts, consistent with the requirements of CEQA. In addition to the requirements associated with the CBSC and the Municipal Code, the General Plan includes policies and actions to address potential impacts associated with seismic activity. The analysis is accurate and does not warrant any changes based on this comment. Refer also to Response A-7 and A-8.

- A-18 The comment references a construction project that required revisions due to unstable soil issues and that the General Plan Update does not address the serious nature of the issue and references the previous comment regarding development on the north and south of the tracks.

Refer to Response A-17.

- A-19 The comment references the potential for a major earthquake to significantly damage development to the areas north of the train tracks and generally references an earthquake report prepared for the Downtown Specific Plan.

Refer to Response A-8. The comment is noted. The comment does not raise new environmental information or directly challenge information provided in the Draft EIR. Draft EIR Section 4.6, Geology, Soils & Mineral Resources, addresses the potential impacts associated with strong seismic ground shaking. The Draft EIR acknowledges that future development could expose people or structures to potential adverse effects associated with a seismic event, including strong ground shaking and seismic-related ground failure. The Draft EIR incorporates recent information from the County Hazard Mitigation Plan and recent data from the United States Geologic Survey (USGS) regarding the potential for the Study Area to experience “severe shaking” over the next 50 years. The potential for structures to be adversely affected by fault rupture is considered to be high based on the close proximity of known faults. The effect of this intensity level could cause poorly constructed buildings to suffer partial or full collapse. Some well-constructed buildings could be damaged, and unreinforced walls could fall. Poorly constructed buildings could collapse, well-constructed buildings could be heavily damaged, and retrofitted buildings could be damaged.

Future development projects would be required to comply with the provisions of the CBSC, which requires development projects to perform geotechnical investigations in accordance with State law, engineer improvements to address potential seismic and ground failure issues, and to use earthquake-resistant construction techniques to address potential earthquake loads when constructing buildings and improvements. As future development and infrastructure projects are considered by the City, each project will be evaluated for conformance with the CBSC, the City’s General Plan, Zoning Ordinance, and other regulations. Subsequent development and infrastructure projects would also be analyzed for potential environmental impacts, consistent with the requirements of CEQA. In addition to the requirements associated with the CBSC and the Municipal Code, the General Plan includes policies and actions to address potential impacts associated with seismic activity. Specifically Public Safety Element Policy PS-P-1.2 and Implementation Measure PS-1-3.1.c requires developments within areas with identified geotechnical hazards shall conform to the mitigation measures identified in a site-specific geotechnical report and/or the project and/or site shall be modified to respond to the site’s hazards and conditions.

The General Plan Update policies require new land development proposals to avoid unreasonable exposure to geologic hazards, including earthquake damage, subsidence, liquefaction, and expansive soils. All development and construction proposals are reviewed by the City to address seismic safety issues and would be required to provide adequate mitigation for existing and potential hazards identified. Implementation of applicable General Plan policies and building code requirements ensure that development on soils sensitive to seismic activity is only allowed after adequate site analysis, including

appropriate siting, design of structure, and foundation integrity. The analysis is accurate and does not warrant any changes based on this comment.

- A-20 The comment references a meeting that included discussion of a recent HazMat report and areas that could result in liquefaction and displacement of train tracks.

The comment is noted. The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is required.

- A-21 The comment continues to reference the concern for earthquakes and liquefaction at the site of proposed “high-density housing which is on fragile soils both south and north of the railroad tracks running the width of Martinez”. The comment also notes the areas are susceptible to sea-level rise. The comment misrepresents the discussion in the Draft EIR stating it says “there are no impacts” and that the impacts are significant and unavoidable and cumulatively considerable and should be subject to mitigation measures like building restrictions or prohibitions on all the affected land. Similar to previous comments, the commenter notes an “obvious” mitigation is to reduce the amount of new housing and references the RHNA requirements.

Refer to Responses A-4, A-7, A-8, A-17, and A-19. As discussed in Response A-8, Draft EIR Figure 2-2, 2035 General Plan Land Use Map, has been revised in the Final EIR to change the previously proposed Downtown Government (DG) designation for the block north of the Union Pacific Railroad (UPRR) tracks and east of Berrellesa Street to Public Institutions (PI) and the Downtown Shoreline (DS) designation of the block north of the UPRR tracks and west of Berrellesa Street to the proposed Marina Waterfront (MW) designation. Neither of these proposed land use designations (PI or MW) would allow for residential development. The analysis is accurate and does not warrant any changes based on this comment.

- A-22 The comment references Draft EIR Greenhouse Gases, Climate Change & Energy Impact 4.7-1, stating the plan conflicts with State goals for greenhouse gas reductions; the added housing will result in increased population and VMT increase and notes human activity is the largest source of greenhouse gas generation and will work against the major goal of the State to reduce greenhouse gas emissions and the commercial and retail activity will have the same effect. The comment references the impact on the waterfront and environs and this issue is significant and unavoidable and cumulatively considerable. The comment states an obvious mitigation is to reduce the amount of new development in the General Plan and references the growth projections and RHNA requirements.

Refer to Responses A-4, A-7, and A-8. As discussed in Draft EIR Section 4.7, Greenhouse Gas Emissions, Climate Change & Energy, the land use modifications proposed as part of the General Plan Update would result in a reduction in VMT per capita. Although VMT per employee would increase when compared to existing conditions, overall, buildout of the

proposed General Plan Update would result in a reduction in VMT per service population when compared to existing conditions.

According to CARB's 2017 Climate Change Scoping Plan, the transportation sector remains the largest source of GHG emissions in the State, accounting for 37% of the inventory (CARB, 2017). A typical passenger vehicle emits approximately 4.6 metric tons of CO₂ per year (U.S. EPA, 2018). This number can vary based on a vehicle's fuel, fuel economy, and the number of miles driven per year. The 3.5% reduction in VMT per service population (under buildout for the proposed General Plan Update compared with existing conditions) would have a substantial reduction in per service population greenhouse gas emissions.

Additionally, in order to reduce community-wide GHG emissions, the proposed General Plan Update emphasizes pedestrian-oriented neighborhoods, appropriately-scaled commercial areas with strong pedestrian and bicycle connections, and infill development within the Downtown with a commitment to develop more housing along with amenities and services to meet the day-to-day needs of residents in a pedestrian-friendly environment served by transit. The Land Use Plan and policies and implementation measures emphasize alternative transportation access and multimodal connectivity throughout the Study Area and into the surrounding areas. The General Plan Update's proposed land use plan and policy framework has been prepared with the intent of reducing GHG emissions associated with future development and improvement projects. Future development would support placement of land uses in proximity to each other and to transit; reducing vehicle trips. Therefore, modifications to the land use plan to reduce housing development potential, especially in areas that would provide for reduced VMT would not eliminate significant and unavoidable impacts associated with greenhouse gas emissions. The analysis is accurate and does not warrant any changes based on this comment.

- A-23 The comment references Draft EIR Hazards and Hazardous Materials Impact 4.8-1 and 4.8-2, stating construction of housing north of the railroad tracks would disturb soil previously used as part of a City dump. The comment further asserts the less than significant level of significance may be wrong and should be analyzed; impacts could be significant and unavoidable and cumulatively considerable. The comment states an obvious mitigation is to reduce the amount of new development in the General Plan and references the growth projections and RHNA requirements.

Refer to Response A-7 and A-8. As discussed in Response A-8, Draft EIR Figure 2-2, 2035 General Plan Land Use Map, has been revised in the Final EIR to change the previously proposed Downtown Government (DG) designation for the block north of the Union Pacific Railroad (UPRR) tracks and east of Berrellesa Street to Public Institutions (PI) and the Downtown Shoreline (DS) designation of the block north of the UPRR tracks and west of Berrellesa Street to the proposed Marina Waterfront (MW) designation. Neither of

these proposed land use designations (PI or MW) would allow for residential development. The analysis is accurate and does not warrant any changes based on this comment.

- A-24 The comment references Draft EIR Hazards and Hazardous Materials Impact 4.8-5 and 4.8-6, stating General Plan implementation will impact emergency evacuation of the waterfront and the ability for the public to evacuate the area in case of wildfire. The commenter references the potential for a train to breakdown or an accident that closes both railroad crossings and construction of housing north of the railroad tracks could be catastrophic. The comment further asserts impacts could be significant and unavoidable and cumulatively considerable. The comment states an obvious mitigation is to reduce the amount of new development in the General Plan and references the growth projections and RHNA requirements.

Refer to Response A-4, A-7, and A-8. As discussed in Response A-8, Draft EIR Figure 2-2, 2035 General Plan Land Use Map, has been revised in the Final EIR to change the previously proposed Downtown Government (DG) designation for the block north of the Union Pacific Railroad (UPRR) tracks and east of Berrellesa Street to Public Institutions (PI) and the Downtown Shoreline (DS) designation of the block north of the UPRR tracks and west of Berrellesa Street to the proposed Marina Waterfront (MW) designation. Neither of these proposed land use designations (PI or MW) would allow for residential development. The analysis is accurate and does not warrant any changes based on this comment.

- A-25 The Comment references Draft EIR Hydrology and Water Quality impacts as summarized in the Executive Summary, stating development north and south of the railroad tracks can directly impact the salt water marshland and referencing the salt marsh harvest mouse. The comment states the potential for Alhambra Creek to be flooded due to extreme runoff from climate change and the pollutant release from the garbage dump that underlies much of the area needs to be studied before allowing development. The comment further asserts impacts could be significant and unavoidable and cumulatively considerable. The comment states an obvious mitigation is to reduce the amount of new development north and south of the railroad tracks and references the growth projections and RHNA requirements.

Refer to Response A-4, A-7, A-8, and A-13. As discussed in Response A-8, Draft EIR Figure 2-2, 2035 General Plan Land Use Map, has been revised in the Final EIR to change the previously proposed Downtown Government (DG) designation for the block north of the Union Pacific Railroad (UPRR) tracks and east of Berrellesa Street to Public Institutions (PI) and the Downtown Shoreline (DS) designation of the block north of the UPRR tracks and west of Berrellesa Street to the proposed Marina Waterfront (MW) designation. Neither of these proposed land use designations (PI or MW) would allow for residential development.

Draft EIR Section 4.9, Hydrology and Water Quality, addresses potential impacts associated with new development anticipated by the General Plan including to water quality and

flooding. Future development projects are required to prepare a detailed project specific drainage plan and a Storm Water Pollution Prevention Plan (SWPPP) that will control storm water runoff and erosion, both during and after construction. If the project involves the discharge of dewatering into surface waters, the project proponent will need to acquire a Dewatering Permit, NPDES permit, and Waste Discharge permit from the RWQCB.

The City of Martinez has developed the General Plan Update to include policies that will reduce storm water pollution from new development and protect and enhance natural storm drainage and water quality features. As described under the Regulatory Setting, the City is required to implement a range of measures and procedures when reviewing new development and infrastructure projects. Chapter 15.30 of the City's Municipal Code establishes minimum storm water management requirements and controls and outlines discharges which violate industrial or construction activity NPDES permit. The City regulates stormwater quality and prohibits discharges of pollutants into surface waters unless the discharge is authorized by an NPDES storm water discharge permit. Compliance with existing City construction and stormwater management codes, and submittal of a site-specific drainage study and SWPPP, would reduce potential impacts related to stormwater quality associated with future development projects consistent with the General Plan Update. The policies identified within Section 4.9 include numerous requirements that would, collectively, reduce the potential for General Plan Update implementation to result in increased water quality impacts. In addition, compliance with the Clean Water Act and regulations enforced by the RWQCB would ensure that construction-related impacts to water quality are minimized, and future projects comply with all applicable laws and regulations.

In addition to complying with the NPDES programs and Municipal Code stormwater requirements described previously, the General Plan Update contains policies and implementation measures to reduce impacts associated with stormwater and drainage including policies which require new development to demonstrate how storm water runoff will be detained or retained on-site and/or conveyed to the nearest drainage facility as part of the development review process. Specifically Implementation Measure OSC-I-9.2b requires new development to incorporate treatment measures, site design techniques, and source controls to address stormwater runoff pollutant discharges and prevent increases in runoff rates in development projects. Implementation Measure PS-I-6.6a requires as a condition of approval for new development and redevelopment of existing sites, storm water detention or retention facilities (on- or off -site), if necessary, to prevent flooding due to run-off or where existing storm drainage facilities are unable to accommodate increased storm water drainage.

Additionally, the General Plan Update policies and implementation measures require the City to continue to review development projects to identify potential stormwater and

drainage impacts and require development to include measures to ensure that off-site runoff is not increased as a during rain and flood events. Specifically Policy PS-P-6.2 requires new developments to be designed to minimize hazards associated with flooding and limit the amount of runoff that contributes to flooding and Policy PS-P-6.6 requires construction of storm drainage facilities and Low Impact Development (LID) techniques for new development. Implementation Measure PS -I-6.1f requires individual development projects located in areas subject to flooding to reduce or alleviate flood hazard conditions through preparation of hydrological studies and incorporation of mitigation measures. Individual development project mitigation would be required to demonstrate, through qualified engineering analyses, that no adverse flooding impacts are created by development on upstream and downstream properties in the project vicinity. Compliance requirements would be consistent with those prescribed in the Municipal Code. The analysis is accurate and does not warrant any changes based on this comment.

- A-26 The comment references Draft EIR Land Use and Planning Impact 4.10-2 and states there are numerous internal conflicts between the various sections and elements of the Draft General Plan and the General Plan is internally inconsistent and that this should could result in significant and unavoidable and cumulatively considerable impacts.

The comment is noted. However, the comment is specific to the General Plan and the claims of inconsistencies as they pertain to the Draft EIR lack any specificity or suggestion that could enable the City to consider text changes, additional analysis, or other specific considerations.

- A-27 The Comment references Draft EIR Noise impacts as summarized in the Executive Summary, stating noise levels around the railroad tracks exceed levels allowed in the General Plan and no testing has been done in close proximity to where the greatest amount of new housing is being proposed. The comment also references previous comments provided on the General Plan regarding existing noise levels associated with the trains and that noise in the area of proposed high-density housing is probably above the tested level. The commenter asserts allowing housing at this site conflicts with the noise criteria identified in the proposed General Plan Update and that vibration in the high-density housing areas need to be tested due to freight trains. The comment states specific studies should occur in the area and noise impacts could be significant and unavoidable and cumulatively considerable. The comment states an obvious mitigation is to reduce the amount of new development north and south of the railroad tracks and references the growth projections and RHNA requirements.

Refer to Responses A-4, A-7, and A-8. As discussed in Response A-8, Draft EIR Figure 2-2, 2035 General Plan Land Use Map, has been revised in the Final EIR to change the previously proposed Downtown Government (DG) designation for the block north of the Union Pacific Railroad (UPRR) tracks and east of Berrellesa Street to Public Institutions (PI)

and the Downtown Shoreline (DS) designation of the block north of the UPRR tracks and west of Berrellesa Street to the proposed Marina Waterfront (MW) designation. Neither of these proposed land use designations (PI or MW) would allow for residential development.

Draft EIR Section 4.11, Noise, addresses potential noise impacts associated with implementation of the General Plan Update. Noise measurements were taken and reference noise measurements associated with railroad noise levels, including a measurement at a distance of 140 feet from the railroad tracks, were provided. While the General Plan Update does not specifically propose any new noise generating uses, the General Plan Update does allow development and redevelopment in accordance with the Land Use Map, which may result in new noise sources and could expose sensitive uses to elevated noise levels.

The General Plan Update could result in new or redeveloped noise sensitive uses in the vicinity of the rail lines. These uses could be exposed to excessive noise levels during train pass-bys and when train warning horns are sounded. The General Plan Update establishes interior and exterior noise level standards for noise-sensitive areas of new uses affected by transportation-related noise. Implementation measure NA-I-1.1a requires new development proposals to be evaluated for compliance with the interior and exterior noise standards established by Policy N-P-1.1. Measure NA-I-1.3a requires an acoustical analysis for development projects that may result in violation of the established noise standards. Implementation measure NAI-3.1b encourages actions such as quiet zones to reduce impacts of train noise near Downtown and also the use of best available or practical technology to minimize noise. Implementation of these General Plan Update policies and implementation measures would ensure that development allowed under the General Plan Update would not be exposed to noise levels associated with railroad operations in excess of the City's established standards. The analysis is accurate and does not warrant any changes based on this comment.

- A-28 The Comment references Draft EIR Population and Housing impacts as summarized in the Executive Summary, stating population increase will occur and result in significant and unavoidable and cumulative impacts. The comment states a calculation of housing units and population is not provided and therefore the impact cannot be evaluated. The comment asserts that new development in the Downtown will displace existing residents. The comment states an obvious mitigation is to reduce the amount of new development north and south of the railroad tracks and references the growth projections and RHNA requirements.

Refer to Responses A-4 and A-7. Draft EIR Section 4.12, Population and Housing, addresses potential population and housing impacts associated with implementation of the Draft General Plan Update. Section 4.12 identifies the population growth associated with development of up to 2,060 dwelling units based upon 2.50 persons per household as

provided by the California Department of Finance. Growth under the proposed General Plan Update would remain within the general growth levels projected statewide, and would not be anticipated to exceed any applicable growth projections or limitations that have been adopted to avoid an environmental effect. The proposed General Plan Update includes goals and policies that mitigate environmental impacts associated with growth, such as air quality, noise, traffic, water supply, and water quality effects. Additionally, this Draft EIR includes mitigation measures, where appropriate, to reduce or eliminate potentially significant impacts associated with specific environmental issues associated with growth. Sections 4.1 through 4.16 provide a discussion of environmental effects associated with development allowed under the proposed General Plan Update.

While the proposed General Plan Update does not directly propose any development, it would allow for the development and redevelopment of lands within the City in areas that are both currently occupied and unoccupied by people and existing housing units. The adopted 2015 Housing Element identifies vacant and underutilized parcels within the City that could accommodate new housing. Future housing development within the City will consist of developing vacant parcels, and increased densities of underutilized parcels to meet future needs and housing goals. The proposed General Plan Update would accommodate approximately 2,060 new housing units in the City limits and SOI (865 Single Family units and 1,195 Multi-Family units). As most of the new development would occur through infill, new mixed-use development, and development of vacant parcels, it is not anticipated that substantial numbers of housing or people would be displaced, and that the General Plan Update, therefore, would not require the construction of replacement housing. Future growth will be directed into development areas, which are identified in the Housing Element as the most suitable locations for higher density residential and mixed-use development projects. Additionally, the City's Housing Element Policy 2.4 discourages the loss of housing units and the conversion of residential uses to non-residential uses, unless there is a finding of public benefit and that equivalent housing can be provided for those who have been displaced by the proposed conversion. Further, the General Plan Update Land Use Element contains policies and implementation measures that protect existing residential uses, namely Implementation Measure 1.4a and Policy 4.2. The analysis is accurate and does not warrant any changes based on this comment.

- A-29 The comment references Draft EIR Public Services Impact 4.13-1 and 4.13-2, stating the plan for development north of the railroad tracks will require fire and police to develop new and costly ways to access the housing units and residents and there is no discussion or plan for providing access and this could result in significant unavoidable and cumulative impacts. The comment states an obvious mitigation is to reduce the amount of new development in the General Plan and references the growth projections and RHNA requirements.

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

Refer to Response A-4, A-7, and A-8. As discussed in Response A-8, Draft EIR Figure 2-2, 2035 General Plan Land Use Map, has been revised in the Final EIR to change the previously proposed Downtown Government (DG) designation for the block north of the Union Pacific Railroad (UPRR) tracks and east of Berrellesa Street to Public Institutions (PI) and the Downtown Shoreline (DS) designation of the block north of the UPRR tracks and west of Berrellesa Street to the proposed Marina Waterfront (MW) designation. Neither of these proposed land use designations (PI or MW) would allow for residential development. The analysis is accurate and does not warrant any changes based on this comment.

- A-30 The comment states the population increase will put the City further behind in the goal for parkland that is part of the Municipal Code. The comment asserts the City Park inventory is incorrect, as it includes almost 135 acres not previously included as park inventory. The commenter includes comments provided on the Draft General Plan regarding the parkland acreages provided in the Parks and Community Facilities Element. The commenter notes referring to the marina as a “park” is not correct as it is owned and controlled by the State, which authorizes and encourages commercial development. Additionally, the commenter notes the Waterfront Park acreage has increased from 31 acres to 76.5 acres and requests the errors be corrected. The commenter references and includes a list of parks from the City’s Park System Master Plan 2007-2012 and notes the only significant change to park land since the inventory was published is to add Pine Meadow Park for approximately 9 acres. Two small parkettes have also been added, totaling 0.87 acres. The parkland calculation and parkland per population ratio is provided by the commenter, noting the goal of 5.0 acres of parkland per 1,000 residents has not been met. Additional information regarding why the marina is not a park is also provided.

Since issuance of the Draft EIR for public review, further direction has been provided by the Martinez City Council regarding the City’s park inventory. For purposes of the General Plan and Draft EIR, the Marina will not be identified as a park and the Waterfront Park area will be defined as 31 acres per the City’s Park System Master Plan. These areas will be further considered as part of the new Waterfront Marina Trust Land Use Plan. Draft EIR Section 4.13, Public Services and Recreation, has been revised in the Final EIR Section 3.0, Errata.

- A-31 The comment references Draft EIR Transportation and Circulation Impacts as summarized in the Executive Summary, stating the General Plan Update would conflict with programs/policies for bike safety and safety of similar modes of transportation. The comment states that parking needs are not addressed and bike and other similar alternative transportation users will be impacted. The remainder of the comment discusses the lack of parking or existing parking deficiencies, as well as the impact of higher-density resulting in greater population and increased vehicle traffic and increase in bike riding and safety concerns. The comment states an obvious mitigation is to reduce the

amount of new development in the General Plan and references the growth projections and RHNA requirements.

Refer to Response A-7. Draft EIR Section 4.14, Transportation and Circulation, addresses alternative modes of transportation, including bicycle and pedestrian circulation. The Draft EIR acknowledges that vehicle trips would increase with implementation of the General Plan Update. However, the General Plan Update Land Use Plan and policies and implementation measures emphasize alternative transportation access and multimodal connectivity throughout the Study Area and into the surrounding areas. The General Plan Update's proposed land use plan and policy framework has been prepared with the intent of reducing VMT and GHG emissions associated with future development and improvement projects. Future development would support placement of land uses in proximity to each other and to transit; reducing vehicle trips. General Plan Update policies and implementation measures specifically address the reduction of congestion, promotion of non-motorized travel, and planning for safe, complete, and well-connected neighborhood streets, as well as evaluating projects to ensure that the safety, comfort, and convenience of pedestrians, bicyclists, and transit users are considered. Further, the policies promote Complete Streets that enable safe, comfortable, and attractive access for all users. The adequacy of parking is not a CEQA topic; parking requirements are provided in the City's Municipal Code. The analysis is accurate and does not warrant any changes based on this comment.

- A-32 The comment references Draft EIR Utilities Impact 4.15-1 regarding water supplies, noting Martinez is subject to droughts and this is a significant unavoidable and cumulative impact that is affected by population increase. The comment states an obvious mitigation is to reduce the amount of new development in the General Plan and references the growth projections and RHNA requirements.

Refer to Response A-7. Draft EIR Section 4.15, Utilities and Service Systems, addresses water supply. As stated, the City receives untreated imported water from Contra Costa Water District (CCWD). As the water supplier, CCWD is an expert agency on its ability to provide water and meet service demands. CCWD's Urban Water Management Plan demonstrates CCWD's supply would exceed demand during normal year and single dry year conditions. During multi-year droughts, CCWD would experience a supply deficit. The deficits are not projected to exceed 15 percent of demand. CCWD's water supply reliability goal is to meet 100 percent of demand in normal years and a minimum of 85 percent of demand during dry conditions. The UWMP indicates that potential supply shortfalls will be met through a combination of short-term conservation program and short-term water purchases. The City's water utility operates treatment, storage, pumping, transmission, distribution and fire protection facilities which deliver water for use by customers located inside the City's water service area. The water service area encompasses approximately 10,300 acres. As documented in the City's 2020 UWMP, water supply within the City water

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

service area is expected to meet water demand through 2045 with the implementation of water contingency planning efforts.

For future qualifying projects, a Water Supply Assessment would be required pursuant to SB 610 for inclusion in the project's CEQA analysis. The Water Supply Assessment discerns whether the expected demand from the development being proposed has been accounted for in the forecasted demands in the most recent UWMP. A Written Verification of Supply per SB 221 is prepared as a condition of approval for a subdivision map of 500 units or more. Considered a fail-safe mechanism to provide sufficient evidence that adequate water supplies are available before construction begins, the Written Verification of Supply is also prepared/adopted by the water supplier and approved by the land use authority. Depending on the project, one or both of these analyses may be required. Development proposals that may not warrant a Water Supply Assessment and/or Written Verification of Supply, but meet the definition of a project under CEQA, would still require an analysis of sufficient water supplies in the CEQA process. In addition, the proposed General Plan Update includes a range of policies and implementation measures designed to ensure an adequate water supply for development and to minimize the potential adverse effects of increased water use. The analysis is accurate and does not warrant any changes based on this comment.

- A-33 The comment references Draft EIR Utilities Impacts as summarized in the Executive Summary, stating the water treatment plant is located on the waterfront and is subject to sea level rise. The comment restates information regarding the potential for earthquakes. The comment states an obvious mitigation is to reduce the amount of new development in the General Plan and references the growth projections and RHNA requirements.

The comment is noted. The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is necessary. Refer to Responses A-7, A-17, A-19, and A-21.

- A-34 The comment references Draft EIR Wildfires Impact 4.16-1, specifically regarding the potential for housing development north of the railroad tracks and the potential for the two track overcrossings to be blocked. The comment notes the emergency response and/or emergency evacuation plan for the area would have to be improved if the General Plan is implemented and this could result in a significant unavoidable and cumulative impact. The comment states an obvious mitigation is to reduce the amount of new development in the General Plan and references the growth projections and RHNA requirements.

Refer to Response A-4, A-7, and A-8. As discussed in Response A-8, Draft EIR Figure 2-2, 2035 General Plan Land Use Map, has been revised in the Final EIR to change the previously proposed Downtown Government (DG) designation for the block north of the Union Pacific Railroad (UPRR) tracks and east of Berrellesa Street to Public Institutions (PI)

and the Downtown Shoreline (DS) designation of the block north of the UPRR tracks and west of Berrellesa Street to the proposed Marina Waterfront (MW) designation. Neither of these proposed land use designations (PI or MW) would allow for residential development. Further, this area of the City is not located within a Fire Hazard Severity Zone in a State Responsibility Area. The analysis is accurate and does not warrant any changes based on this comment.

- A-35 The comment references Draft EIR Wildfires Impact 4.16-2 and 4.16-4 as summarized in the Executive Summary, stating the potential for wildfires traveling over the hills and threatening structures along Alhambra Avenue as well as the potential for fires in the Downtown with increased structures and density of housing in the area and this could result in a significant unavoidable and cumulative impact. The comment states an obvious mitigation is to reduce the amount of new development in the General Plan and references the growth projections and RHNA requirements.

Refer to Response A-4 and A-7. Draft EIR Section 4.16, Wildfires, identifies the that the Study Area contains Moderate to High Fire Hazard Severity Zones (FHSZs) within State Responsibility Areas (SRAs), and Very High Fire Hazard Severity Zones (VHFHSZs) within Local Responsibility Areas (LRAs) and acknowledges that future development would result in additional residents and businesses in the City, including new residential, commercial, and industrial uses. However, future development would be designed, constructed, and maintained in accordance with applicable standards, such as the California Fire Code (Chapter 15.28 of the Municipal Code) and the California Building Code (Chapter 15.04 of the Municipal Code), including vehicular access to ensure that adequate emergency access and evacuation would be maintained. Further, the City's emergency preparedness manual provides policies and procedures for the evacuation, dispersal, or relocation of people. The General Plan Update includes policies and implementation measures to address emergency response and evacuation, namely within the Public Safety Element. The analysis is accurate and does not warrant any changes based on this comment.

- A-36 The comment references two emails and states the Draft EIR deadline should be extended and all public comments posted.

The comment is noted and will be provided to the appointed and elected decision makers for their consideration. The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is necessary.

- A-37 The comment notes the City make a mistake in publishing the deadline for comments on the Draft EIR as September 24, 2022 when the deadline was September 22, 2022.

The mistake was acknowledged by the City and notification was provided indicating that comments on the Draft EIR would be accepted through September 24, 2022.

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

A-38 The comment notes the City mistakenly stated the deadline was for comments on both the General Plan Update and Draft EIR when the deadline was for comments on the Draft EIR only. The comment asserts this affected citizens and their focus on commenting on the General Plan Update and not the Draft EIR.

The City clarified the 45-day public review period ending on September 22, 2022 (with comments being accepted through September 24, 2022) applied to the Draft EIR.

A-39 The comment refers to comments on the Draft General Plan Update and that the City is not making them available and requests that be changed.

The comment is noted and will be provided to the appointed and elected decision makers for their consideration. The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is necessary.

A-40 The comment addresses park acreage and ability to collect developer park impact fees and also provides the commenters opinion regarding posting comment letters on the City's website.

The comment is noted and will be provided to the appointed and elected decision makers for their consideration. The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is necessary.

A-41 The comment references density increases and provides calculations on increases in density and asserts this information should be provided and the comment deadline should be extended to provide this information.

The comment is noted and will be provided to the appointed and elected decision makers for their consideration. The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is necessary.

A-42 The comment is specific to staff's consideration of housing on the waterfront and increasing the height limits in the Downtown.

Refer to Response A-6, A-8, and A-16. As discussed in Response A-8, Draft EIR Figure 2-2, 2035 General Plan Land Use Map, has been revised in the Final EIR to change the previously proposed Downtown Government (DG) designation for the block north of the Union Pacific Railroad (UPRR) tracks and east of Berrellesa Street to Public Institutions (PI) and the Downtown Shoreline (DS) designation of the block north of the UPRR tracks and west of Berrellesa Street to the proposed Marina Waterfront (MW) designation. Neither of these proposed land use designations (PI or MW) would allow for residential development. Further, this area of the City is not located within a Fire Hazard Severity Zone in a State Responsibility Area. The analysis is accurate and does not warrant any changes based on this comment.

A-43 The comment requests the 45-day review period for the Draft EIR be extended.

The comment is noted and will be provided to the appointed and elected decision makers for their consideration. The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is necessary.

Comments on GPU Revised Draft--- Land Use Element Section 2

This covers comments for Figure 2-4 Land Use Map that shows illegal housing on the waterfront. Links to the map are throughout the GPU. Here are two locations: Pg. 69 of 2.6 | LAND USE MAP & pg. 2-30

Page numbers refer to those in red-lined version with tracked changes of draft GPU

E-mail to GPcomments@cityofmartinez.org and Martinez City Council

Comment: Illegal housing designations shown on Figure 2-4 Land Use Map for lands designated DG and DS north of the railroad tracks need to be removed from Figure 2-4 Land Use Map.

At the joint City Council/Planning Commission meeting on 8/31/22, I gave the following public comment on why no housing should be allowed on the plots currently designated as DG and DS just north of the railroad tracks in the waterfront.

“The deadline for the end of the 45-day period to review the General Plan Update (GPU) and DEIR is fast approaching. It needs to be extended beyond 9/22/22.

No one can review all the changes in the current over 1000 pages of new data and reports by then. It is unfair to put both the public and public officials under this impossible deadline.

Public input in collaboration with Staff has resulted in some very good changes to the Plan, and corrected some big errors, I think the major staff member at the center of this effort, Hector Roja, Planning Director, would agree. But he resigned from the City last Friday.

That is going to slow any further meaningful collaboration with everyone.

Please keep the spirit of collaboration with the public in place and extend that deadline now.

B-1

B-2

We are producing a better General Plan in this joint review effort. I plead with you to extend the comment period deadline and keep that collaboration going.

Now I must concentrate on no housing in the waterfront north of the railroad tracks--- in the Amtrak parking lot and sports warehouse area and in the industrial area west of Berrellesa on Embarcadero north of the tracks across from Telfer.

The GPU changes the land use designation of both from Special Study Area to high density housing, potentially around 400 housing units.

This would devastate the open space marsh that is just yards away. Light/noise/pets pollution, all would be ecological disasters. 24 hour a day.

Equally important, high-density housing here would be unsafe for potential residents.

Only yards north of the railroad tracks, dangers include:

Train accidents blockage of railroad crossings---2 within the last year earthquake---your own DSP report states it would flatten every building periodic and permanent flooding noise pollution aimed at residents liquefaction vibration and legal liability of the City.

There are also special factors for each area.

At the parking/sports warehouse, they are:

I understand that there are long-term leases to the sports warehouses; also allegedly the land is under legal restraints to its usage from the parties that gave it to the City; additionally there are legal commitments to East Bay Regional Park District that preclude housing.

Don't set the future of that property in stone, tying the hands of future Councils.

**B-2
Cont.**

B-3

At the industrial land area across from Telfer:

This land has been a potential purchase sites for open space organizations for years. Changing the land use designation of these lands will raise their cost astronomically.

This seems similar to the situation that was created on Alhambra Highlands that caused the price to increase so dramatically.

Don't do that here.

Leave it the way it is and let's all encourage East Bay Regional Park District to buy it as soon as possible.”

After I and several others had spoken, Mayor Schroder stated that the last time housing was proposed there several years ago during some previous planning attempt, East Bay Regional Park District (EBRPD) sent a long ten-page letter to the City stating that any attempt to put housing there would result in legal action from the park district to sue the city to keep any housing from ever being built there.

The mayor then went on to confirm there were existing long-term leases on the sports warehouses.

He also stated that there were covenants on the Amtrak parking lot property that precluded housing. The money to buy the land was provided to the City by other public agencies that put restrictions on that and other future uses of the property.

Others on the dais, including Councilmember Ross and Acting City Manager Chandler confirmed several of these statements.

Some discussion ensued about the possibility of the City getting out of those covenants, but that suggestion did not go further. There was no discussion about getting out of the leases or dealing with the EBRPD.

**B-3
Cont.**

B-4

The City Attorney representative then went into great detail about the very serious legal ramifications to the City of proposing an area for housing that the City knew was not actually available for housing. There are serious state penalties for fooling the state like that. She strongly advised against getting the City into trouble that way. Both plots are encumbered in ways that preclude housing.

It is clear from this discussion that the City would be put in legal jeopardy if the GPU showed these areas as redesignated for housing.

The Mayor noted he would be interested in seeing what EBRPD says about these development plans. (EBRPD is aware of this potential land use change to high-density housing/retail. It is hoped by me that EBRPD comments on both the current draft GPU and the Draft EIR by the deadline date of 9/22/22.)

I attempted to get verbatim quotes from the City video for this meeting, but the video just stopped at 1:25:32 of the meeting, right at the end of the first public comments. So it was not possible to access the words the Mayor or others actually spoke. After I contacted the City about this, they took the video down and said they were fixing it.

The City should make a public statement that these areas will NOT BE REDESIGNATED FOR HOUSING so the public can stop wasting time trying to get that changed when there are so many other issues with the GPU that the public needs to address. (I personally have spent tens of hours on the waterfront housing issue, and am appalled that all that time could have been put to use working on other important GPU issues.)

One Councilmember subsequently has spoken to me and advised she thought the Council gave clear direction to Staff at the end of the

meeting to NOT redesignate the lands north of the railroad tracks to housing. But nothing has been seen by the public to that effect.

Please publish such a statement, so the public can work on other important issues.

Why it took a member of the public to bring all this information to light makes no sense. More than one member of the Council attested to these facts being correct, as did one member of staff. And this issue has been before the Council and staff numerous times.

Yet housing in these areas was actively put in the GPU by staff and not objected to by most Councilmembers or staff---only the public vocally objected.

It is confusing why no one from the Council spoke up about these issues on the land, many of whom have served for 20+ years and knew about these covenants and leases and agreements that precluded housing. The public wasted hours of time and energy on an issue that the staff and Council should have taken out of the GPU in Nov 2021 when the GPU first appeared.

Also, apparently no one really knows who made the decision to put housing there, as most originators of the GPU have left the City over the 10+ years the plan has taken to get this far. Very few existing staff members in Planning have been here long enough to know about many issues like this. So the possibility of more situations like this occurring is high---the park acreage issue comes to mind.

Indeed, at this 8/31 meeting there were several other issues brought up by the public and the officials on the dais that the new consultant, who was just brought in to replace the Planning Director who resigned on 8/26/22, could not discuss or answer with certainty at this point.

This all points out the potential for significant undiscovered issues in the GPU that will go undetected mainly because someone has decided we are racing to a 45-day deadline for public review of these 1000+ pages of critical issues---issues that will set the course of our City for the next 20-25 years.

We need to extend the review deadline well beyond the 9/22/22 deadline (ironically this deadline date itself is unclear, as the City website says 9/22 and the Staff report for this meeting we are talking about says 9/24).

Issues like the errors in calculating park acreage that will potentially cost us significant developer fees, the problems implementing Measure I, a detailed look at the density report that the City just issued on 8/26 after we requested is over a year ago---all demand careful and time-consuming study to get the right answers.

We need to extend the review period to be fair to the public and to get the best GPU we can.

Tim Platt

090522

Note: Much more detailed information on why housing on the waterfront is dangerous to the flora and fauna and to potential residents is in these two documents below; one is in Comments webpage on the first draft GPU and the second is in the Comment webpage for this second draft GPU version. Unfortunately, I cannot find either Comment webpage on the City website

“Comments on GPU Revised Draft--- Land Use Element Section 2

This covers comments for pgs 2-1 through p. 2-79 in order”

“TP_2662_Redacted Waterfront on the City’s Comments section”

**B-4
Cont.**

B-5

Response to Comment Letter B

Tim Platt

September 5, 2022

- B-1 The comment references Figure 2-4 of the General Plan Update Land Use Element and comments made by the commenter at the joint City Council/Planning Commission meeting regarding why no housing should be allowed on lands proposed as DG and DS north of the railroad tracks.

The comment is not specific to the Draft EIR; however, it is noted that Draft EIR Figure 2-2, 2035 General Plan Land Use Map, has been revised in the Final EIR to change the previously proposed Downtown Government (DG) designation for the block north of the Union Pacific Railroad (UPRR) tracks and east of Berrellesa Street to Public Institutions (PI) and the Downtown Shoreline (DS) designation of the block north of the UPRR tracks and west of Berrellesa Street to the proposed Marina Waterfront (MW) designation. Neither of these proposed land use designations (PI or MW) would allow for residential development.

- B-2 The comment notes the 45-day period to review the General Plan Update (GPU) and DEIR and states that it be extended.

The comment is noted, and the concerns will be provided to the appointed and elected decision makers for their consideration. The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is necessary. To clarify, the 45-day public review period is specific to the Martinez General Plan Update Draft EIR and does not apply to the General Plan Update.

- B-3 The comment references the areas north of the UPRR tracks and states that no housing should be allowed in the waterfront north of the railroad tracks – in the Amtrak parking lot and sports warehouse area and the industrial area west of Berrellesa, north of the tracks. The comment provides additional reasoning including that development in this area would devastate the open marsh and would be unsafe and also identifies issues with developing the area associated with long-term leases and legal commitments precluding housing. The comment further summarizes discussion at the joint City Council/Planning Commission meeting and access to the video and requests a public statement that lands north of the railroad tracks not be redesignated to allow for housing.

The comment is not specific to the Draft EIR; however, it is noted that Draft EIR Figure 2-2, 2035 General Plan Land Use Map, has been revised in the Final EIR to change the previously proposed Downtown Government (DG) designation for the block north of the Union Pacific Railroad (UPRR) tracks and east of Berrellesa Street to Public Institutions (PI) and the Downtown Shoreline (DS) designation of the block north of the UPRR tracks and west of Berrellesa Street to the proposed Marina Waterfront (MW) designation. Neither of these proposed land use designations (PI or MW) would allow for residential development.

- B-4 The comment further references the discussions of the joint City Council/Planning Commission meeting and understanding of the land north of the railroad tracks, history of the General Plan Update, issues regarding park acreage calculations, and problems implementing Measure I. The comment states the need to extend the 45-day public review period to allow for the opportunity to review the documents and address critical issues.

The comment does not raise new environmental information or directly challenge information provided in the Draft EIR. The comment is noted, and the concerns will be provided to the appointed and elected decision makers for their consideration.

- B-5 The comment provides additional information on why the commenter believes housing on the waterfront is dangerous.

The comment is not specific to the Draft EIR; however, it is noted that Draft EIR Figure 2-2, 2035 General Plan Land Use Map, has been revised in the Final EIR to change the previously proposed Downtown Government (DG) designation for the block north of the Union Pacific Railroad (UPRR) tracks and east of Berrellesa Street to Public Institutions (PI) and the Downtown Shoreline (DS) designation of the block north of the UPRR tracks and west of Berrellesa Street to the proposed Marina Waterfront (MW) designation. Neither of these proposed land use designations (PI or MW) would allow for residential development.

sbarker@denovoplanning.com

From: Michael Chandler <mchandler@cityofmartinez.org>
Sent: Tuesday, September 20, 2022 7:11 AM
To: sbarker@denovoplanning.com
Cc: Ben Ritchie; Beth Thompson; Teresa Highsmith; Dee Dee Fendley; Patrick O'Keeffe
Subject: FW: Comments on the Draft EIR and the Draft General Plan Update

From: CAROL WILEY <cwiley23@comcast.net>
Sent: Monday, September 19, 2022 4:38 PM
To: gpcomments <gpcomments@cityofmartinez.org>; Rob Schroder <rschroder@cityofmartinez.org>; Debbie McKillop <dmckillop@cityofmartinez.org>; Lara DeLaney <ldelaney@cityofmartinez.org>; Brianne Zorn <bzorn@cityofmartinez.org>; Mark Ross <mross@cityofmartinez.org>; Michael Chandler <mchandler@cityofmartinez.org>
Cc: Dee Dee Fendley <dfendley@cityofmartinez.org>; strambley@gmail.com; jonathan.t.bash@gmail.com; dylanradke@gmail.com; Tim Platt <tim_mart2001@yahoo.com>; pokeeffe@managementpartners.com
Subject: Fwd: Comments on the Draft EIR and the Draft General Plan Update

----- Original Message -----

From: CAROL WILEY <cwiley23@comcast.net>
To:
Date: 09/19/2022 4:22 PM
Subject: Comments on the Draft EIR and the Draft General Plan Update

To: GPCComments@cityofmartinez.org, Mayor and City Councilmembers, Michael Chandler, Acting City Manager, Hector Rojas, Planning Manager, Dee Dee Fendley

Re: Comments on the Draft Environmental Impact Report and the Draft General Plan Update. **Please add this letter to the GPCComments file you are keeping and add it to wherever you are compiling comments on the Draft EIR.**

September 16, 2022

We ask and must trust our City Council to EXTEND the deadline of the Draft EIR for the General Plan 2035.

The document at over 800 pages is overwhelming and exhausting and is coupled with hundreds of pages in the Draft General Plan 2035. Citizens need plenty of time for input, and public comments should be posted for all to see.

The General Plan 2035 proposes major changes that could forever alter our Downtown and waterfront areas, and neighborhoods throughout Martinez. The process for review of the DEIR and DGP 2035 is major, serious, and requires critical analysis that citizens have been asking for since at least 2016.

Clearly, a lot of work has gone into these documents. The research, depth in

C-1

descriptions, photos, and comprehensive scope show that effort.

But the ORDER of the process and the urge to push it to approval or rely on amendments later don't make sense. Nobody has enough time, including our staff and public officials and especially the citizens of Martinez to thoroughly review the issues and make sound decisions before the current deadline.

It is nearly impossible to downzone and undo high densities once a Plan is approved, so the process needs to allow for careful review and discussion now.

I can't begin to list all the questions that have accumulated over decades of this issue facing our City. Although some of the delays were due to lack of staff, staff changes, pandemic, etc – many of the delays were caused by the Council itself. Nobody questions the need for more housing, but HOW that is accomplished involves HUGE decisions. We should not rush. The 1973 General Plan lasted far beyond what most would have guessed. A few more months won't matter.

Questions and issues abound:

- Why is the DEIR facing a deadline for approval BEFORE the General Plan? Why does it have all the language of the Project Description of the GP that is still in controversy?
- Why isn't the most critical question – the Housing Element - addressed FIRST?
- The DEIR still (apparently) includes housing north of the tracks and density and height limits still in debate.
- Why isn't Measure I fully incorporated into the GP?
- Why haven't changes from the old GP to the new GP been made clear?
- Why have so many staff members left?
- Why have some thoughtful, detailed, critical questions by the public and others gone unanswered?
- Why does the proposed General Plan include housing numbers that EXCEED State mandated numbers? State mandates can change, and a citizen Initiative may challenge current mandates. Why aren't MINIMAL numbers in housing used that can be upzoned and increased later if needed?

Development north of the tracks should be rejected out of hand. The DEIR is showing the outrageous proposal still in the General Plan.

Abundant red flags for every conceivable negative impact of housing built north of the tracks have repeatedly been detailed by the public and others.

The DEIR and General Plan documents that are adopted will determine the quality of life for Martinez residents far into the future.

That is not an overstatement.

The color-coded Map designated as the General Plan Update Land Use Map should be

C-1
Cont.

C-2

C-3

C-4

distributed to every citizen in Martinez with a clear explanation of where housing density will increase, especially in their neighborhoods.

I believe that most citizens would be alarmed at what is being proposed – if they knew. The City would get genuine public comment if the process is done fairly and correctly.

Martinez, according to the General Plan and the Mayor, is already built out. Accommodating housing mandates and the need for development can still be done, but we all have to buy into the plan. **The General Plan itself has a strong vision statement that clashes dramatically with the GP Land Use Map.** In the beginning of the section on Land Use Element (2.4) of the 2nd Revised Draft General Plan 2035 it says:

The collective emphasis of the various elements is to encourage land uses that limit future growth, preserve existing areas, retain the low density character of the community, and retain the high quality of life derived from ample open space and recreation areas.

The word “encourage” should be changed to “ensure”. But this vision is useful as our overarching guide while this process continues.

Sincerely,

Carol Wiley

C-4
Cont.

C-5

Response to Comment Letter C

Carol Wiley

September 19, 2022

- C-1 The comment requests the City Council extend the deadline for public comments on the Draft EIR and references the length and of the document and the critical issues that are being addressed and considered.

The comment is noted, and the concerns will be provided to the appointed and elected decision makers for their consideration. The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is necessary.

- C-2 The comment asks several questions related to the General Plan and other topical areas such as the Housing Element, Measure I, City staff, and housing. Several of the questions do not pertain to the Draft EIR and therefore, do not raise new environmental information or directly challenge information provided in the Draft EIR.

Regarding the Draft EIR “deadline for approval BEFORE the General Plan”, CEQA requires that decision-makers on a project independently consider and review the adequacy of the environmental analysis before deciding whether to approve the project. Therefore, certification of the EIR would need to occur prior to consideration of the General Plan Update for approval.

Regarding the question regarding housing north of the UPRR tracks, refer to Response C-3, below.

- C-3 The comment states development north of the UPRR tracks should be rejected and the negative impacts of housing built north of the tracks have repeatedly been detailed by the public and others.

The comment is not specific to the Draft EIR; however, it is noted that Draft EIR Figure 2-2, 2035 General Plan Land Use Map, has been revised in the Final EIR to change the previously proposed Downtown Government (DG) designation for the block north of the Union Pacific Railroad (UPRR) tracks and east of Berrellesa Street to Public Institutions (PI) and the Downtown Shoreline (DS) designation of the block north of the UPRR tracks and west of Berrellesa Street to the proposed Marina Waterfront (MW) designation. Neither of these proposed land use designations (PI or MW) would allow for residential development.

- C-4 The comment notes adoption of the General Plan Update and Draft EIR will determine the quality of life for Martinez residents far into the future. The comment states the General Plan Update Land Use Map should be distributed to every citizen with an explanation of where housing density will increase.

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

The comment is noted, and the concerns will be provided to the appointed and elected decision makers for their consideration. The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is necessary.

- C-5 The comment states the City is built out and accommodating housing mandates and the need for development can be done, but everyone needs to “buy into the plan”. The comment notes the vision statement clashes with the General Plan Land Use Map and recommends the word “encourage” be changed to “ensure”.

The comment is noted, and the concerns will be provided to the appointed and elected decision makers for their consideration. The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is necessary.

Comment Letter D

From: [Kristin Henderson](#)
To: [gpcomments](#); [Dee Dee Fendley](#); [Hector J. Rojas](#); [Kat Galileo](#); [CityClerk](#)
Subject: Comments on Draft 2022 EIR for 2022 GPU
Date: Thursday, September 22, 2022 1:21:52 PM

My name is Kristin Henderson and I have been a Downtown Martinez Resident since about 2002. I submit the following comments into the administrative record of The City of Martinez General Plan Update (GPU) Draft EIR (written by De Novo Consultants and comments upon are due 22 September 2022). I hold a Masters of Library and Information Science. I have successfully listed on the National Register of Historic Places four buildings, one of which also on the Federal Register, and a landscape and building on the State Register of Historic Places. In addition, I researched and developed the Multiple Property Submission which includes multiple historic contexts, description of property types, and explains the historic development of the Commercial Core, Civic Center, Shoreline/Italian, and Martinez downtown neighborhoods. All my nominations have never been rejected by the Office of Historic Preservation for substantive or technical reasons. I have undertaken other preservation tasks of technical, legal, resourcing, and/or political in nature. This list is non-exhaustive and since De Novo incorporated my work in the EIR, it can be stated my expertise rises above lay-opinion level. Each point made in this EIR commentary is independent of another, unless stated otherwise. Likewise, the insufficiencies described in these comments are not limited to my comments alone. It is likely other areas of the draft EIR are consistently erroneous:

D-1

The City of Martinez General Plan Update (GPU) Draft EIR (written by De Novo Consultants and public comments upon are due 22 September 2022) is insufficient because it is rife with Prejudicial Abuse of Discretion, did not proceed in a manner prescribed by law, preapproved by gesture of support and political urge to complete quickly, does not report baseline conditions and study impacts to those baseline conditions with levels of mitigation, while lacking appropriate discussion of magnitude of the impacts; treats the GPU EIR as a policy document versus an informational document that should have reference to substantial evidence for the purposes of substantial analysis and substantial conclusions/findings of minimized environmental impacts and feasible alternatives; fails to disclose potential effects; is speculative, unscientific, nonfactual, omits essential information, not compiled with expertise presumed of public agencies, retards decision making and public input, and developed with inconsistent and contradictory elements. This EIR does not describe a reasonable range of alternatives that includes different levels of density and compactness, different locations and types of uses for future development, and different general plan policies.

D-2

This draft EIR is just a post hoc rationalization of decisions that have already been made, e.g., the Alex Greenwood input and the use of the Downtown Specific Plan Overlay as a mitigation, instead of evaluating the impacts and describing means to avoid environmental impacts upon the Downtown Specific Plan Area baseline conditions. (Our government does not adhere to

D-3

the Downtown Specific Plan edicts nor its own code in such matters anyway.) The EIR reflects a prejudicial abuse of discretion in preparation of this EIR when it states that the "Martinez Downtown Specific Plan...purpose ...is to guide public and private investment..." because this is describing a policy and not a baseline environment and moreover is only one aspect of the purpose of the Downtown Specific Plan besides "is intended to promote smart growth and sustainable development". Moreover, the Downtown Specific Plan does not fully describe its own environment, which has changed since its inception and adopted a corrupt historic resources inventory. The Downtown Specific Plan must be consistent with the General Plan and the adoption of the General Plan with its densities and heights will cause the Specific Plan to be inconsistent. This EIR does not allow environmental considerations to influence the design of the GPU itself as is prescribed by law. As the environment has not been established in this EIR, and resultant impacts, no remaining unavoidable significant effects caused by the GPU are actually discussed, in addition to some omitted: e.g. the impact of height and density changes on creating shadows that will deprive parks and streetscapes and property owners of light necessary for trees to continue to grow. And:

An EIR must identify an "environmentally superior" alternative and where the No Project Alternative is identified as environmentally superior, the EIR is then required to identify as environmentally superior an alternative from among the others evaluated. Each alternative's environmental impacts are compared to the proposed project and determined to be environmentally superior, inferior, or neutral. However, as stated above, only those impacts found to be significant and unavoidable for the proposed project are used in making the final determination of whether an alternative is environmentally superior or inferior to the proposed project....

The composers of this EIR abuse their prejudicial power of discretion by choosing alternatives that are inconsistent with Martinez's Specific Plans and choosing/creating "alternatives" that cannot be chosen according to the EIR's circular arguments and because no factual environmental baseline is established in this EIR or GPU.

This EIR "cherry picks" CEQA Guidelines and Public Resource Code in several places and therefore did not proceed in a manner that follows law. The EIR states that alternatives to the full GPU would include ignoring State housing laws, and yet the housing element will be prepared separately and unlawfully after the GPU/EIR ratification, and its impacts are not addressed in this EIR. The range of alternatives is fabricated and the reasoning behind the range not explicit or not logical. The entire Executive Summary of this EIR is a fallacious abuse of the prejudicial power of discretion because it admits to multiple "substantial adverse effects" on multiple categories of aspects of the City of Martinez environment and then states no mitigation measures are required and therefore the resulting level of significance is Less than Significant. This is both incrementally and cumulatively illogical, in addition not based on scientific facts about Martinez's environment NOR on the process of CEQA with regards to

**D-3
Cont.**

D-4

General Plan EIRs.

Another abuse of prejudicial power of discretion is that this EIR states that there will be significant impacts to views, but the mitigation to this is the densities and heights proposed by the GPU which will protect surrounding open spaces, etc. It is a logical fallacy, and a calculated one as it is expected that these documents are composed by experts, that by maintaining the views' subjects that the impacts to the actual views are mitigated and mitigated to less than significant. Moreover, through the GPU and this EIR, words such as "supports", "encourages", "consider" are used as goals, policies, and mitigations. These words provide speculative suggestions, not tangible actionable policies that lead to mitigations or lessen environmental effects. (Also, if the City of Martinez has not undertaken these actions, they are hardly likely to take them in the future, especially when developmental opportunities arrive given the licenses to affect the environment the GPU provides. And this is also true of using the review by various commissions and committees as mitigations to undeclared environmental impacts. In Martinez, members of these groups are not educated in the topics and land use laws various environmental subjects require for informed decisions and the decisions are speculative and subjective. They are not an implementation measure. Moreover, many of the GPU and EIR goals and policies are inconsistent with the heights and densities proposed in the GPU and without the measure of the housing element. "To the extent possible" or the "extent feasible" are speculative terms and not informational descriptions of actions to prevent significant impacts to a sufficiently described environment. "Strengthen design guidelines...." is not just speculative to how the guidelines will be strengthened but it also expresses an abuse of prejudicial power of discretion and that this EIR was not composed according to law because the "strengthening" of design review should occur in the GPU and the EIR before they are ratified in order to avoid or mitigate significant environmental impacts; likewise statements such as "Consider establishment of standards in the Zoning Ordinance....". "Fosters" is also one of these speculative, non-descript and therefore non-actionable words named "implementations" and "policies" in this EIR and GPU.

D-5

The statement "The General Plan Update Historic cultural, & Arts Element fosters the protection, preservation, and rehabilitation of Martinez's historic and cultural heritage and is unsupported by many policies and implementation measures including: HCA-P-1.7 which encourages new development to be compatible with adjacent historical structures in scale, massing building materials and general architectural treatment." Moreover, the quoted policy shows that this EIR and its GPU were not developed factually because "compatible" is subjective and moreover, historic building materials and general architectural treatments are no longer "historic" when used to mimic historic structures. There is no such thing as a new historic structure. Moreover, given the densities and heights proposed by the GPU and the EIR, this statement is inconsistent because the footprints, scale, architectural treatment and massing of new construction cannot emulate the baselines conditions of Martinez's historic environment, including function. Moreover, committees and commissions are not equipped

D-6

nor educated in policing and creating CEQA mitigation measures. It is the job of this EIR to enact that and it fails.

The EIR inserts the "Goals, Policies, and Implementation Measures" of the GPU that "minimize potential impacts." Again, these are speculative and use speculative futuristic language instead of offering means by which the baseline conditions will have an actual mitigation from environmental impacts through said goals, policies, and implementations. Moreover, promoting outreach for appreciation for some general notion of history is not a mitigation to a built environment and its individual resources as described by CEQA and these types of statements lack information and mechanisms. Relocation of buildings, unless in the same setting and orientation (unless a highly unusual architectural type) results in a total loss of historic character as per USIS standards and therefore CEQA standards. Consulting the Martinez Historical Society is not only a non-mitigation it may result in greater impacts to historic resources as the administrative record will show upon investigation. Moreover, they are not studied historians—just volunteers with varying educations and are not versed in architectural history, USIS, CEQA, historic contexts and their purposes, NPS criterion, mitigation monitoring programs, etc. so the Martinez Historical Society cannot identify historic resources much less scientifically and factually discuss and enforce mitigations to impacts on the built historic environment. Moreover, their archives are merely chance archives. I left a list of architectural and history reference resources that specifically apply to the built environment and these could be incorporated into the GPU but have not been. This is a calculatedly non-factual and non-scientific EIR.

Preparing historic context statements for the Downtown and Civic Area and Italian Neighborhood and Downtown neighborhoods has already been completed in the Multiple Property Submission which this EIR and its GPU basically ignore, even though it is listed on the National Register of Historic Places. This means this EIR and its GPU are unlawfully, unscientifically, and non-factually prepared with abuse of the prejudicial power of discretion, which is also the case of employing the 40 year-old Martinez Historic Resources inventory with politically powerful property owners' properties omitted, inclusion of sites that no longer exist and are mostly built over, wrong dates, wrong facts, erroneous and/missing criterion as a basis for identification, total or enough loss of integrity such that the resource can no longer be considered historic (e.g. The Old Train Station, to name one), and more. There is no actual implementation in this EIR to mitigate impacts to historic resources that are identified or may be identified because the Society inventory cannot identify and therefore tie historic resources to historic characteristics, criterion, or historic periods of significance. "Consideration" of working with the State Office of Historic Preservation expresses how non-scientifically this GPU and EIR are composed. And again, policies and goals are not mitigations, especially speculative ones. And if DeNovo uses my work to create a proper GPU and EIR, they are not to be paid for it. They cannot reproduce five years, and 80+ page document with 6+ pages of bibliography of research in a cost effective or non-infringing manner.

Reading chapter four (4) of the EIR's "Historic, Cultural & Arts Element", all of the above applies and more: CEQA in itself is not a mitigation, nor are law codes such as State and Local codes. Chapter 4 of the EIR has contains too many factual errors to list here although some were repeatedly reported to the City/GPU, omissions--as well as non-scientific urban legends and treats famous, but non-historic to the Martinez locality, objects and people as historic and is therefore non-factual, non-scientific, and proceeds unlawfully with abuse of prejudicial power of discretion: no baseline of the built historic environment and no mitigations to lessen the impact of the GPU adoptions are manifested in this EIR. Murals of historic or famous figures or events or objects are not a mitigation. Documentation of a historic resource that has been demolished is not a mitigation that leads to "less than significant impact". Monuments and actively used churches cannot be historic resources, as per code. The existence of archives and home tours are not a mitigation to impacts this EIR does fails to discuss. Workshops to discuss enforcement is not enforcement of anything. This EIR is non-informative and under-developed--e.g. mentioning Italians came to work in the now Pittsburg Black Diamond Coal Mines. Those are mostly Northern Italians and they existed in Martinez as far back as the 1850s—e.g. the Bertolas of which Mariana Bertola is noted by the California Italian-American Society as being one of the most notable Italians of all time. Fame is not a historic criteria, i.e. Joe DiMaggio. And that is just one example of the non-factuality and non-scientific aspects of this GPU and EIR. One of many examples of the abuse of discretion in this EIR is using regulatory frameworks as mitigations with no venue for local utilization or enactments of these so-called mitigation.

D-9

Also as commentary on this EIR and GPU I submit the whole of the Administrative Records of the Downtown Specific Plan, the Sharkey Building, Berrellessa Palms the Old Jail, the Old Train Station, the Borland Home and its cover document, the Multiple Property Submission, Measure's I and F, and the Grand Jury complaint issued regarding our Mayor's not-Council-approved use of City letter head to suppress the identification of certain historic properties in Martinez as well as the Historic Society's reaction/response to all of the above undertakings, and Design Review Committee and Planning Commissions and City Planners' and Managers' responses to historic preservation. Moreover, no one educates them or City Staff on the many technical intricacies of historic preservation and their is no way any of these people can—even without their own personal views, aspirations, and politics—be a mitigation monitoring program, that is if there was a mitigation program in this EIR and there is not. We the public only have three minutes to attempt to inform at their meetings. In addition to all of the above, because the Martinez Historical Society's 40 year old inventory is so old and non-scientifically, non-factually, unacademically composed with no link to historic contexts or developed criterion, there is no way to identify what sort of impacts to historic integrities could occur because there is no baseline condition of actual historic characteristics of actual historic resources. The only tangible implementation forwarded as protection of historic resources in this EIR is suggestion of "considering" changing the zoning so new construction set backs equal that of existing adjacent residences—which is not a protection to historic resources it is just an

D-10

edict for new construction--which expresses yet again how calculatedly non-scientific, non-factual, non-lawful this EIR is and how the depth of abuse of the power of prejudicial discretion its allegedly "expert" authors. The resulting impacts to historic resources would be highly significant cumulatively and individually and the depth of the impacts not considered at all in this EIR and therefore unavoidable impacts cannot be lawfully discussed either.

**D-10
Cont.**

Traffic impacts and growth-inducing impacts have also not been adequately presented or studied in this EIR, especially in light of the Housing Element being processed separately and calculatedly after the passage of this GPU and EIR—another overarching but apparent abuse of the power of prejudicial discretion.

D-11

As mentioned, these comments merely reflect the insufficient nature of environmental identification and review of the City of Martinez Draft GPU 2022 EIR produced by DeNovo the company (not the first level of CEQA review in the courts). Therefore, it is probable the document is likely similarly insufficient and inadequate throughout. Any grammar and/or typo errors in above comments are not reflective of the validity of those comments.

D-12

Sincerely,

Kristin Henderson, M.L.I.S.
815 Court Street #4
Martinez, CA 94553
925 446 9474

Response to Comment Letter D

Kristin Henderson
September 22, 2022

- D-1 The comment identifies the commenter’s background, education, and experience relative to historic resources and provides an introduction to subsequent comments on the Draft EIR. The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is necessary.
- D-2 The comment states the Draft EIR is insufficient and provides broad claims to its deficiency, including but not limited to, not reporting baseline conditions and studying impacts to those baseline conditions with levels of mitigation, while lacking appropriate discussion of magnitude of the impacts; not referencing substantial evidence; failing to disclose potential effects; is speculative, unscientific, nonfactual, omits essential information, not compiled with expertise, retards decision making and public input, and developed with inconsistent and contradictory elements; and not describing a reasonable range of alternatives.

These comments are noted; however, the Draft EIR includes an individual section for each environmental topical area whereby an environmental setting, regulatory setting, and impact analysis are presented. These topics were sufficiently analyzed, the results of which have been publicly disclosed in the Draft EIR. The commenter’s concerns about the Draft EIR’s deficiency are general and lack any specificity or suggestion that could enable the City to consider text changes, additional analysis, or other specific considerations.

It is the City’s policy, and state law, that Projects be analyzed pursuant to the requirements of CEQA. The City undertook this analysis in good faith, and presented their results in the Draft EIR. Where the City identified impacts, the City responded by identifying existing regulations and General Plan policies and implementation measures that can be implemented to reduce the impact. In some cases, there are existing City ordinances and standards, or state and federal laws (existing regulations), that by their very nature, reduce impacts. Where these regulations exist, the City relies on the mitigating effects of such measures by virtue of the compliance with the regulation.

It has been the City’s policy to engage the public for information that could help improve CEQA documents. The public review process is an opportunity for commenters to provide measures that they deem “feasible”, and to specifically present information that supports revisions or updates to the analysis to reconcile any perceived inadequacy. The public review period serves as an administrative remedy, whereby the commenter should object to the perceived inadequacy with a level of specificity that provides the City with a reasonable understanding of how the City can remedy any perceived inadequacy in the EIR. The failure of the commenter to provide any substantive and specific information, on

what they would consider adequate analysis or opportunities to address the stated deficiency, makes it difficult, if not impossible, to update the Draft EIR to their satisfaction.

Alternatives are addressed in Section 6.0 Alternatives. The range of alternatives addressed in the Draft EIR is sufficient to foster informed decision-making and informed public participation. CEQA requires that a Draft EIR analyze a reasonable range of feasible alternatives that meet most or all project objectives while reducing or avoiding one or more significant environmental effects of the project. The range of alternatives required in a Draft EIR is governed by a “rule of reason” that requires a Draft EIR to set forth only those alternatives necessary to permit a reasoned choice (CEQA Guidelines Section 15126.6[f]).

- D-3 The comment states the Draft EIR uses the Downtown Specific Plan Overlay as mitigation instead of evaluating impacts and states the Draft EIR reflects a prejudicial abuse of discretion by referencing the Downtown Specific Plan and not evaluating baseline conditions. The comment further states adoption of the General Plan will cause the Specific Plan to be inconsistent and states unavoidable significant effects caused by the General Plan Update have been omitted, such as the impact of height and density changes on shadows that will deprive parks and streetscapes and property owners of light necessary for trees to grow. The comment further references the alternatives and that they are inconsistent with the City’s specific plans and they cannot be chosen because no factual environmental baseline is established in the EIR.

The commenter does not specifically reference a location in the Draft EIR to which this comment is based. As stated in Response D-2, the Draft EIR includes an individual section for each environmental topical area whereby an environmental setting, regulatory setting, and impact analysis are presented. The Martinez Downtown Specific Plan is a policy and a regulatory document that guides development of the Downtown Specific Plan area and is therefore discussed in the regulatory section of applicable sections of the Draft EIR. A Specific Plan is regulated by State Government Code Sections 65450-65457. Specific Plans serve as a standalone planning document, describing property-specific guidelines to aid in meeting the General Plan goals. The proposed General Plan Update Land Use designations would be consistent with the land use designations in the Downtown Specific Plan. The Downtown Specific Plan currently allows development at a height limit of 40 feet or three stories. The General Plan Update incorporates the height limits of the Downtown Specific Plan into the applicable land use designations for consistency with the Martinez Downtown Specific Plan. The potential for development at these heights has been analyzed within the certified Martinez Downtown Specific Plan EIR. Future development within the Martinez Downtown Specific Plan would be required to comply with the development standards and the design standards and guidelines specific to the district in which it is located.

Refer to Response D-2 regarding Alternatives.

- D-4 The comment states the EIR does not follow law and the range of alternatives is fabricated and not explicit or logical. The comment states the Executive Summary admits to multiple substantial adverse effects and states no mitigation measures are required resulting in less than significant impacts, which is illogical and is not based on scientific facts nor on the process of CEQA with regards to General Plan EIRs.

Refer to Response D-2 regarding Alternatives.

The commenter misunderstands the purpose of the Executive Summary and its contents. The Executive Summary serves to provide an overall summary of the environmental topics and impact determinations of the Draft EIR. Draft EIR Sections 4.1 through 4.16 provide detailed review and analysis of the potential impacts associated with implementation of the General Plan Update, including a complete listing of the General Plan Update policies and implementation measures that would reduce impacts. The Resulting Level of Significance identifies the determination of significance after implementation of existing regulations and General Plan policies and implementation measures that can be implemented to reduce the impact. If feasible mitigation measures were required or identified to reduce potential impacts beyond the implementation of General Plan goals, policies, and implementation measures identified throughout Draft EIR Sections 4.1 through 4.16, they would be identified.

- D-5 The comment references the analysis specific to views and the ability for the General Plan Update goals and policies to be implemented. The commenter argues that if the City has not undertaken these actions, they will not in the future and that commissions and committees are not educated in the topics and land use laws and their review is speculative and subjective. The comment states the General Plan Update goals and policies are inconsistent with the heights and densities proposed and that the policies and implementations are speculative, non-descript, and non-actionable.

The comment specific to the City's previous implementation of actions and the experience and education of City commission and committee members are not a CEQA topic. It is noted the Martinez Municipal Code provides for City commissions and committees and establishes their powers, duties, and responsibilities. No specifics are provided as to how the goals and policies are inconsistent with the heights and densities proposed. Draft EIR Section 4.1, Aesthetics, provides a discussion of effects on scenic vistas. In addition to the General Plan Update policies and implementation, of which future Projects would be reviewed for consistency, Municipal Code Chapter 2.26, *Design Review Committee*, provides that development projects in "visually significant areas," within City limits be reviewed on the basis of Chapter 22.34, *General Requirements and Exceptions*, which establishes provisions and exceptions that are common to more than one or all zoning districts. This review ensures that the architecture and general appearance of the site,

structures and grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the City, and reflect City development policies and goals. Additionally, Martinez Municipal Code Chapter 22.33, *Hillside Development*, regulates development of hillside areas by relating the number, distribution, and density of dwelling units and other buildings to the topography to prevent disfigurement of the terrain through extensive cut and fill. Accordingly, projects which may impact views of ridgelines would be given particular attention. Future development within the City's SOI that is under the County's land use control would be subject to the County's entitlement requirements, regulations, and design review process, presented in the 2005 County General Plan.

- D-6 The comment references a statement regarding the Historic, Cultural & Arts Element and states that it is unsupported by many policies and implementation measures. The commenter references "compatible" as subjective and that historic building materials and general architectural treatments are no longer "historic" when used to mimic historic structures. Reference is also made to the densities and heights proposed by the General Plan Update and that the footprints, scale, architectural treatment and massing of new construction cannot emulate the baseline conditions of Martinez's historic environment, including function. Again, the commenter states that committees and commissions are not educated in policing and creating CEQA mitigation measures; this should be done by the EIR.

The comment is specific to one policy of the Historic, Cultural & Arts Element; the intent of the policy is to not recreate a historic resource or mimic historic structures, but rather to consider the adjacent historic structure when new development occurs. In addition to the policies referenced in the comment, the Historic, Cultural & Arts Element includes several policies and implementation measures to preserve and protect existing historic structures, including adaptive reuse and upkeep, restoration, rehabilitation, and reconstruction of private historic structures to conserve its integrity, and to develop a program to promote cultural and historic resources in Martinez.

The comment specific to the experience and education of City commission and committee members are not a CEQA topic. It is noted the Martinez Municipal Code provides for City commissions and committees and establishes their powers, duties, and responsibilities.

- D-7 The comment discusses the incorporation of General Plan Update goals, policies, and implementation measures to reduce potential impacts as speculative and specifically identifies some of the Historic, Cultural & Arts Element policies and implementation measures with a conclusion that they are not mitigation. The commenter provides opinion regarding the Martinez Historical Society and their ability to identify historic resources.

The General Plan Update goals, policies, and implementation measures provide a framework for how the City will grow and develop in the future. These components work

together to guide development and reduce potential environmental impacts. Future development would be reviewed for consistency with the General Plan Update goals, policies and implementation measures. Due to the nature of a General Plan, an individual goal, policy, or implementation measure may not on its own fully mitigate an environmental impact; however, when applied comprehensively along with existing City ordinances and standards, or state and federal laws (existing regulations), impacts would be reduced, as documented within the Draft EIR.

- D-8 The comment references use of the Martinez Historic Resources inventory and states there is no actual implementation to mitigate impacts to historic resources because the Society inventory cannot identify historic resources. Although no specific policies or implementation are identified, the commenter states their disagreement with policies as mitigation, generally referencing text.

Refer to Response D-2 and D-7.

- D-9 The comment repeats comments and assertions contained within previous comments and generally states the EIR contains too many factual errors to list. Although no specific policies or implementation are identified, the commenter states their disagreement with policies as mitigation, generally referencing text, and that use of regulatory frameworks as mitigation is an abuse of discretion.

Refer to Response D-2 and D-7.

- D-10 The comment identifies several documents for submission into the Administrative Record and provides opinion regarding City staff's ability to be a "mitigation monitoring program". The comment repeats comments and assertions contained within previous comments and states the impacts to historic resources would be "highly significant cumulative and individually and the depth of the impacts not considered at all in this EIR and therefore unavoidable impacts cannot be lawfully discussed either".

Refer to Response D-2.

- D-11 The comment states traffic and growth-inducing impacts are not adequately presented or studies, especially in light of the Housing Element being process separately. These comments are noted; however, as stated, the Draft EIR includes an individual section for each environmental topical area whereby an environmental setting, regulatory setting, and impact analysis are presented. These topics were sufficiently analyzed, the results of which have been publicly disclosed in the Draft EIR. The commenter's concerns about the inadequacy of the Draft EIR's traffic and growth-inducing impacts are general and lack any specificity or suggestion that could enable the City to consider text changes, additional analysis, or other specific considerations.

As stated, it is the City's policy, and state law, that Projects be analyzed pursuant to the requirements of CEQA. The City undertook this analysis in good faith, and presented their

results in the Draft EIR. Where the City identified impacts, the City responded by identifying existing regulations and General Plan policies and implementation measures that can be implemented to reduce the impact. In some cases, there are existing City ordinances and standards, or state and federal laws (existing regulations), that by their very nature, reduce impacts. Where these regulations exist, the City relies on the mitigating effects of such measures by virtue of the compliance with the regulation.

- D-12 The comment is a conclusionary statement. The comment is noted; no further response is necessary.

San Francisco Bay Conservation and Development Commission

375 Beale Street, Suite 510, San Francisco, California 94105 tel 415 352 3600 fax 888 348 5190

State of California | Gavin Newsom – Governor | info@bcdc.ca.gov | www.bcdc.ca.gov

September 22, 2022

E-6

Via electronic mail only: hrojas@cityofmartinez.org

Hector Rojas, Planning Manager
City of Martinez Community Development Department
525 Henrietta Street
Martinez, CA 94533

**SUBJECT: BCDC Comments for the Martinez General Plan Update, August 2022,
Draft Environmental Impact Report (SCH: 2015052064)**

Dear Mr. Rojas:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Martinez General Plan Update (General Plan), received August 2022. The following comments are made by the BCDC staff, and are based on the McAteer-Petris Act, the provisions of the San Francisco Bay Plan (Bay Plan), and staff review of the DEIR. In particular, these comments are related to BCDC jurisdiction within the project area, climate change and sea level rise, safety of fills, recreation, and public access.

E-1

Jurisdiction

The Commission has jurisdiction over all areas of the San Francisco Bay subject to tidal action, which is defined as shoreline that extends up to mean high water, except in marsh areas, where the Commission’s Bay jurisdiction extends to five feet above mean sea level. The Commission also has jurisdiction over managed wetlands, salt ponds, and the tidal portions of certain waterways, as identified in the McAteer-Petris Act, as well as “shoreline band” jurisdiction extending 100 feet landward of and parallel to the shoreline. As a result, the Commission has jurisdiction over areas in the City of Martinez in the Bay, including the marshes and wetlands along the shoreline, as well as over the 100-foot shoreline band.

Projects approved by BCDC must be consistent with the McAteer-Petris Act and the Bay Plan. The Bay Plan includes Priority Use Area (PUA) land use designations for certain areas around the Bay to ensure that sufficient areas are reserved for important water-oriented uses such as ports, water-related industry, parks, and wildlife areas. At the City of Martinez, the Commission has designated areas along the shoreline that should be reserved for Waterfront Park, Beach, and Water-Related Industry PUAs. The Commission has authority to issue or deny permit applications for placing fill, extracting material, or changing use of any land, water or structure within the Commission’s jurisdiction in conformity with the provisions and policies of the McAteer-Petris Act and the Bay Plan.

E-2



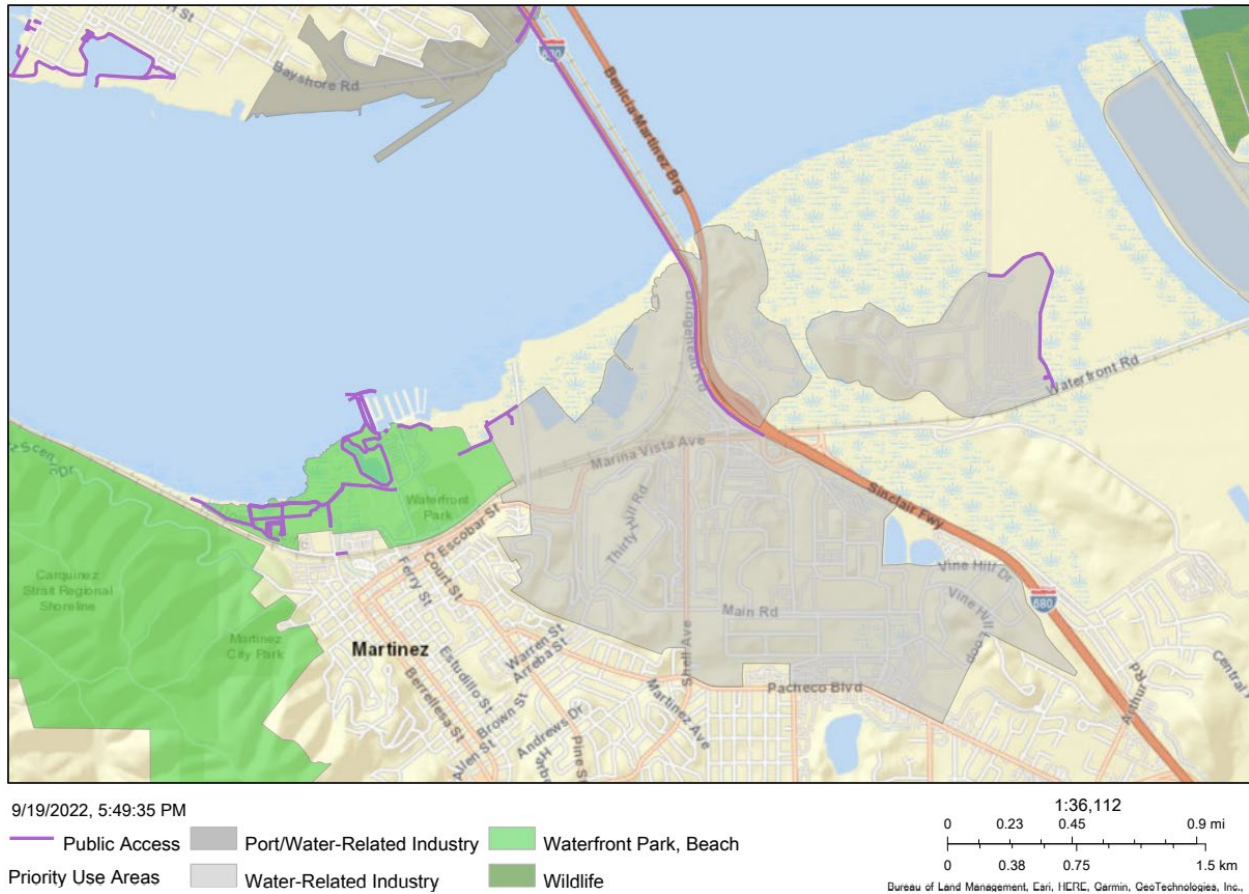


Figure 1: BCDC Map showing PUAs and Public Access

Several areas identified in the General Plan update are designated in the San Francisco Bay Plan for Water-Related Industry and Waterfront Park, Beach Priority Use Areas. The San Francisco Bay Plan also includes a Bay Plan Map Note that identifies specific policies for the Martinez shoreline.

“Martinez Regional Shoreline and Martinez Waterfront Park - Preserve mix of recreational uses for picnicking, wildlife viewing, wildlife habitat management and hiking in regional park and community facilities, including team sports in City park. Possible ferry terminal. Allow if compatible with park and marina use; serve with bus public transit to reduce traffic and parking needs. Complete Bay Trail and provide non-motorized small boat landing and launching.”

Development proposed within the Commission’s jurisdiction may require a BCDC permit, and will be evaluated for consistency with the Commission’s laws and policies, including the Priority Use Area designations and associated policies as outlined in the Bay Plan Note.

Sea Level Rise, Safety of Fills, and Climate Change

The Bay Plan policies on climate change state, in part that “[w]hen planning shoreline areas or designing larger shoreline projects, a risk assessment should be prepared by a qualified engineer and should be based on the estimated 100-year flood elevation that takes into account the best estimates of future sea level rise and current flood protection and planned flood protection that will be funded and constructed when needed to provide protection for the proposed project or shoreline area. A range of sea level rise projections for mid-century and end of century based on the best scientific data available should be used in the risk assessment. Inundation maps used for the risk assessment should be prepared under the direction of a qualified engineer. The risk assessment should identify all types of potential flooding, degrees of uncertainty, consequences of defense failure, and risks to existing habitat from proposed flood protection devices.” An analysis of potential impacts from sea level rise should be used to evaluate impacts to the Martinez shoreline.

Additionally, the policies state that, “[l]ocal governments and special districts with responsibilities for flood protection should assure that the Plan requirements and criteria reflect future relative sea level rise and should assure that new structures and uses attracting people are not approved in flood prone areas or in areas that will become flood prone in the future, and that structures and uses that are approvable will be built at stable elevations to assure long-term protection from flood hazards.”

From 2014 to 2017, the City of Martinez participated in a regional study which led to the creation of a final report, Adapting to Rising Tides: Contra Costa County Assessment and Adaptation Project, which assessed two scenarios: 12 inches of sea level rise by 2030, and 66 inches of sea level rise by 2100. For each scenario, the report developed estimates for areas that would be permanently inundated (subject to daily tidal flooding) and temporarily inundated (subject to extreme tides only). The report determined that there is one structure in Martinez at risk for permanent sea level rise inundation by 2030, and ten structures at risk for temporary inundation. By 2100, the number of vulnerable buildings increases, with 23 structures in permanent inundation areas and 41 structures in temporary inundation areas. Approximately 523 acres of Martinez’s land is expected to be permanently inundated by 2030. By 2100, that number increases to 821 acres (Adapting to Rising Tides Program, 2017).

In planning for shoreline areas, conducting a specific assessment of potential impacts from sea level rise would help to identify future needs for shoreline adaptation to climate change. Bay Plan policies on Shoreline Protection require shoreline protection to be designed to withstand the effects of projected sea level rise and to be integrated with adjacent shoreline protection. Whenever possible, projects should integrate hard shoreline protection structures with natural features that enhance the Bay ecosystem. Where it is feasible, ecosystem restoration projects should be designed to provide space for marsh migration as sea level rises.

E-4

E-5

Public Access and Recreation

Section 66602 of the McAteer-Petris Act states, in part, that “existing public access to the shoreline and waters of the San Francisco Bay is inadequate and that maximum feasible public access, consistent with a proposed project, should be provided.” Bay Plan policies require that public access be designed and maintained to avoid flood damage due to sea level rise and storms. Any public access provided as a condition of development must either remain viable in the event of future sea level rise or flooding, or equivalent access consistent with the project must be provided nearby. As there are significant biological resources along the shoreline of the City of Martinez, the plan should also consider the Bay Plan public access policies that aim to maximize public access opportunities while minimizing significant adverse impacts upon wildlife.


E-6

Development within the Martinez Regional Shoreline Park and the Martinez Waterfront Park Waterfront Park, Beach Priority Use Areas, as designated by the San Francisco Bay Plan, should address the recreation policies of the Bay Plan, which state, in part, that “diverse and accessible water-oriented recreational facilities, such as marinas, launch ramps, beaches, and fishing piers, should be provided to meet the needs of a growing and diversifying population, and should be well distributed around the Bay and improved to accommodate a broad range of water-oriented recreational activities for all races, cultures, ages, and income levels.”

E-7

Thank you for the opportunity to comment on the DEIR. If you have any questions regarding this letter please contact me directly at (415) 352-3641 or at cody.achele@bcdc.ca.gov.

Sincerely,

DocuSigned by:

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CODY AICHELE-ROTHMAN
Coastal Planner

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Response to Comment Letter E

San Francisco Bay Conservation and Development Commission
September 22, 2022

- E-1 The comment is an introduction to the comments, noting the comments are specifically related to San Francisco Bay Conservation and Development Commission (BCDC) jurisdiction within the project area, climate change and sea level rise, safety of fills, recreation and public access.

The comment is noted; no further response is necessary.

- E-2 The comment is a description of the authority of the San Francisco BCDC, as identified in the McAteer-Petris Act, over portions of the City of Martinez along the shoreline which allows the San Francisco BCDC to issue or deny permit applications for placing fill, extracting material or changing any use of land, water or structure within the San Francisco BCDC's jurisdiction in compliance with the McAteer-Petris Act and Bay Plan.

The comment is noted. The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is necessary.

- E-3 The comment describes the specific policies in the San Francisco Bay Plan (Bay Plan) that relates to the City of Martinez and that specific developments within the San Francisco BCDC's jurisdiction may require a BCDC permit.

Specific locations for future development and improvements have not been identified. Future projects within the jurisdiction of the San Francisco BCDC would be required to comply with existing regulation and permit requirements. The comment is noted. The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is necessary.

- E-4 The comment describes policies in the Bay Plan addressing climate change and sea level rise and identifies that an analysis of potential impacts from sea level rise should be used to evaluate impacts to the Martinez shoreline and assure that new structures and uses will be built at stable evaluations to protect from potential flood hazards.

Draft EIR Chapter 4.7 identifies the General Plan Public Safety Element goals, policies and implementation measures that address the need for analysis of potential impacts from sea level rise, including incorporating the projected impacts of sea level rise in the City's Local Hazard Mitigation Plan, future updates of the Housing Element and Emergency Operations Plan, and the Marina Waterfront Plan. Specific locations for future development and improvements have not been identified. The comment is noted. The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is necessary.

- E-5 The comment describes the City’s participation and the conclusions in the regional assessment and adaptation project on sea level rise and discusses the requirements of the Bay Plan policies on future project design.

Specific locations for future development and improvements have not been identified. Future projects within the jurisdiction of the San Francisco BCDC would be required to comply with existing regulation and permit requirements. The comment is noted. The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is necessary.

- E-6 The comment describes policies in the Bay Plan that implement the McAteer-Petris Act requirement that public access be design and maintained to avoid impacts due to sea rise to access and potential adverse impacts upon wildlife.

Draft EIR Chapter 4.7 identifies the General Plan Public Safety Element goals, policies and implementation measures that address the need for analysis of potential impacts from sea level rise, including incorporating the projected impacts of sea level rise in the City’s Local Hazard Mitigation Plan, future updates of the Housing Element and Emergency Operations Plan, and the Marina Waterfront Plan. Specific locations for future development and improvements have not been identified. Subsequent development projects will be required to comply with the General Plan Update and adopted State, federal, and local regulations for the protection of special status plants and wildlife, including habitat. The comment is noted. The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is necessary.

- E-7 The comment states that future development within the jurisdiction of the San Francisco BCDC should comply with recreation policies of the Bay Plan.

Specific locations for future development and improvements have not been identified. Future projects within the jurisdiction of the San Francisco BCDC would be required to comply with existing regulation and permit requirements. The comment is noted. The comment does not raise new environmental information or directly challenge information provided in the Draft EIR; no further response is necessary.

This section includes any changes to the Draft EIR. The revisions herein do not result in new significant environmental impacts, do not constitute significant new information, and do not alter the conclusions of the environmental analysis that would warrant recirculation of the Draft EIR pursuant to State CEQA Guidelines Section 15088.5.

Changes to the Draft Environmental Impact Report (EIR) are noted below and are listed by page and, where appropriate, by paragraph. Changes are provided with double underline for new text and ~~strike through~~ for deleted text.

2.0 PROJECT DESCRIPTION

The proposed 2035 General Plan Land Use Map (Draft EIR Figure 2) has been revised as follows:

- Change the Downtown Government (DG) designation for the block north of the UPRR tracks and east of Berrellesa Street to Public Institutions (PI).
- Change the Downtown Shoreline (DS) designation of the block north of the UPRR tracks and west of Berrellesa Street to the new Marina Waterfront (MW) designation.
- Remove the Downtown Residential Opportunity Areas boundary from the western portion of the parcel located south of the UPRR tracks, between Court Street and Ferry Street (leaving just the eastern portion of the parcel currently used as surface parking).

The revised Draft EIR Figure 2, 2035 General Plan Land Use Map, is included at the end of this section.

The following Draft EIR tables (Table 2-1 and Table 2-3) have been modified in the Final EIR to reflect the proposed changes to the land use designations of the areas identified above. The land use designation modifications result in minor reductions to the General Plan Update growth assumptions and do not result in any changes to the impact analysis and conclusions.

Draft EIR Table 2-1, General Plan Land Use Designations, has been modified in the Final EIR as follows:

3.0 ERRATA

TABLE 2-1: GENERAL PLAN LAND USE DESIGNATIONS

Land Use Designation	Area (Acres)		
	City Limits	Sphere of Influence	Total ¹
Downtown			
Downtown Core (DC)	19.86	0.00	19.86
Downtown Government (DG)	34.91 <u>26.85</u>	0.00	34.91 <u>26.85</u>
Downtown Shoreline (DS)	16.01 <u>11.57</u>	0.00	16.01 <u>11.57</u>
Downtown Transition (DT)	16.88	0.00	16.88
General Residential			
Residential Very Low (RVL)	204.14	98.15	302.29
Residential Low (RL)	1,367.46	384.34	1,751.80
Residential Medium (RM)	349.31	51.81	401.12
Residential High (RH)	57.23	0.00	57.23
Residential Very High (RVH)	76.82	10.20	87.02
Central Residential Single-Family			
Central Residential Low – A (CRL-A)	113.8	0.00	113.80
Central Residential Low – B (CRL-B)	84.86	0.00	84.86
Central Residential Mixed Single-Family and Multifamily			
Central Residential Low – C (CRL-C)	108.44	0.00	108.44
Central Residential Medium (CRM)	17.87	0.00	17.87
Central Residential High (CRH)	8.31	0.00	8.31
Alhambra Valley			
Alhambra Valley Estate Residential - Very Low (AV-ERVL)	122.48	82.42	204.91
Alhambra Valley Estate Residential – Low (AV-ERL)	0.00	160.96	160.96
Alhambra Valley Agricultural Lands (AV-AL)	135.59	309.84	445.43
Alhambra Valley Open Space (AV-OS)	57.12	91.49	148.61
Commercial and Mixed-Use			
General Commercial (GC)	44.86	35.23	80.09
Neighborhood Commercial (CN)	52.00	7.23	59.23
Commercial Light Industrial (CLI)	62.85	97.46	160.31
Regional Commercial (CR)	21.63	0.00	21.63
Business Park and Office Professional (BPO)	49.86	0.00	49.86
Business Park and Office Professional/Central Residential Low – B (BPO/CRL-B)	8.81	0.00	8.81

Land Use Designation	Area (Acres)		
	City Limits	Sphere of Influence	Total ¹
Business Park and Office Professional/Residential Very High (BPO/RVH)	12.43	0.00	12.43
Industrial and Manufacturing (IM)	593.15	1,248.91	1,842.05
Parks, Recreation, and Open Space Preservation			
Environmentally Sensitive Land (ESL)	273.04	0.01	273.04
Neighborhood Park (NP)	9.80	0.00	9.80
Open Space (OS)	407.27	529.69	936.96
Open Space/Parks & Recreation (OS/P&R)	73.25	0.00	73.25
Open Space & Recreation, Permanent (OS&R)	295.14	0.00	295.14
Open Space, 30% Slopes (OS-S)	69.22	0.00	69.22
Open Space, Private (OS-P)	14.67	0.00	14.67
Open Space Conservation Use Land (CUL)	1,010.25	0.00	1,010.25
Parks & Recreation (P&R)	139.42	0.00	139.42
Parks & Recreation, Public Permanent Open Space (PPOS)	780.76	10.13	790.88
Other Designations			
Marina and Waterfront (MW)	45.68 41.24	0.00	45.68 41.24
Public and Quasi-Public Institutional (PI)	249.76 241.70	457.75	707.51 699.45
Total²:	6,992.44	3,575.62	10,568.04

Draft EIR Table 2-3, Projected Maximum New Development within City Limits and SOI at General Plan Buildout, has been modified in the Final EIR as follows:

TABLE 2-3: PROJECTED MAXIMUM NEW DEVELOPMENT WITHIN CITY LIMITS AND SOI AT GENERAL PLAN BUILDOUT

Type	Residential (# of Units)	Non-Residential (sq. ft.)
Single Family Units	756 865	-
Multifamily Units	985 1,195	-
Commercial Development	-	717,849 816,078
Office Development	-	56,217
Recreational Development	-	410,666 446,565
Industrial Development	-	977,453
Institutional Uses	-	-433 7,016
Public/Quasi-Public Development	-	411,120 514,731
TOTAL (City and SOI)	1,741 2,060	2,572,873 2,818,060

Draft EIR Page 2.0-20, Section 2.3, Project Description, has been modified in the Final EIR, as follows:

This new growth would increase the Study Area’s population by approximately ~~4,353~~ 5,150 residents.¹ The full development of the new commercial, office, and industrial uses shown in Table 2-3 would increase the employment opportunities by approximately ~~2,283~~ 2,564 employees. The jobs:housing ratio associated with new development would be approximately ~~1.31~~ 1.25, with full buildout of residential and employee-generating uses.

3.0 BASIS OF CUMULATIVE ANALYSIS

Draft EIR Page 3.0-3, Section 3.2, Cumulative Analysis in this EIR, has been modified in the Final EIR, as follows:

The General Plan Update buildout through 2035 would allow for the development of an additional ~~1,741~~ 2,060 units and ~~2,572,873~~ 2,818,060 square feet of non-residential development, increasing the number of households in the City by ~~11~~ 13 percent and the number of jobs by ~~10~~ 11 percent. ABAG’s growth projections are based on a baseline year of 2015 and anticipates growth through 2050. Households in North ~~Costa~~ Contra Costa County are anticipated to grow by 58 percent and jobs by 52 percent. However, since the Martinez growth under the General Plan Update is anticipated to occur over the next 14 years, compared to ABAG’s growth forecasts that are anticipated to occur over 35 years (from 2015 through 2050), it is helpful to identify anticipated annual growth. As shown in Table 3-1, Martinez’s annual growth for both households (~~0.8~~ 0.9

¹ Based on the 2021 California Department of Finance estimate of 2.50 persons per household.

percent) and jobs (0.7 ~~0.8~~ percent) are slightly lower, but similar to the larger region. Section 4.12, Population and Housing, further elaborates on projected growth assumptions within the Study Area as well as within the ABAG region.

As indicated in Section 2.0, Project Description, the City is forecast to have approximately 17,095 ~~17,325~~ housing units by 2035 buildout, which would result in an approximate population of 41,180 ~~41,977~~ persons. Therefore, the General Plan Update would facilitate the addition of 1,741 ~~2,060~~ housing units through 2035 and would result in a population growth of approximately 4,353 ~~5,150~~ persons in the City.

Draft EIR Table 3-1, Growth Projections, has been modified in the Final EIR, as follows:

TABLE 3-1: GROWTH PROJECTIONS

Description	Households				Jobs			
	Existing	Projection	% Growth	Annual % Change ³	Existing	Projection	% Growth	Annual % Change ³
Martinez ¹	15,265	<u>17,006</u> 17,325	<u>11%</u> 13%	<u>0.8%</u> 0.9%	22,344	<u>24,627</u> 24,908	<u>10%</u> 11%	<u>0.7%</u> 0.8%
Contra Costa County ²	383,000	551,000	44%	1.3%	404,000	534,000	32%	0.9%
North Contra Costa County ²	85,000	134,000	58%	1.6%	121,000	184,000	52%	1.5%

4.10 LAND USE AND PLANNING

Draft EIR Figure 4.10-2, Existing General Plan Land Uses, has been replaced in the Final EIR to accurately reflect the currently adopted General Plan Land Use map. Figure 4.10-2 is included at the end of this section.

Draft EIR Page 4.10-14, Section 4.10.3, Impacts and Mitigation Measures, has been modified in the Final EIR, as follows:

Based on the proposed land use designations, density and intensity permitted for each parcel, and associated development assumptions, the proposed land plan would allow for increased development over existing conditions by 1,741 ~~2,060~~ additional dwelling units and 2,572,873 ~~2,818,060~~ additional square feet of non-residential uses; refer to Table 2-3 in Section 2.0, Project Description.

4.12 POPULATION AND HOUSING

Draft EIR Page 4.12-11, Impact 4.12-2, has been modified in the Final EIR, as follows:

While the proposed General Plan Update does not directly propose any development, it would allow for the development and redevelopment of lands within the City in areas that are both currently occupied and unoccupied by people and existing housing units. The adopted 2015 Housing Element identifies vacant and underutilized parcels within the City that could

accommodate new housing. Future housing development within the City will consist of developing vacant parcels, and increased densities of underutilized parcels to meet future needs and housing goals. The proposed General Plan Update would accommodate approximately 2,060 new housing units in the City limits and SOI (~~756~~ ~~865~~ Single Family units and ~~985~~ ~~1,195~~ Multi-Family units). As most of the new development would occur through infill, new mixed-use development, and development of vacant parcels, it is not anticipated that substantial numbers of housing or people would be displaced, and that the General Plan Update, therefore, would not require the construction of replacement housing. Future growth will be directed into development areas, which are identified in the Housing Element as the most suitable locations for higher density residential and mixed-use development projects. Additionally, the City's Housing Element Policy 2.4 discourages the loss of housing units and the conversion of residential uses to non-residential uses, unless there is a finding of public benefit and that equivalent housing can be provided for those who have been displaced by the proposed conversion. Further, the General Plan Update Land Use Element contains policies and implementation measures that protect existing residential uses, namely Implementation Measure 1.4a and Policy 4.2.

Draft EIR Page 4.12-8, Section 4.12.3, Impacts and Mitigation Measures, has been modified in the Final EIR, as follows:

Table 2-3 in Section 2.0, Project Description, summarizes the maximum level of new development that may occur within the existing City Limits and SOI under General Plan Update build out conditions. Build out of the proposed General Plan Update could yield up to 1,741 ~~2,060~~ new residential units and approximately 2.6 ~~2.8~~ million square feet of new non-residential development in the Study Area. This new growth would increase the Study Area's population by approximately 4,353 ~~5,150~~ residents (based on the 2021 California Department of Finance estimated household size of 2.50 persons per household). Full buildout of the proposed General Plan Update within the Study Area would result in a maximum total population of approximately 41,180 ~~41,977~~. The proposed General Plan Update would also provide additional employment opportunities of approximately 2,283 ~~2,564~~ employees (assumes one employee generated for every 549 square feet of commercial space, every 324 square feet of office space, and every 557 square feet of industrial space).

Draft EIR Page 4.12-8, Section 4.12.3, Impacts and Mitigation Measures, has been modified in the Final EIR, as follows:

Further, growth anticipated by the General Plan Update would improve the City's jobs/housing balance by providing additional employment opportunities for residents to potentially work in the area. The jobs/housing ratio is used as a general measure of balance between a community's employment opportunities and the housing needs of its residents. A ratio of 1.0 or greater generally indicates that a community provides adequate employment opportunities, potentially allowing its residents to work within the community (rather than commuting to neighboring cities). Under existing conditions, the City's jobs/housing ratio is 0.68 and at buildout assumed by the General Plan Update, the City's jobs/housing ratio would increase to approximately 1.31 ~~1.25~~. Therefore, it can be assumed that some of the existing residents within the area who currently commute outside of the City for jobs could potentially remain in the area to work due to the

potential availability of approximately 2,283 ~~2,564~~ new jobs anticipated by the General Plan Update. Therefore, the General Plan Update would beneficially impact the City's jobs/housing balance by improving the jobs/housing ratio when compared to existing conditions.

Draft EIR Page 4.12-11, Section 4.12.3, Impacts and Mitigation Measures, has been modified in the Final EIR, as follows:

While the proposed General Plan Update does not directly propose any development, it would allow for the development and redevelopment of lands within the City in areas that are both currently occupied and unoccupied by people and existing housing units. The adopted 2015 Housing Element identifies vacant and underutilized parcels within the City that could accommodate new housing. Future housing development within the City will consist of developing vacant parcels, and increased densities of underutilized parcels to meet future needs and housing goals. The proposed General Plan Update would accommodate approximately 1,741 ~~2,060~~ new housing units in the City limits and SOI (756 ~~865~~ Single Family units and 985 ~~1,195~~ Multi-Family units). As most of the new development would occur through infill, new mixed-use development, and development of vacant parcels, it is not anticipated that substantial numbers of housing or people would be displaced, and that the General Plan Update, therefore, would not require the construction of replacement housing. Future growth will be directed into development areas, which are identified in the Housing Element as the most suitable locations for higher density residential and mixed-use development projects. Additionally, the City's Housing Element Policy 2.4 discourages the loss of housing units and the conversion of residential uses to non-residential uses, unless there is a finding of public benefit and that equivalent housing can be provided for those who have been displaced by the proposed conversion. Further, the General Plan Update Land Use Element contains policies and implementation measures that protect existing residential uses, namely Implementation Measure 1.4a and Policy 4.2.

4.13 PUBLIC SERVICES AND RECREATION

Draft EIR Page 4.13-8, has been modified in the Final EIR, as follows:

City Parks

The Recreation Division with the help of the Public Works Department, oversees approximately 176 ~~235~~ acres of developed park space (further referred to simply as "park space") in the City of Martinez.

Draft EIR Page 4.13-9 and 4.13-10 have been modified in the Final EIR, as follows:

The City operates 23 ~~24~~ official park and plaza spaces. The City's Park Dedication Ordinance (Chapter 21.46 of the Municipal Code) establishes a park to resident ratio of five (5) acres of park space for every 1,000 residents as the standard per subdivision, consistent with the Quimby Act. Martinez residents currently enjoy 4.72 ~~7.56~~ acres of park space per every 1,000 residents (175.52 ~~281.02~~ acres of parkland for 37,195 residents per the 2021 Department of Finance population estimates) on a Citywide basis.

TABLE 4.13-5: EXISTING PARK FACILITIES

Park	Location	Park Type	Acreage
Cappy Ricks Park	Brown Street & Arreba Street	Neighborhood	1.9
Ferry Point Picnic Area	North Court Street	Memorial	3.8
Foothills Park	Alhambra Avenue & Chatswood Drive	Linear	2.3
Golden Hills	Bernice Lane & Blue Ridge Drive	Neighborhood	9.6
Highland Avenue Park	1356 Merrithew Street	Neighborhood	0.25
Hidden Lakes Park	Morello Avenue & Chilpancingo Parkway	Community	24
Hidden Valley Park	Redwood Drive & Center Avenue	Community and School*	17
Hidden Valley Linear Park	Center Avenue	Linear	2.3
Holiday Highlands Park	Fig Tree Lane	Neighborhood	2.0
John Muir	205 Vista Way	School*	7.4
John Muir Memorial Park	Vista Way & Pine Street	Plaza	0.42
John Sparacino Park (Alhambra)	Alhambra Avenue	Plaza	0.55
Main Street Plaza	Main Street	Plaza	0.45
Martinez Marina	N Court Street	Community*	60
Morello Park	1200 Morello Park Drive	Community and School*	7.1
Mountain View Park	713 Parkway Drive	Neighborhood*	4.5
Nancy Boyd Park	Pleasant Hill Road East & Church Street	Community and Memorial	7.3
Plaza Ignacio Martinez	Alhambra Avenue & Henrietta Street	Plaza	1
Pine Meadow Park	Vine Hill Way	Neighborhood	9
Rankin Park	100 Buckley Street	Community	42
Susana Street Park	Susana Street & Estudillo Street	Neighborhood	1.2
Steam Train Display	Marina Vista Avenue	Community	0.25
Waterfront Park	245 N. Court Street	Community*	<u>31.0</u> 76.5
Veterans Memorial Park	Alhambra Avenue & Bertola Street	Memorial	0.2
Total			<u>175.52</u> <u>281.02</u>

SOURCE: CITY OF MARTINEZ (2021), PARKS & COMMUNITY FACILITIES ELEMENT, TABLE 5-1; CITY OF MARTINEZ, 2022, MARTINEZ PARKS.

NOTE: * DENOTES LEASE IN EFFECT FOR A PORTION OR ALL OF A SPACE

Draft EIR Page 4.13-20, Section 4.13.3, Impacts and Mitigation Measures, has been modified in the Final EIR, as follows:

Development accommodated under the General Plan Update would result in additional residents and businesses in the City, including new residential, commercial, office, and industrial uses. Based on the anticipated growth, as described in Section 2.0, Project Description, 2035 buildout under the General Plan Update could yield a net change over existing conditions of an additional 1,741 ~~2,060~~ housing units, an additional population of 4,353 ~~5,150~~ residents, approximately 2.6 ~~nearly~~

~~three~~ million square feet of non-residential building space, and an additional ~~2,283~~ 2,564 employees within the Study Area.

Draft EIR Page 4.13-26, Section 4.13.3, Impacts and Mitigation Measures, has been modified in the Final EIR, as follows:

Development accommodated under the General Plan Update would result in additional residents and businesses in the City, including new residential, commercial, office, and industrial uses. Based on the anticipated growth, as described in Section 2.0, Project Description, 2035 buildout under the General Plan Update could yield a net change over existing conditions of an additional ~~1,741~~ 2,060 housing units, an additional population of ~~4,353~~ 5,150 residents, ~~approximately 2.6~~ nearly three million square feet of non-residential building space, and an additional ~~2,283~~ 2,564 employees within the Study Area.

Draft EIR Page 4.13-28, Section 4.13.3, Impacts and Mitigation Measures, has been modified in the Final EIR, as follows:

Development accommodated under the General Plan would result in additional residential uses with the potential of school-aged children. Based on the anticipated growth, as described in Section 2.0, Project Description, 2035 buildout under the General Plan Update could yield a net change over existing conditions of an additional ~~1,741~~ 2,060 housing units within the Study Area.

Draft EIR Table 4.13-7, Martinez Unified School District, has been modified in the Final EIR, as follows:

TABLE 4.13-7: MARTINEZ UNIFIED SCHOOL DISTRICT

Development Type	Estimated Net Increase (households)	Student Generation Rate (students per household)	Total Students Generated ¹
Single-Family Residential	756 <u>865</u>	0.7	530 <u>606</u>
Multi-Family Residential	985 <u>1,195</u>		690 <u>837</u>
Total			1,220 <u>1,443</u>

Draft EIR Page 4.13-28, Section 4.13.3, Impacts and Mitigation Measures, has been modified in the Final EIR, as follows:

Assuming all new residential development anticipated under the proposed General Plan Update occurs, the proposed project could generate approximately ~~1,220~~ 1,443 students. Accordingly, the potential exists that new facilities would need to be created, or existing facilities would need to be expanded, to accommodate for future population growth.

Draft EIR Pages 4.13-32 through 4.13-33, Section 4.13.3, Impacts and Mitigation Measures, has been modified in the Final EIR, as follows:

Since the 1980s the City has established a resident to parkland ratio of five acres of park space for every 1,000 residents within a subdivision, as officiated in the Municipal Code. The City currently contains 175.52 ~~281.02~~ acres of developed park space allowing Martinez residents to enjoy 4.72 ~~7.56~~ acres of park space per every 1,000 residents, on a City-wide basis. In addition, Martinez residents have access to over 410 acres of open space. Growth accommodated under the General Plan Update would include a range of uses that would increase the population of the City, and also attract additional workers and tourists to the City. The General Plan Update projects there will be an additional 1,741 ~~2,060~~ residential units proposed and an additional 4,353 ~~5,150~~ people are expected to be added to the population. This growth would result in increased demand for parks and recreation facilities. It is anticipated that over the life of the General Plan Update, use of regional parks, trails, and recreation facilities would increase, due to new residents as well as tourists visiting the City.

Draft EIR Table 4.13-8, Required Parkland Dedication, has been modified in the Final EIR, as follows:

TABLE 4.13-8: REQUIRED PARKLAND DEDICATION

Population	Existing Conditions			General Plan Update		
	Existing Parkland Acreage	Required Total Parkland Acreage	Parkland <u>Deficit</u> <u>Surplus</u> (acres)	Net Population Growth	Required Total Parkland Acreage	Proposed Parkland Acreage
37,195	<u>175.52</u> 281.02	185.98	<u>(10.46)</u> +95.04	<u>+4,353</u> +5,150	<u>205.9</u> 211.73	517.61

Draft EIR Page 4.13-34, Section 4.13.3, Impacts and Mitigation Measures, has been modified in the Final EIR, as follows:

As shown in Table 2-1 of Section 2.0, Project Description, of this Draft EIR, under the proposed General Plan Update, the Study Area would contain 517.61 acres of usable recreational space, including: 9.8 acres designated Neighborhood Park; 295.14 acres designated Open Space & Recreation, Permanent; 73.25 acres designated Open Space, Parks and Recreation; and 139.42 acres designated Parks and Recreation. Under General Plan Update buildout conditions, which anticipated a population of 41,180 ~~42,345~~ persons, a total of 205.9 ~~211.73~~ acres of parkland would be needed to meet the City’s standard of five acres per 1,000 persons. As indicated in Table 4.13-8, approximately 176 ~~281~~ acres of existing parkland is available to serve both existing and General Plan Update conditions. The 517.61 acres of usable recreational space proposed under the General Plan Update would allow the City to provide more than five acres of parkland per 1,000 residents (the proposed 517.61 acres does not contain any lands in the Alhambra Valley neighborhood) on a City-wide basis.

4.14 TRANSPORTATION AND CIRCULATION

Draft EIR Page 4.14-21, Section 4.14.3, Impacts and Mitigation Measures, has been modified in the Final EIR, as follows:

The General Plan Update would accommodate future growth in Martinez, including new businesses, expansion of existing businesses, and new residential uses. As shown in Section 2.0, Project Description, buildout of the General Plan Update could yield up to 1,741 ~~2,060~~ new residential units and approximately 2.6 ~~nearly three~~ million square feet of new non-residential development in the Study Area. This new growth would increase the Study Area's population by approximately 4,353 ~~5,150~~ residents. The full development of the new commercial, office, and industrial uses would increase the employment opportunities by approximately 2,283 ~~2,420~~ employees. The jobs:housing ratio associated with new development would be approximately 1.31 ~~1.25~~, with full buildout of residential and employee-generating uses.

4.15 UTILITIES AND SERVICE SYSTEMS

Draft EIR Page 4.15-9, Section 4.15.1, Water, has been modified in the Final EIR, as follows:

As described in Chapter 2.0, the General Plan is expected to accommodate up to 1,741 ~~2,060~~ new residential dwelling units and up to 2,572,873 ~~2,818,060~~ square feet of non-residential building space within the City limits and Sphere of Influence (SOI) at buildout. This new growth within the city limits and SOI would increase the city's population by approximately 4,353 ~~5,150~~ residents. The full development of the new non-residential uses would increase the employment Martinez by approximately 2,283 ~~2,564~~ employees.

Draft EIR Page 4.15-11, Section 4.15.1, Water, has been modified in the Final EIR, as follows:

Build-out of the City of Martinez General Plan Update would result in up to 1,741 ~~2,060~~ new residential dwelling units and up to 2,572,873 ~~2,818,060~~ square feet of non-residential building space. The full development of the new non-residential uses would increase the employment in Martinez by approximately 2,283 ~~2,564~~ employees. Areas to the southwest of current City limits are already incorporated into the City water service area. However, undeveloped areas to the northeast that are within the City's SOI, are currently outside of the City's incorporated area, and are not currently served by a water district or agency. Water provision to these areas would be determined as part of any future annexation plans. The projected water growth associated with the General Plan Update anticipates development associated with a 2035 buildout year and includes all areas of the City that are identified for future development allowed under the Proposed General Plan Land Use Map and its associated levels of growth. Prior to annexation of unserved areas into a water services district, area-specific demands for water supply would need to be evaluated based on the existing system capacity, necessary infrastructure improvements to maintain acceptable levels of service, and the means to fund the improvements.

The City's and CCWD's UWMP's anticipate population growth that is lower than what may occur under the proposed General Plan Update. Development under the General Plan Update would result in an increase of up to 4,353 ~~5,150~~ new residents, for a total population of approximately 41,180 ~~42,058~~. The CCWD UWMP has anticipated that City's water service area population was 28,095 in 2020 and is projected to increase to 29,867 by 2035. Additionally, the CCWD anticipates that the overall CCWD Martinez service area population will increase to 38,100 by 2035.

While buildout of the General Plan would likely extend beyond 2035, buildout growth could exceed the growth anticipated by the CCWD in 2035 by approximately eight ~~10~~ percent. Further, both the City, and CCWD UWMPs anticipate that supplies may not be adequate to meet demand in multiple dry years, however the City’s UWMP currently does not identify a shortfall due to Water Shortage Contingency Planning efforts. Additionally, CCWD’s UWMP indicates that potential supply shortfalls will be met through a combination of short-term conservation program and short-term water purchases.

Draft EIR Page 4.15-22, Section 4.15.2, Wastewater, has been modified in the Final EIR, as follows:

Both the CCCSD and MVSD have adequate demand available to serve growth under the General Plan Update. Based on the estimated per capita wastewater generation rates, the General Plan Update would result in approximately 0.508 ~~0.576~~ MGD as shown in Table 4.15-3.

Draft EIR Table 4.15-3, Projected Wastewater Generation Estimates, has been modified in the Final EIR, as follows:

TABLE 4.15-3: PROJECTED WASTEWATER GENERATION ESTIMATES

Development Type	General Plan New Units	General Plan New Square Feet	Base Wastewater Flow (gpd/unit)	Total Wastewater Generated (gpd)
Single Family Units	<u>756</u> 865	-	195/unit	<u>147,420</u> 168,675
Multifamily Units	<u>985</u> 1,195	-	105/unit	<u>103,425</u> 125,475
Commercial/ Office/ Industrial/Public/Quasi-Public	-	<u>2,572,873</u> 2,818,060	0.1/SF	<u>257,287</u> 281,806
TOTAL	<u>1,741</u> 2,060	<u>2,572,873</u> 2,818,060	-	<u>508,132</u> 576,287

Draft EIR Page 4.15-39, Section 4.15.4, Solid Waste, has been modified in the Final EIR, as follows:

Development under the proposed General Plan may increase the population within the Study Area by approximately 4,353 ~~5,150~~ persons. As described previously, the City of Martinez had an estimated disposal rate of 6.0 PPD per resident in 2019 which was slightly under the per resident disposal rate target (PPD) of 6.1. Assuming disposal rates remain constant throughout the life of the General Plan, the new growth under General Plan Update buildout would result in an increase of approximately 26,118 ~~30,900~~ pounds per day of solid waste (4,353 ~~5,150~~ x 6.0), which equals 13.06 ~~15.45~~ tons per day or 4,767 ~~5,639~~ tons of solid waste per year.

The City’s ~~city’s~~ increase in solid waste generation is within the daily permitted capacity of the Keller Canyon landfill. The Keller Canyon landfill currently handles approximately 2,500 tons of waste per day, although the permit allows up to 3,500 tons of waste per day to be managed at the facility. The additional 13.06 ~~15.45~~ tons per day represents approximately 0.37 ~~0.44~~ percent of the

available daily capacity. According to the CalRecycle Solid Waste Facility Permit (07-AA-0032), the remaining capacity of the landfill's disposal area is estimated at approximately 63,408,410 million cubic yards, and the estimated date for ceasing operations for the landfill is 2050, which is beyond the General Plan Update buildout year of 2035. Additionally, all development within the city would be required to comply with waste reduction and recycling requirements included in the Martinez Municipal Code including Chapter 8.16 (Solid Waste Management) and Chapter 8.18 (Source Reduction and Recycling) that aim to reduce the amount of solid waste being diverted to the landfill.

5.0 OTHER CEQA CONSIDERATIONS

Draft EIR Page 5.0-5, Section 5.3, Growth-Inducing Impacts, has been modified in the Final EIR, as follows:

As shown in Table 2-3, buildout of the General Plan Update could yield up to 1,741 ~~2,060~~ new residential units and approximately 2.6 ~~nearly three~~ million square feet of new non-residential development in the City limits and SOI.

6.0 ALTERNATIVES

Draft EIR Draft EIR Figure 6-1, Existing General Plan Land Uses, has been replaced in the Final EIR to accurately reflect the currently adopted General Plan Land Use map. Figure 6-1 is included at the end of this section.

Draft EIR Table 6-1, Existing General Plan Land Uses, has been replaced in the Final EIR, as follows:

TABLE 6-1: EXISTING GENERAL PLAN LAND USES

<u>Land Use</u>	<u>City</u>	<u>Sphere</u>	<u>Total</u>
<u>R 0-0.5</u>	<u>3</u>	<u>0</u>	<u>3</u>
<u>R 0-6</u>	<u>1,590</u>	<u>395</u>	<u>1,985</u>
<u>R 6-12</u>	<u>43</u>	<u>0</u>	<u>43</u>
<u>R 7-12</u>	<u>201</u>	<u>39</u>	<u>240</u>
<u>R 13-18</u>	<u>36</u>	<u>0</u>	<u>36</u>
<u>R 19-25</u>	<u>101</u>	<u>0</u>	<u>101</u>
<u>R 12 and over (R 12+)</u>	<u>70</u>	<u>0</u>	<u>70</u>
<u>R up to 29 (R-29)</u>	<u>12</u>	<u>0</u>	<u>12</u>
<u>Residential, Group 1 (Group 1)</u>	<u>400</u>	<u>37</u>	<u>437</u>
<u>Residential, Group 2 (Group 2)</u>	<u>253</u>	<u>0</u>	<u>253</u>
<u>Residential, Group 3 (Group 3)</u>	<u>16</u>	<u>0</u>	<u>16</u>
<u>Residential, Group 4 (Group 4)</u>	<u>13</u>	<u>0</u>	<u>13</u>
<u>Slope Density Ordinance (SDO)</u>	<u>505</u>	<u>0</u>	<u>505</u>
<u>AV/Estate Residential-Very Low (AV/ER-VL)</u>	<u>128</u>	<u>53</u>	<u>181</u>
<u>AV/Open Space (AV/OS)</u>	<u>55</u>	<u>0</u>	<u>55</u>
<u>AV/Agricultural Lands (AV/AL)</u>	<u>132</u>	<u>10</u>	<u>142</u>
<u>Commercial (C)</u>	<u>102</u>	<u>31</u>	<u>133</u>
<u>Commercial, Retail and Services (C-R&S)</u>	<u>88</u>	<u>0</u>	<u>88</u>
<u>Commercial, Professional and Administrative (C-P&A)</u>	<u>3</u>	<u>0</u>	<u>3</u>
<u>Commercial and Group 2 Residential (MUb)</u>	<u>7</u>	<u>0</u>	<u>7</u>

3.0 ERRATA

<u>Land Use</u>	<u>City</u>	<u>Sphere</u>	<u>Total</u>
Office (O)	41	0	41
Office/Commercial (O/C)	23	0	23
Mixed Residential (up to 29 units)/Commercial (M R/C)	2	0	2
Mixed Residential (up to 29 units)/Office (M R/O)	13	0	13
Mixed Research and Development/Commercial (M R&D/C)	19	0	19
Research and Development (R&D)	27	0	27
Commercial/Light Industrial (C/LI)	23	0	23
Light Industrial (LI)	27	0	27
Industrial (I)	637	858	1,495
Hospital (H)	20	0	20
Governmental (G)	60	0	60
Neighborhood Park (NP)	9	0	9
Parks and Recreation (P&R)	120	0	120
Open Space (OS)	95	128	223
Open Space, Private (OS-P)	14	0	14
Open Space, 30% over slopes (OS-S)	68	0	68
Open Space, Parks and Recreation (OS/P&R)	74	0	74
Open Space & Recreation, Permanent (OS/P&R)	316	0	316
Public Permanent Open Space (PPOS)	728	10	738
Open Space/Conservation Use Land (CUL)	1,188	529	1,717
Environmentally Sensitive Land (ESL)	273	0	273
Special Study Area (SSA)	146	0	146
Public Institution (PI)	106	0	106
Elementary (E)	17	0	17
Junior High (JH)	7	0	7
High School (HS)	11	0	11
Not Designated (waterfront)	716	130	846
Total	6,978.63	3,610.10	10,588.74

SOURCE: CITY OF MARTINEZ, 2022.

<u>Land-Use</u>	<u>City</u>	<u>Sphere</u>	<u>Total</u>
AG	0.09	135.72	135.82
AV-AL	142.13	271.18	413.31
AV-ER-L	0.00	162.23	162.23
AV-ER-VL	126.40	79.35	205.75
AV-OS	56.67	97.85	154.52
C-N	51.99	7.23	59.21
CO-BP	51.78	0.00	51.78
C-R	21.63	0.00	21.63
CRH	8.23	0.00	8.23
CRL-A	115.43	0.00	115.43
CRL-B	82.29	0.00	82.29
CRL-C	108.48	0.00	108.48
CRM	17.78	0.00	17.78
CS-LI	70.17	97.36	167.54
CUC-C-R30	56.34	35.30	91.64
CUC-MC	8.81	0.00	8.81

Land-Use	City	Sphere	Total
D-C	19.67	0.00	19.67
D-G	30.34	0.00	30.34
D-S	17.99	0.00	17.99
D-T	16.58	0.00	16.58
E	28.75	9.11	37.85
G	141.33	448.64	589.97
H	71.99	0.00	71.99
HDR	90.84	10.20	101.04
HRR	295.70	55.15	350.85
HS	17.13	0.00	17.13
I-M	595.65	1,296.47	1,892.12
JH	12.71	0.00	12.71
MDR	49.20	0.00	49.20
MDRL	368.33	51.66	420.00
OS-AH	455.99	34.88	490.87
OS-P	1,924.35	442.64	2,366.99
PR	194.15	0.00	194.15
PS	2.01	0.00	2.01
RL	1,214.68	361.59	1,576.27
ROW	27.48	1.34	28.82
RVL	485.52	12.19	497.71
Total	6,978.63	3,610.10	10,588.74

SOURCE: CITY OF MARTINEZ, DE NOVO PLANNING GROUP, 2022.

Draft EIR Table 6-2, Growth Potential by Alternative, has been modified in the Final EIR, as follows:

TABLE 6-2: GROWTH POTENTIAL BY ALTERNATIVE

Alternatives	Population	Dwelling Units	Nonresidential Square Footage	Jobs	Jobs per Housing Unit
Proposed General Plan	<u>4,353</u>	<u>1,741</u>	<u>2,572,873</u>	<u>2,283</u>	<u>1.31</u>
	5,150	2,060	2,818,060	2,564	1.25
Alternative 1: Existing General Plan/No Project	4,605	1,842	2,083,725	1,973	1.07
Alternative 2: VMT Reduction Alternative	<u>4,353</u>	<u>1,741</u>	<u>1,801,011</u>	<u>1,598</u>	<u>0.92</u>
	5,150	2,060	1,972,643	1,795	0.87
Alternative 3: Agricultural Preservation Alternative	<u>4,508</u>	<u>1,803</u>	<u>2,572,873</u>	<u>2,283</u>	<u>1.25</u>
	5,083	2,033	2,818,060	2,564	1.26

Draft EIR Pages 6.0-7 through 6.0-8, Section 6.3, Environmental Analysis, has been modified in the Final EIR, as follows:

The General Plan Update and Alternative 1 would permit and facilitate the development of new sensitive receptors, such as new homes, in locations near arterial and collector roadways, highways, rail lines, and stationary sources of toxic air contaminant (TAC) emissions. Adherence to BAAQMD guidelines and rules would reduce this impact. However, it is not possible to determine at this stage of the planning process that all impacts could be reduced to a less-than-significant level from larger sources and individual projects. Under both Alternative 1 and the proposed

project, future projects that would generate criteria pollutants, TACs, or place sensitive receptors in the vicinity of existing uses that generate emissions, would be subject to BAAQMD requirements for permitting and screening. Alternative 1 would result in a slight increase in ~~reduce~~ the total amount of residential ~~and non-residential~~ development but would decrease non-residential development, which would reduce overall construction and operational emissions throughout the Study area. However, this Alternative would not provide for the improved land use and transportation efficiencies; therefore, this Alternative would not eliminate the significant and unavoidable air quality impact. This alternative would **slightly reduce** these impacts when compared to the proposed project.

Draft EIR Page 6.0-12, Section 6.3, Environmental Analysis, has been modified in the Final EIR, as follows:

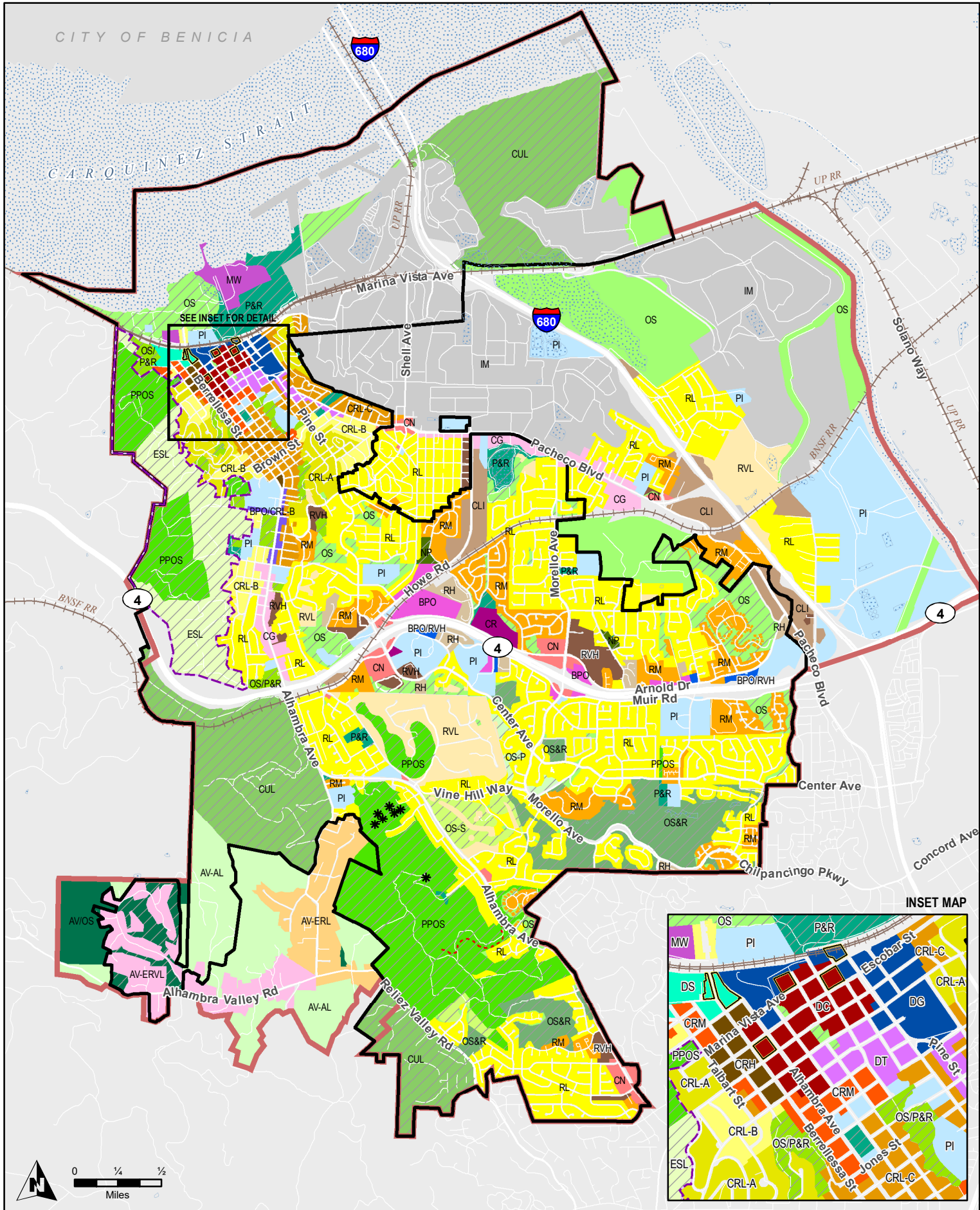
Alternative 2 would result in development of the proposed General Plan Land Use Map but would result in reduced nonresidential building intensities. The overall VMT per capita would still be expected to be significant and unavoidable. However, under Alternative 2, the reduced workforce may also result in workforce VMT reductions. Alternatives 2 would be required to adhere to the same policy guidance and local, state, and regional air quality and transportation measures as the Proposed General Plan Update. When compared to the proposed General Plan Update, Alternative 2 would **slightly reduce** impacts to transportation and circulation. While the proposed General Plan Update would result in a slightly higher average VMT than Alternative 2, the updated policy guidance includes many circulation policies and implementation measures that may help to reduce VMT overtime and would be roughly similar. It should be noted that the creation of fewer jobs within the Study Area would also result in a reduced jobs-to-housing ratio, which under this Alternative supports only 0.92 ~~0.87~~ jobs per new housing unit developed, which may increase the number of commuters and commute times for city residents due to the reduced local employment opportunities.

Draft EIR Page 6.0-14, Section 6.3, Environmental Analysis, has been modified in the Final EIR, as follows:

Alternative 2 would provide for less nonresidential building square footage and reduced jobs throughout the Study Area when compared to the proposed project. Much of the larger and contiguous areas that are currently undeveloped, but are anticipated to be developed under the General Plan Update have already undergone detailed planning processes that were specifically meant to guide development in these areas ~~area~~ (included in adoption of Specific Plans). The General Plan relies on specific plans and the Zoning Ordinance for implementation. While the Land Use Element establishes a broad policy direction, the Zoning Ordinance and Specific Plans describe property-specific guidelines to aid in meeting the General Plan goals. Alternatives proposing land use and development intensity changes in areas of the city that currently have long range planning documents may cause conflict with these previously adopted plans. It is desired by the City for current planning documents to remain useful and consistent over the course of the General Plan's planning period and to ensure existing Specific Plans remain relevant and that design and development standards remain consistent with the visions identified for these special planning areas.

Draft EIR Pages 6.0-14 through 6.0-15, Section 6.3, Environmental Analysis, has been modified in the Final EIR, as follows:

Alternative 2 is the environmentally superior alternative, as it reduces as many environmental effects as possible while still meeting most of the project objectives; however, this alternative would provide less opportunities for economic development and jobs throughout the City, and may not result in adequate job opportunities for local residents as it is anticipated to create only 0.92 ~~0.87~~ jobs per housing unit compared to 1.31 ~~1.25~~ jobs per housing unit under the General Plan Update. Additionally, this alternative would reduce the floor area ratio (FAR) for nonresidential uses and may not be consistent with the development envisioned and identified in the City's long range planning documents including adopted Specific Plans.



Legend

- Martinez City Boundary
- Martinez Sphere of Influence
- Franklin Hills Subarea
- Downtown Residential Opportunity Area

- POPO Overlay*
- Alhambra Hills Access Path
- Alhambra Hills Remote Homesites

Land Use Designations

Downtown

- DC (Downtown Core)
- DG (Downtown Government)
- DS (Downtown Shoreline)
- DT (Downtown Transition)

Residential

- RVL (Residential Very Low)
- RL (Residential Low)
- RM (Residential Medium)
- RH (Residential High)
- RVH (Residential Very High)

Central Residential Single Family

- CRL-A (Central Residential Low - A)
- CRL-B (Central Residential Low - B)

Central Residential Mixed Single Family and Mult Family

- CRL-C (Central Residential Low - C)
- CRM (Central Residential Medium)
- CRH (Central Residential High)

Alhambra Valley

- AV-ERVL (Alhambra Valley Estate Residential - Very Low)
- AV-ERL (Alhambra Valley Estate Residential - Low)
- AV-AL (Alhambra Valley)
- AV/OS (Alhambra Valley Open Space)

Commercial, Mixed Use, and Industrial

- GC (General Commercial)
- CN (Neighborhood Commercial)

CL (Commercial Light Industrial)

- CR (Regional Commercial)
- BPO (Business Park and Office)
- BPO/CRL-B (Business Park and Office/Central Residential Low - B)
- BPO/RVH (Business Park and Office/Residential Very High)
- IM (Industrial and Manufacturing)

Parks, Recreation, and Open Space Preservation

- ESL (Environmentally Sensitive Land)
- NP (Neighborhood Park)
- OS (Open Space)
- OS&R (Open Space & Recreation, Permanent)

OS-S (Open Space, Slopes Over 30%)

- OS/P&R (Open Space, Parks & Recreation)
- OS-P (Open Space, Private)
- CUL (Open Space/Conservation Use Land)
- P&R (Parks & Recreation)
- PPOS (Parks & Recreation, Public Permanent Open Space)

Waterfront Recreation and Marina

- MW (Marina and Waterfront)

Public and Quasi-Public Institutions

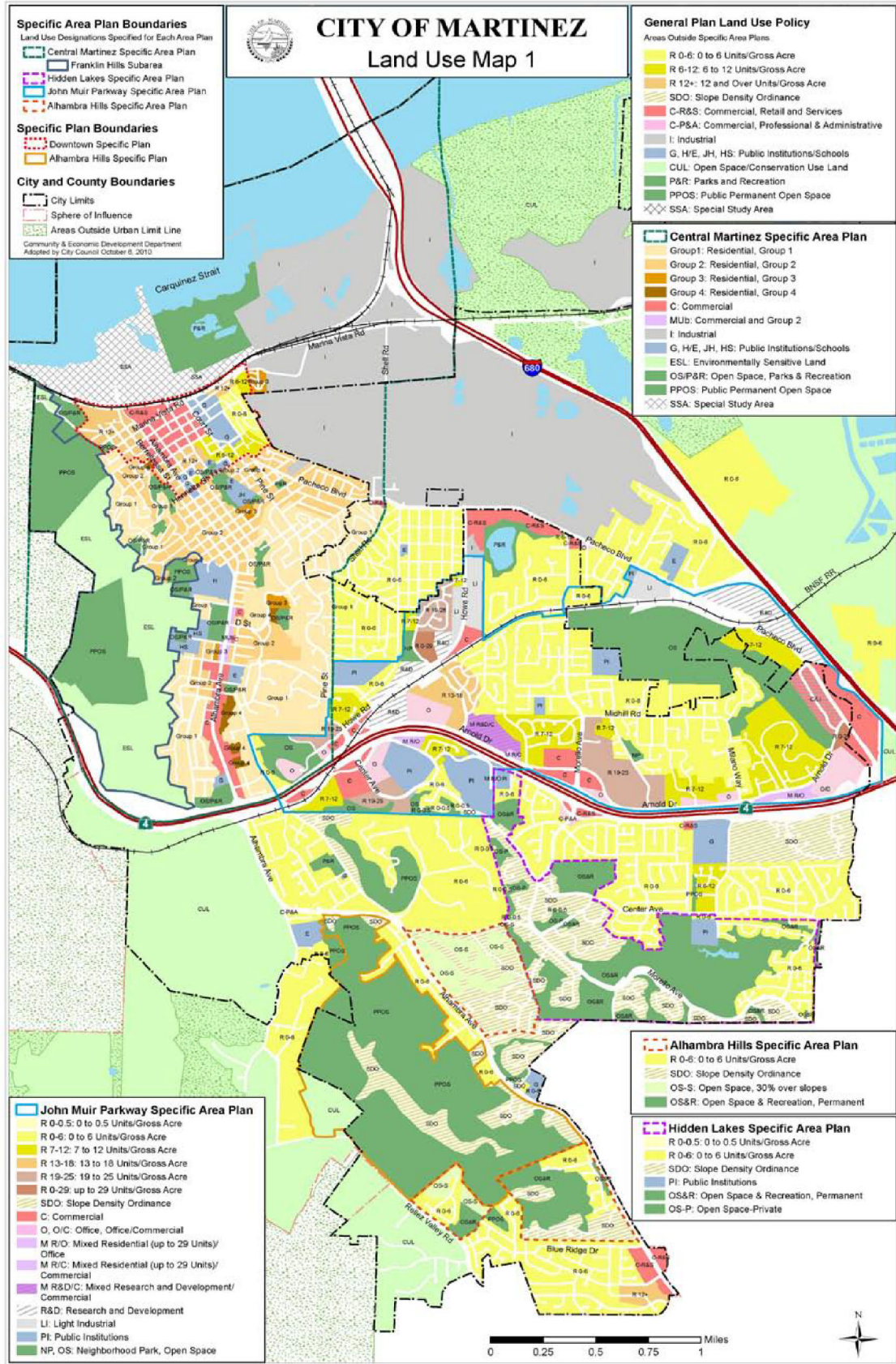
- PI (Public and Quasi Public)

* The Protected Open Space and Parks Overlay (POPO) Designation applies specific limitations on changes to the underlying land uses pursuant to Measure I.

Data Sources: City of Martinez; USGS NHD; USGS National Map Roads; California State Geoportal. Map date: July 25, 2022. Revised October 11, 2022.

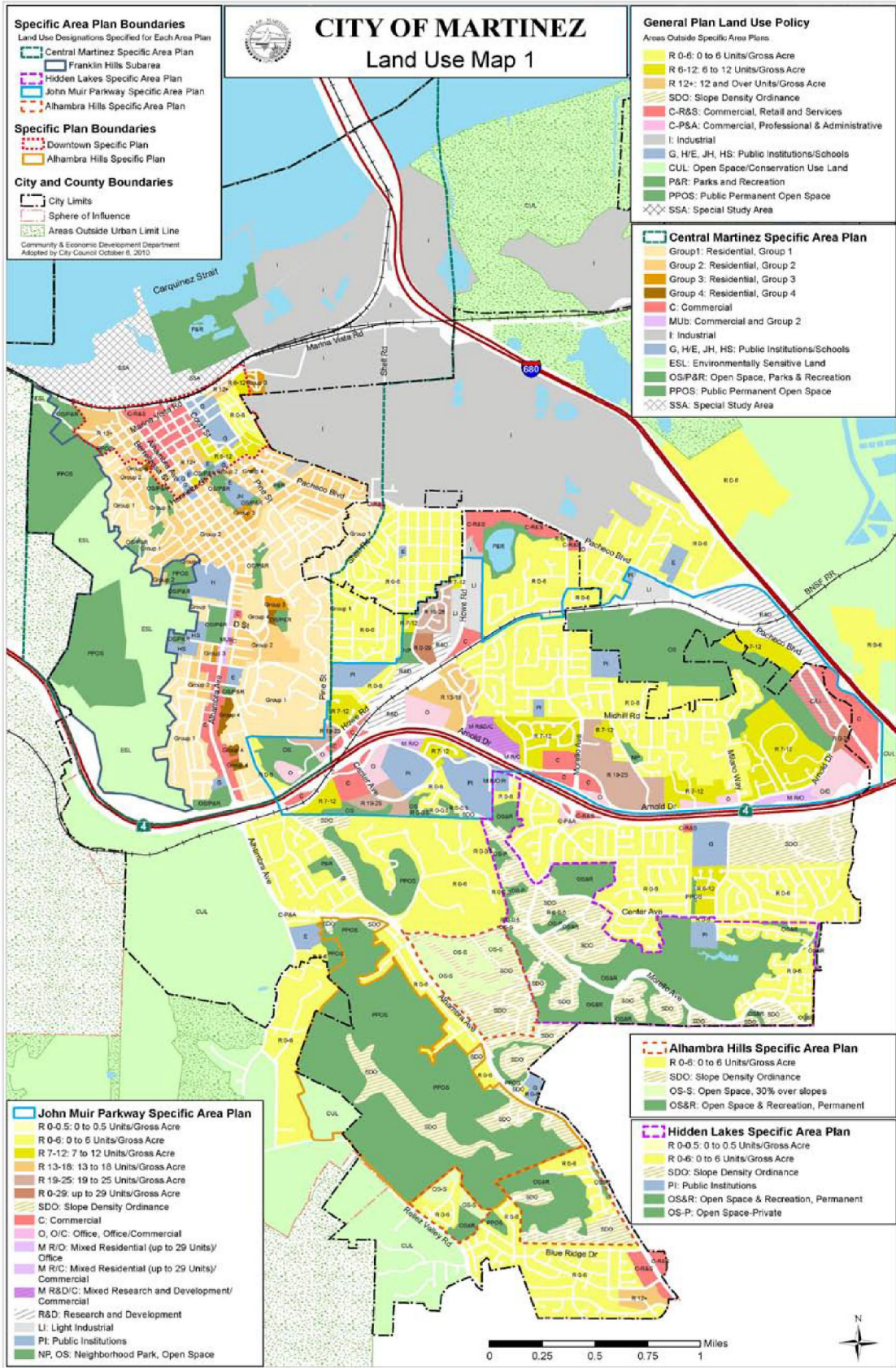
CITY OF MARTINEZ

Figure 2.
2035 General Plan Land Use Map



CITY OF MARTINEZ

Figure 4.10-2. Existing General Plan Land Use Map



CITY OF MARTINEZ
 Figure 6-1. Existing General Plan Land Use Map

Source: Martinez General Plan 1973, Land Use Map 1, Land Use Policy.