

## **11.2A FEDERAL & STATE AGENCY COMMENTS**



State of California – The Resources Agency  
 DEPARTMENT OF FISH AND GAME  
<http://www.dfg.ca.gov>

ARNOLD SCHWARZENEGGER, Governor

POST OFFICE BOX 47  
 YOUNTVILLE, CALIFORNIA 94599  
 (707) 944-5500

RECEIVED



APR 28 2004

PHYSICAL & ENVIRONMENTAL  
 PLANNING

April 26, 2004

Ms. Jennifer Lawrence  
 University of California, Berkeley  
 Facilities Services  
 1936 University Avenue, #300  
 Berkeley, CA 94720-1382

Dear Ms. Lawrence:

University of California, Berkeley  
 2020 Long Range Development Plan  
 and Chang-Lin Tien Center for East Asian Studies  
 Draft Environmental Report SCH 2003082131

The Department of Fish and Game (DFG) has reviewed the document for the subject project. We do not have specific comments regarding the proposed project and its effects on biological resources. Please be advised this project may result in changes to fish and wildlife resources as described in the California Code of Regulations, Title 14, Section 753.5(d)(1)(A)-(G)<sup>1</sup>. Therefore, if you are preparing an Environmental Impact Report for this project, a de minimis determination is not appropriate, and an environmental filing fee as required under Fish and Game Code Section 711.4(d) should be paid to the Alameda County Clerk on or before filing of the Notice of Determination for this project.

A1-1

If you have any questions, please contact Carl Wilcox, Habitat Conservation Manager, at (707) 944-5525.

Sincerely,

Robert W. Floerke  
 Regional Manager  
 Central Coast Region

cc: State Clearinghouse

<sup>1</sup> <http://ccr.oal.ca.gov/>. Find California Code of Regulations, Title 14 Natural Resources, Division 1, Section 753

## **11.2A.1 RESPONSE TO COMMENT LETTER A1**

### **RESPONSE TO COMMENT A1-1**

UC Berkeley would continue to comply with state law and the filing fee would be paid upon filing of a Notice of Determination for the 2020 Long Range Development Plan and Tien Center Environmental Impact Report.

## DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE  
 P. O. BOX 23660  
 OAKLAND, CA 94623-0660  
 PHONE (510) 286-5505  
 FAX (510) 286-5513  
 TTY (800) 735-2929



*Flex your power!  
 Be energy efficient!*

RECEIVED

JUN 03 2004

PHYSICAL & ENVIRONMENTAL  
PLANNING

June 1, 2004

ALA013078  
 ALA-013-12.24  
 SCH 2003082131

Ms. Jennifer Lawrence  
 University of California, Berkeley  
 1936 University Avenue, Suite 300  
 Berkeley, CA 94720-1380

Dear Ms. Lawrence:

**UC BERKELEY 2020 LONG RANGE DEVELOPMENT PLAN - DRAFT  
 ENVIRONMENTAL IMPACT REPORT**

Thank you for including the California Department of Transportation (Department) in the environmental review process for the proposed UC Berkeley 2020 Long Range Development Plan. The following comments are based on the Draft Environmental Impact Report. Additional comments may be forthcoming pending final project review.

**Mitigation**

Mitigation should be identified for any roadway mainline section or intersection with insufficient capacity to maintain an acceptable Level Of Service (LOS) with the addition of project-related and/or cumulative traffic. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should also be fully discussed for all proposed mitigation measures.

A2-1

The University should contribute funds towards improvements at key intersections that are expected to be significantly impacted by the University's expansion. Pages 2-51 and 4.12-53 of the report state that while the University Avenue and State Route 123 (San Pablo Avenue) intersection is expected to operate at LOS F with or without the project, the project contributes six percent of the intersection's traffic volume during the PM peak, and eight percent during the AM peak.

A2-2

Please feel free to call or email Patricia Maurice of my staff at (510) 622-1644 or [patricia\\_maurice@dot.ca.gov](mailto:patricia_maurice@dot.ca.gov) with any questions regarding this letter.

Sincerely,

TIMOTHY C. SABLE  
 District Branch Chief  
 IGR/CEQA

c: Ms. Terry Roberts, State Clearinghouse

## **11.2A.2 RESPONSE TO COMMENT LETTER A2**

### **RESPONSE TO COMMENT A2-1**

As described under Impact TRA-10, the 2020 LRDP is found to have significant unavoidable impacts on two segments of State Route 123 (San Pablo Avenue) and on two segments of State Route 13 (Ashby Avenue). In addition, one SR 123 intersection, University Avenue / San Pablo Avenue, is also identified as experiencing a significant unavoidable impact. The project does not have significant impacts on I-80 or SR 24, based on the Draft EIR significance thresholds. The Draft EIR does not present mitigation measures for the impacted segments of SR 13 and SR 123, because no feasible corridor improvement measures have been identified by the City or any other agency for these arterials, and the University does not have jurisdiction over these roadways.

UC Berkeley is eager to work with the City of Berkeley, Caltrans and other agencies in the development and implementation of solutions for impact locations where feasible mitigation measures were not identified in the 2020 LRDP EIR. The City of Berkeley General Plan EIR notes that the City's Transit First policies, which restrict roadway capacity expansion and support multi-modal solutions, may not reduce traffic congestion impacts to a less than significant level. The effects of these measures in mitigating traffic impacts therefore cannot currently be assumed and cannot be used as a rationale for identifying a potential impact as mitigated to a less than significant level.

If the City of Berkeley and Caltrans at their discretion propose to implement measures that are feasible, that reduce significant unavoidable impacts identified in the 2020 LRDP DEIR to less than significant levels, and that have no new environmental impacts of their own, in accordance with CEQA UC Berkeley would contribute fair share funding in the manner provided in Mitigation Measure TRA-6 in the 2020 LRDP DEIR. See Thematic Response 4 regarding fiscal impacts; see also response to comment B7a-9 and B7a-117.

### **RESPONSE TO COMMENT A2-2**

See response to comment A2-1, above.



Arnold  
Schwarzenegger  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Jan Boel  
Acting Director

June 2, 2004

RECEIVED

JUN 03 2004

PHYSICAL & ENVIRONMENTAL  
PLANNING

Jennifer Lawrence  
University of California, Berkeley  
1936 University Avenue, Suite 300  
Berkeley, CA 94720-1380

Subject: UC Berkeley 2020 Long Range Development Plan and Tien Center for East Asian Studies  
SCH#: 2003082131

Dear Jennifer Lawrence:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 1, 2004, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2003082131  
**Project Title** UC Berkeley 2020 Long Range Development Plan and Tien Center for East Asian Studies  
**Lead Agency** University of California, Berkeley

**Type** EIR Draft EIR  
**Description** Land use and capital investment framework to meet academic goals of UC Berkeley.

**Lead Agency Contact**

**Name** Jennifer Lawrence  
**Agency** University of California, Berkeley  
**Phone** 510-642-7720  
**email**  
**Address** 1936 University Avenue, Suite 300  
**City** Berkeley **State** CA **Zip** 94720-1380  
**Fax**

**Project Location**

**County** Alameda  
**City** Berkeley  
**Region**  
**Cross Streets** University Avenue and Oxford Street

**Parcel No.**  
**Township** 1S **Range** 4W **Section** **Base**

**Proximity to:**

**Highways** I-80, 24, 13  
**Airports**  
**Railways**  
**Waterways**  
**Schools** Berkeley Unified  
**Land Use** Academic/ Administrative, Housing, Open Space, Teaching, Research, Parking, Recreation, Laboratory Facilities.

**Project Issues** Aesthetic/Visual; Air Quality; Archaeologic-Historic; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Landuse; Cumulative Effects

**Reviewing Agencies** Resources Agency; Department of Fish and Game, Region 3; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Caltrans, District 4; California Highway Patrol; Department of Housing and Community Development; Regional Water Quality Control Board, Region 2; Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission; State Lands Commission

**Date Received** 04/15/2004 **Start of Review** 04/15/2004 **End of Review** 06/01/2004



State of California - The Resources Agency  
DEPARTMENT OF FISH AND GAME  
<http://www.dfg.ca.gov>

ARNOLD SCHWARZENEGGER, Governor

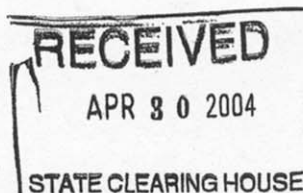
POST OFFICE BOX 47  
YOUNTVILLE, CALIFORNIA 94599  
(707) 944-5500

RECEIVED

JUN 03 2004

PHYSICAL & ENVIRONMENTAL  
PLANNING

April 26, 2004



Clear  
G-1-04  
e

Ms. Jennifer Lawrence  
University of California, Berkeley  
Facilities Services  
1936 University Avenue, #300  
Berkeley, CA 94720-1382

Dear Ms. Lawrence:

University of California, Berkeley  
2020 Long Range Development Plan  
and Chang-Lin Tien Center for East Asian Studies  
Draft Environmental Report SCH 2003082131

The Department of Fish and Game (DFG) has reviewed the document for the subject project. We do not have specific comments regarding the proposed project and its effects on biological resources. Please be advised this project may result in changes to fish and wildlife resources as described in the California Code of Regulations, Title 14, Section 753.5(d)(1)(A)-(G)<sup>1</sup>. Therefore, if you are preparing an Environmental Impact Report for this project, a de minimis determination is not appropriate, and an environmental filing fee as required under Fish and Game Code Section 711.4(d) should be paid to the Alameda County Clerk on or before filing of the Notice of Determination for this project.

If you have any questions, please contact Carl Wilcox, Habitat Conservation Manager, at (707) 944-5525.

Sincerely,

Robert W. Floerke  
Regional Manager  
Central Coast Region

cc: State Clearinghouse ✓

<sup>1</sup> <http://ccr.oal.ca.gov/>. Find California Code of Regulations, Title 14 Natural Resources, Division 1, Section 753





### **11.2A.3 RESPONSE TO COMMENT LETTER A3**

The letter from the State Clearinghouse acknowledges the close of the CEQA-required comment period and transmits a copy of the comment letter reprinted above at letter A1. UC Berkeley not only extended the public comment period from the required 45 days to 61 days, but then extended it again to 65 days at the request of the City of Berkeley.



Arnold  
Schwarzenegger  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Jan Boel  
Acting Director

June 3, 2004

Jennifer Lawrence  
University of California, Berkeley  
1936 University Avenue, Suite 300  
Berkeley, CA 94720-1380

Subject: UC Berkeley 2020 Long Range Development Plan and Tien Center for East Asian Studies  
SCH#: 2003082131

Dear Jennifer Lawrence:

The enclosed comment (s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on June 1, 2004. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2003082131) when contacting this office.

Sincerely,

Terry Roberts  
Senior Planner, State Clearinghouse

Enclosures

cc: Resources Agency

RECEIVED  
JUN 04 2004  
PHYSICAL & ENVIRONMENTAL  
PLANNING

**DEPARTMENT OF TRANSPORTATION**

111 GRAND AVENUE  
P. O. BOX 23660  
OAKLAND, CA 94623-0660  
PHONE (510) 286-5505  
FAX (510) 286-5513  
TTY (800) 735-2929



*Flex your power!  
Be energy efficient!*

June 1, 2004

Ms. Jennifer Lawrence  
University of California, Berkeley  
1936 University Avenue, Suite 300  
Berkeley, CA 94720-1380



*clear  
6-1-04  
late*

ALA013078  
ALA-013-12.24  
SCH 2003082131

Dear Ms. Lawrence:

**UC BERKELEY 2020 LONG RANGE DEVELOPMENT PLAN - DRAFT ENVIRONMENTAL IMPACT REPORT**

Thank you for including the California Department of Transportation (Department) in the environmental review process for the proposed UC Berkeley 2020 Long Range Development Plan. The following comments are based on the Draft Environmental Impact Report. Additional comments may be forthcoming pending final project review.

**Mitigation**

Mitigation should be identified for any roadway mainline section or intersection with insufficient capacity to maintain an acceptable Level Of Service (LOS) with the addition of project-related and/or cumulative traffic. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should also be fully discussed for all proposed mitigation measures.

A4-1

The University should contribute funds towards improvements at key intersections that are expected to be significantly impacted by the University's expansion. Pages 2-51 and 4.12-53 of the report state that while the University Avenue and State Route 123 (San Pablo Avenue) intersection is expected to operate at LOS F with or without the project, the project contributes six percent of the intersection's traffic volume during the PM peak, and eight percent during the AM peak.

A4-2

Please feel free to call or email Patricia Maurice of my staff at (510) 622-1644 or [patricia\\_maurice@dot.ca.gov](mailto:patricia_maurice@dot.ca.gov) with any questions regarding this letter.

Sincerely,

TIMOTHY C. SABLE  
District Branch Chief  
IGR/CEQA

c: Ms. Terry Roberts, State Clearinghouse

#### **11.2A.4 RESPONSE TO COMMENT LETTER A4**

The letter from the State Clearinghouse transmits a copy of the comment letter reprinted above at letter A2, received at the Clearinghouse after the close of the minimum CEQA-required comment period. UC Berkeley not only extended the public comment period from the required 45 days to 61 days, but then extended it again to 65 days at the request of the City of Berkeley.