

INTRODUCTION

This is a Draft Master Environmental Impact Report (“Master EIR”) for the *Pittsburg/Bay Point BART Station Area Specific Plan, Public Review Draft*, dated November 1997 (“the Specific Plan”). Contra Costa County, the City of Pittsburg, and the San Francisco Bay Area Rapid Transit District (BART) have prepared this Master EIR. Contra Costa County (the County) is the Lead Agency, and the City of Pittsburg and BART are responsible agencies as it pertains to this Master EIR. The report is intended to inform County, the City of Pittsburg, BART decision-makers, and the general public of the proposed project and the environmental consequences of its approval.

Recirculation of the Draft Master EIR

The alternatives contained in the Draft Master EIR were developed with the County Community Development Department after public scoping. Per the California Environmental Quality Act (CEQA) Guidelines, the alternatives in the Draft EIR represent “a range of reasonable alternatives to the project or project location that could feasibly attain most of the basic project objectives and would avoid or substantially lessen any of the significant impacts of the proposed project” [*CEQA Guidelines Sec. 15126(d)*].

At the time the Specific Plan was prepared and the Draft Master EIR was initiated, economic and market conditions did not appear favorable for an alternative containing intense development on the 25-acre (\pm) site adjacent to the BART station parking lot. Therefore, intense development was not included in the analysis by County staff during EIR public scoping, or during the preparation of the Draft Master EIR. Subsequently the property owner, West Coast Home Builders, prepared a proposal for a ‘transit village’ for this site.

A Draft Master EIR on the Specific Plan was distributed for public review and comment in August 1999. A letter dated September 27, 1999, from property owner Albert D. Seeno, Jr., President of West Coast Home Builders, was submitted to the County during the public comment period. This letter included a proposed new alternative for development of properties owned by Mr. Seeno (adjacent to the BART station), and a request that the new alternative be analyzed in the EIR.

The County (the Lead Agency), the City of Pittsburg and BART (as Responsible Agencies) evaluated the proposed new alternative and outlined the approach to the environmental analysis and the procedure for revising the EIR. Ultimately, the Seeno alternative was accepted for analysis and designated as Alternative 5: Very High Commercial/Office and Low Residential.

In addition, the three agencies developed a sixth alternative that incorporated some of the more intense development at the BART station while preserving most of the development concepts in the remainder of the Specific Plan area. This alternative is designated as Alternative 6: High Commercial/Office and High Residential.

It was decided that the proposed alternatives would be evaluated on the possibility that either alternative (or some of their components) could be incorporated into the Specific Plan. In order to proceed, the development assumptions of the alternatives were defined to a level of detail comparable to the project description of the Specific Plan. These alternatives are evaluated in this Recirculated DEIR and per Section 15088.5 of the CEQA Guidelines are being recirculated for public review.

Chapters Revised in this Recirculated Draft Master EIR

In addition to this Introduction, the following chapters revised in the Draft Master EIR include:

- Chapter 2. Summary
- Chapter 3. Project Description
- Chapter 4. Background and Master EIR Study Approach
- Chapter 5. Land Use
- Chapter 10. Transportation
- Chapter 17. Alternatives

Text and table revisions are denoted by a “revision line,” a vertical line in either the left or right margin, adjacent to the revised text. Figures that have been revised are so noted in their titles.

1.1 SPECIFIC PLAN OVERVIEW

The Specific Plan was prepared cooperatively by the City, County, and BART. It covers an area of approximately 295 acres immediately adjacent to and along major access routes to the Pittsburg/Bay Point BART Station. The plan area is roughly centered at the interchange of State Route 4 and Bailey Road. The Specific Plan includes the BART Station, properties located in the City of Pittsburg, and the community of Bay Point in unincorporated Contra Costa County. The Specific Plan is not part of the general plans of either the City of Pittsburg or Contra Costa County. It has been prepared to implement the general plans of each jurisdiction and BART’s plans for BART properties.

The Specific Plan encompasses multiple jurisdictional boundaries:

- Unincorporated portions of the Specific Plan area are under the jurisdiction of the *Contra Costa County General Plan*.
- The incorporated area is governed by the *City of Pittsburg General Plan*.
- Portions of the planning area are covered by the County's West Pittsburg (Bay Point) Redevelopment Plan, and the City's Los Medanos Community Development Plan.
- The Bay Point community is also located within the City of Pittsburg Sphere of Influence.
- BART is responsible for planning of future development of BART properties.

The Specific Plan represents a vision for the Pittsburg/Bay Point area. It contains detailed sections for land use, transportation, and urban design. Each section contains goals, objectives, policies, and standards. The plan is to guide both private and public sector investments. In the short term, the plan allows for possible expansion of existing BART surface parking by approximately 380 spaces. The evaluation for the BART surface parking is also intended to be a project-specific evaluation within the Master EIR. Planning statements developed by the County, City, BART, and the local community have been incorporated into the Specific Plan. Flexibility exists in the Specific Plan that will allow the private development sector to actively participate in plan implementation.

Requirements of Specific Plans

Under California Law (Government Code Section 65459 et. seq.), cities and counties may use specific plans to develop policies, programs, and regulations to implement the jurisdiction's adopted General Plan. A specific plan serves as a bridge between a general plan and individual development master plans. Specific plans may provide additional and more detailed development concepts, policies, and design guidelines. The Pittsburg/Bay Point BART Station Area Specific Plan has been prepared to meet the requirements of State Planning and Zoning Law, Article 8, Specific Plans.

The requirements for what must be included in a specific plan are summarized in California Government Code Section 65451:

- 1) *The distribution, location and extent of the land uses, including open space, within the area covered by the plan.*

- 2) *The proposed distribution, location, extent and intensity of major components of public and private transportation, sewage, water drainage, solid waste disposal, energy and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.*
- 3) *Standards and criteria by which development will proceed, and standards for the conservation, development and utilization of natural resources where applicable.*
- 4) *A program of implementation measures including regulations, programs, and public works projects and financing measures necessary to carry out the plan.*
- 5) *A statement of the relationship of the Specific Plan to the General Plan.*

Development Concepts of the Specific Plan

Development concepts have been proposed for parcels located at, and adjacent to, the Pittsburg/Bay Point BART Station, and for individual parcels located primarily along Bailey Road and Willow Pass Road. A mixed-use transit-oriented development program at the BART Station is a major focal point. Transit-oriented development emphasizes high-density multi-family housing, office uses, and neighborhood commercial and retail uses in close proximity to public transit.

Development concepts for parcels within a one-quarter mile walking distance, adjacent to Bailey Road, emphasize land uses and urban design linkages to the BART station.

The Specific Plan oriented neighborhood of years old District of the area of the Master EIR is the south side of Willow Pass Road. Similar to the proposed text, the plan is expanded to the west along the corridor of Bailey Road. The plan is designed to be a transit-oriented development that is in close proximity to the BART Station. The plan is designed to be a transit-oriented development that is in close proximity to the BART Station. The plan is designed to be a transit-oriented development that is in close proximity to the BART Station.

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The City of Pittsburg and Contra Costa County will give consideration to using public funding and other mechanisms to encourage land uses when market rates may limit development proposed in the plan. BART will use the Specific Plan to guide future development on BART property at the Pittsburg/Bay Point Station.

- The City of Pittsburg and Contra Costa County will amend their general plans to accommodate new land use designations, higher minimum residential densities, and other provisions and standards of the Specific Plan.
- The City of Pittsburg and Contra Costa County will formally adopt the Specific Plan. This process will involve public review, public hearings, and adoption by the City Council and County Board of Supervisors, respectively.

Table 1-1 outlines the responsibilities for Specific Plan and Master EIR review and approval for the City, County, and BART. Additional description of the process for certification of the

Master EIR and the actions related to approval of the Specific Plan are presented in Section 1.3, Intended Uses of the Master EIR.

Agency Coordination of Future Development

The City of Pittsburg and Contra Costa County would each independently process applications for development proposals within their respective jurisdictions. Depending on project location, either the City or County could have land use and environmental review authority. Each jurisdiction would apply their normal processes for development review and approval. In doing so, each jurisdiction would:

- keep the other agency informed of project applications as they are filed;
- provide status reports on application processing; and
- coordinate with, and inform, the other agencies on project application approvals or rejections.

CHAPTER 1: INTRODUCTION

TABLE 1-1

Agency Responsibilities

Agency	SPECIFIC PLAN			MASTER EIR			DEVELOPMENT AGREEMENTS		
	Review / Comment	Review / Recommendation	Decision	Review / Comment	Public Hearing / Recommendation	Certification	Uses EIR	Review / Comment	Adoption
CONTRA COSTA COUNTY ^{a,b}									
Zoning Administrator		✓		✓			✓		
Planning Commission				✓			✓		
Board of Supervisors			✓			✓	✓		✓ ^f
CITY OF PITTSBURG ^{c,d}									
Planning Commission		✓		✓			✓		
City Council			✓	✓		✓	✓		✓ ^f
BAY AREA RAPID TRANSIT DISTRICT ^e									
Joint Development / Environmental Compliance Board of Directors	✓			✓			✓		✓

^a Contra Costa County will amend its General Plan and adopt the Specific Plan.

^b As Lead Agency, the County will use the Master EIR in making decisions about approval or implementation of the Specific Plan. The County will consider the Master EIR, make findings, adopt a Mitigation Monitoring Program, and file a Notice of Determination stating that the Master EIR complies with CEQA.

^c The City of Pittsburg will also amend its General Plan and adopt the Specific Plan.

^d Per Sections 15050(b) and 15096 of the CEQA Guidelines, the City of Pittsburg, as a Responsible Agency, will consider the Master EIR, make necessary findings, certify the Master EIR, adopt the Mitigation Monitoring Program, and file a Notice of Determination stating that it considered the Master EIR prepared by the County.

^e BART will use the Specific Plan to guide planning of development at the BART station. BART will use the Master EIR in the event that funding becomes available to purchase land for additional parking at the station.

^f The County Board of Supervisors and Pittsburg City Council, as governing boards of their respective agencies.

Source: Balloffet-Entranco, Inc., July 2001.

1.2 MASTER EIR OVERVIEW

Purpose of the Master EIR

The purpose of this Master Environmental Impact Report is to evaluate the environmental impacts associated with the project. This Master EIR provides an assessment of the impacts expected from buildout of the Pittsburg/Bay Point BART Station Area Specific Plan. The Master EIR also identifies significant impacts and mitigation measures that are to be applied to subsequent implementing actions. The City of Pittsburg and Contra Costa County will also use this Master EIR during subsequent environmental review when detailed project applications are filed.

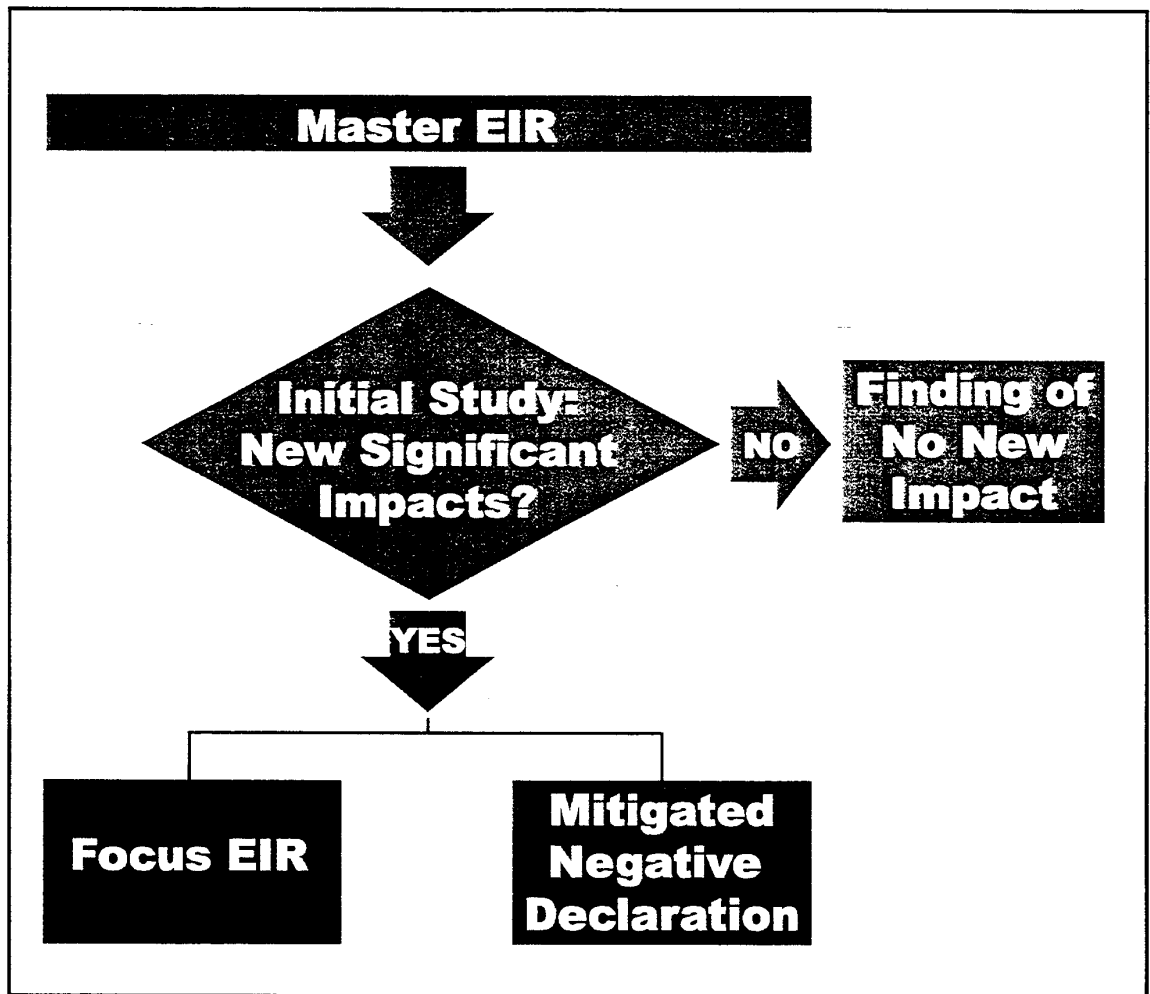
This Master EIR is an informational document. It does not determine whether a project will be approved, but aids local planning and decision-making by disclosing the potential for significant adverse impacts. The CEQA Guidelines stipulate that an EIR is not meant to be a technical document. Rather, it is intended to serve as a public disclosure document that:

- identifies significant impacts associated with the proposed action;
- recommends mitigation measures that can minimize or eliminate significant adverse impacts; and
- evaluates alternatives to the proposed project.

The Master EIR process was enacted by the State of California (*Public Resources Code* Section 21157, January 1, 1994) to reduce the need for later, potentially redundant environmental review of subsequent discretionary activities or projects that follow a previously approved action. The Master EIR process is represented in Figure 1-1. A Master EIR may be prepared for any of the following actions:

- a general plan element, general plan amendment, or specific plan;
- a phased project;
- a rule or regulation that will be implemented by subsequent projects;
- projects pursuant to a development agreement;
- projects within and consistent with a redevelopment plan; or
- a highway or transit project that may be subject to multiple stages of review or approval.

The proposed project has characteristics that make a Master EIR appropriate: it is a specific plan and includes phased projects that would be consistent with development agreements. The individual components (described in more detail in Chapter 3: Project Description) include commercial and retail development, residential development, roadway improvements, and other infrastructure improvements necessary to accommodate full buildout of the Specific Plan area.



Source: CEQA Deskbook 1996 Edition, R. Bass et al.

FIGURE 1-1
Master EIR Process

Required Contents of a Master EIR

Section 21157 of the *Public Resources Code* specifies the minimum contents of a Master EIR. In addition to the items required of all EIRs, a Master EIR must include the following additional information: 1) a description of each anticipated subsequent project that would be considered within the scope of the Master EIR, including information with regard to the kind, size, intensity and location of the subsequent projects; and 2) a description of the potential impacts of anticipated projects for which there is not sufficient information reasonably available to support a full assessment of potential impacts in the Master EIR.

Where applicable, the Master EIR indicates where additional studies will be required in subsequent anticipated actions (development plan, tentative map, etc.) since full information on these aspects of the Specific Plan is not available at this level of analysis. Additionally, some of the mitigation measures call for project-specific studies in subsequent approval actions. This feature of the Master EIR is reaffirmed in the mitigation monitoring program that must identify an implementation plan for each mitigation measure.

Scope of the Master EIR

Contra Costa County prepared an Initial Study and issued a public Notice of Preparation for an EIR on April 16, 1998 (see Appendix A). As required by Section 15126 of the CEQA Guidelines (1994), this Master EIR focuses on the issues related to significant environmental impacts of the Specific Plan, subsequent actions, or concerns raised by the public. The following topics have been identified as having potentially significant impacts due to the proposed project and are analyzed further in the Master EIR:

- land use
- urban design and visual quality
- parks and recreation
- community services and utilities
- population, employment, and housing
- traffic and circulation
- air quality
- noise
- hydrology and water quality
- geology, soils, and seismicity
- vegetation and wildlife
- cultural and historical resources

The CEQA Guidelines (Section 15145) state that the degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity or project described in the EIR. That is, a detailed project description necessitates more detailed analysis and evaluation of potential impacts. Details of the individual development projects comprising the Specific Plan are not available at this stage of the planning process. For example, the exact locations and designs of buildings are not known and the extent of localized infrastructure

improvements cannot be determined. The timing and sequence of implementation of future development are also unknown.

The Specific Plan includes design guidelines to help guide individual development projects as they evolve. These guidelines were utilized in the analysis of environmental impacts. As future project details become known (through the Final Development Plan), subsequent environmental review may be required as described previously. Moreover, the mitigation measures that are prescribed in this Master EIR reflect prevailing project review and approval requirements of the City and County, and their respective Growth Management Elements (see discussion in Chapter 5: Land Use).

The August 1999 Draft Master EIR was circulated to local, State and Federal agencies, and to interested organizations and individuals for review and comment on the report. A public hearing was held to accept written and oral comments on the adequacy of the Draft Master EIR. This revised Draft Master EIR is being circulated again to local, State and Federal agencies, and to interested organizations and individuals that may wish to review and comment on the report. Both written and oral comments may be made during the 45-day review period. At the close of the public review period, written responses will be prepared for all relevant oral and written comments during the public review period in 1999 as well as the public review period for the recirculated Draft Master EIR. The written responses and the Draft Master EIR will constitute the Final Master EIR for this project. The Contra Costa County Board of Supervisors will then consider certification of the Final Master EIR as adequate under CEQA. The certified Final Master EIR will be used as the basis for a new document for the Specific Plan.

Organization of this Master EIR

This Draft Master EIR is organized as follows. Chapter 2: Summary, describes the project and its potential significant impacts, mitigation measures, and alternatives. The Project Description, Chapter 3, presents the project in detail, including development assumptions, an overview of plan objectives, proposed land uses, and implementation responsibilities.

Chapters 4 through 18 present the assumptions, analyses, and evaluations of this Master EIR. Chapter 4: Background and Master EIR Study Approach summarizes technical features of the environmental analysis. Chapters 5 through 16 address individual impact subject categories. For each category, a description is provided for the local setting, standards of significance, potential impacts, and, if applicable, mitigation measures recommended to reduce impacts to a less-than-significant level. Alternatives to the project are addressed in Chapter 17. Discussion of other required analyses under CEQA is presented in Chapter 18. Abbreviations are provided in Chapter 19 and technical appendices are presented in Chapter 20.

1.3 INTENDED USES OF THE MASTER EIR

In accordance with Section 21080 of the *California Environmental Quality Act*, as amended, the County must consider the environmental implications of a project prior to determining whether to grant or deny projects proposed in the Specific Plan. Contra Costa County and the City of Pittsburg will use this Master EIR when considering the Pittsburg/Bay Point BART Station Area Specific Plan and development agreements, when requested. The City of Pittsburg will also use the Master EIR as part of their decision on whether to approve the proposed Specific Plan.

Contra Costa County is the Lead Agency for the EIR on the proposed Pittsburg/Bay Point BART Station Area Specific Plan. This Master EIR reviews the plan as described above. The purpose of this Master EIR is to identify, analyze, and evaluate the potential environmental impacts of the development proposals, actions, and policies contained in the Specific Plan. Since the plan was prepared under the direction of staff and elected officials of the City of Pittsburg, Contra Costa County and the Bay Area Rapid Transit District, this Master EIR assumes that future approval of the plan will be granted by these agencies, and that future development would occur in a manner and time frame consistent with the concepts in the Specific Plan.

Master EIR Certification

Upon review and consideration of the Final Master EIR, the Contra Costa County Board of Supervisors will determine whether to approve, reject, or modify the proposed project. The certification process will involve the following steps:

- The County Zoning Administrator will hold a public hearing on the Master EIR to make a recommendation to the Board of Supervisors regarding certification of the EIR.
- Per Sections 15050(b) and 15096 of the CEQA Guidelines, the City of Pittsburg, as a Responsible Agency, will consider the Master EIR, make the necessary CEQA findings, certify the Master EIR, and adopt the mitigation monitoring program.
- The City of Pittsburg Planning Commission will review the Master EIR and make a recommendation to the City Council.

Approval of the project, as proposed or modified, will be accompanied by written findings for each significant effect of the project. The findings must be accompanied by a brief explanation of the rationale for each finding and must indicate that:

- mitigation measures to reduce adverse impacts to less-than-significant levels have been adopted;
- mitigation measures to reduce adverse impacts to insignificant levels are within the jurisdiction of another public agency and either have been or should be adopted by that public agency; or

- specific impacts are unavoidable or unmitigable, but are considered acceptable because overriding considerations indicate the benefits of the project outweigh adverse effects.

Additionally, the County must adopt a mitigation monitoring program for those mitigation measures incorporated into the approved project that would reduce or avoid significant impacts (*Public Resources Code 21081.6*). The monitoring program will be prepared upon certification of the Master EIR and will be on file with the Community Development Department. The County would be responsible for monitoring the implementation of mitigation measures.

Use of the Master EIR with Other Proposed Actions

This Master EIR will be used in conjunction with the following proposed actions:

- The County will amend its General Plan and adopt the Specific Plan to accommodate the goals, objectives, land use and density designations, development concepts, development zones, development subareas, design guidelines, and implementation tasks of the Specific Plan consistent with the project analyzed in this Master EIR.
- The City of Pittsburg will amend its General Plan and adopt the Specific Plan and incorporate its goals, objectives, land use and density designations, development concepts, development zones, development subareas, design guidelines, and implementation tasks into its General Plan consistent with the project analyzed in this Master EIR.
- Amendment of the *City of Pittsburg General Plan* designations and zoning for parcels contiguous to the BART Station from Medium Density Residential (5.1 to 14 dwelling units per gross acre) to BART Station Area Mixed Use, with a higher minimum residential density of 65 dwelling units per gross acre.
- Amendment of the County General Plan to include a Residential Mixed Use designation for parcels located east of Bailey Road near West Leland Road, with a minimum residential density of 40 dwelling units per gross acre.
- New Disposition and Development Agreements or Owner Participation Agreements between the City or County Redevelopment Agency and property owners/developers, consistent with the project analyzed in this Master EIR.
- Land use entitlements for undeveloped parcels including, but not limited to, rezoning to Planned Development Districts; final development plans; land use permits (LUPs) for fast food restaurants, temporary parking, light industrial uses, and certain other uses; minor subdivisions and lot line adjustments, and subdivisions consistent with the project analyzed in this Master EIR.

Subsequent Environmental Review

It is anticipated that buildout will occur by the year 2010. During this period, individual projects will be subject to subsequent environmental review by the County or the City of Pittsburg. These subsequent environmental reviews will be required prior to approval of a Final Development Plan. As projects proposed in the Specific Plan are further defined and proceed into the detailed planning stages, the City, County, and BART would coordinate their planning efforts.

The location of future individual projects will determine whether the City or County would have land use, environmental review, and design review authority. BART would participate in environmental review of future development proposed on property owned by BART. The City and County would be expected to follow the steps for subsequent environmental review as outlined in this Master EIR. After subsequent environmental review, the agency with jurisdiction could adopt one of the findings below:

- The project is “within the scope” of this Master EIR, and no further review is required.
- The project is “not within the scope” of this Master EIR, but the identified potentially significant effects can be mitigated; and a Mitigated Negative Declaration is to be adopted.
- The project is “not within the scope” of this Master EIR, and has significant environmental effects (that cannot be mitigated), but the cumulative impacts, growth-inducing impacts, and irreversible effects are sufficiently analyzed in the Master EIR; and a Focused EIR is to be prepared.
- The project is not analyzed within this Master EIR pursuant to cumulative impacts, growth-inducing impacts and irreversible effects; and a project-specific EIR is to be prepared.

Master EIR Adequacy After Five Years

CEQA requires that the Lead Agency, in this case Contra Costa County, reassess the adequacy of this Master EIR after five years. The Lead Agency may continue to use this Master EIR after five years under either of the following conditions:

- the Lead Agency certifies a related subsequent or supplemental EIR; or
- the Lead Agency finds that no substantial changes have occurred with respect to the circumstances under which the Master EIR was certified, and that no new information has become available.

Future Project Level Review

BART Station Area Development

BART will use the Master EIR to evaluate proposed development on BART property within the Project Area. The station and parking lots are located within the City of Pittsburg, while the station platform is located in the right-of-way of State Route 4. The development concept includes properties owned by BART and properties that are privately owned. BART would coordinate with the City of Pittsburg and Contra Costa County as appropriate. The City would have land use, environmental review, and design review authority. When detailed development applications are filed, the City would use this Master EIR to determine if potential impacts have been addressed in the Master EIR.

Review of Other Projects

Implementation of the Specific Plan would eventually require approval of final development plans for projects proposed on parcels within the Specific Plan area. Depending on project locations, either the City of Pittsburg or the County would have land use and environmental review authority. Approvals may be required for:

- rezoning of various parcels;
- subsequent environmental review;
- redevelopment plans, land use permits, lot line adjustments, minor parcel maps, and financing districts;
- architectural and site plan review; and
- grading permits, building permits, and infrastructure improvement plans.

Other Environmental Permits and Agreements

Implementation of projects contained in the Specific Plan may require additional permits and agreements from the following agencies:

- California Regional Water Quality Control Board, San Francisco Bay Region (RWQCB) – projects may require approval of stormwater pollution prevention permits.
- Bay Area Air Quality Management District (BAAQMD) – source permits from the BAAQMD may be required from some projects assumed in the Specific Plan.
- California State Department of Transportation (Caltrans) – projects involving work or traffic control conducted within the State right-of-way will require an encroachment permit from Caltrans.

- California State Department of Fish and Game – projects could require Streambed Alteration Agreements and associated permits, and agreements from the State Department of Fish and Game for project activities that occur within streambeds that could alter natural flow of the stream, significantly change its bed or bank, or utilize material from the stream bank.
- U.S. Army Corps of Engineers – projects could require a Section 404 permit from the Army Corps of Engineers to fill jurisdictional waters of the United States under the federal Clean Water Act, plus any associated permits or agreements.
- U.S. Fish and Wildlife Service – projects could require an incidental take permit under the Federal Endangered Species Act, and associated permits and agreements.

