

Appendix E. Consolidated Comments on the Public Review Draft of the Feasibility Study

This appendix includes all comments received on the Public Review Draft of the Feasibility Study for a Pedestrian and Bicycle Pathway along the EBMUD Aqueduct ROW, and summarizes the response to these comments. This appendix presents the staff report and minutes for the November 14, 2011 City Council meeting and the staff report for the February 13, 2012 City Council meeting.

E.1 Comments Received During the Public Review Period

People submitting comment letters:

1. William Kirkpatrick, EBMUD
2. Bruce Allan, Chair Lafayette BPAC
3. Marie Blits, President Lafayette Homeowners Council
4. Abigail Fateman and John Cunningham
5. Sergio Ruiz, Caltrans
6. Jeff Peacock, Chair Lafayette Parks, Trails and Recreation Commission
7. Ed Stevenson, Building Manager, Lafayette War Veterans
8. Chris Dodge
9. Mel Epps

People registering comments at the study's website:

10. Steve Richard
11. Jeffrey Gilman (Lafayette Creeks Committee)
12. Mike Noonan
13. Curtis Springfield
14. Big Wayne
15. Octavio Lacayo

E.1.1 Comment Letters

Comment letters and comments received at the study's website are presented on the following pages.



Correspondence #1

RECEIVED

SEP 30 2011

CITY OF LAFAYETTE
ENGINEERING DEPT

September 29, 2011

Leah Greenblat, Transportation Planner, Project Manger
City of Lafayette
3675 Mt. Diablo Boulevard, Suite 210
Lafayette, CA 94549

Re: Notice of Public Review Draft – Feasibility & Options Study for a Pedestrian & Bicycle Pathway Along the EBMUD Aqueduct ROW, Lafayette

Dear Ms. Greenblat:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Public Review Draft Feasibility & Options Study (Study) for a Pedestrian & Bicycle Pathway Along the EBMUD Aqueduct Right-of-Way (ROW) in the City of Lafayette (City). EBMUD has the following comments.

GENERAL

The pedestrian and bicycle pathway is proposed to be located along EBMUD's Mokelumne Aqueducts (Aqueducts) owned in fee, from Risa Road to Brown Avenue, south of State Route 24 and north of Mt. Diablo Boulevard within the City limits. EBMUD purchased the Aqueduct ROW land and constructed the first Aqueduct in the late 1920's before the City was developed and the Aqueduct has been in continuous service since that time. EBMUD recognizes that as communities have developed since the 1920s, the ROW has become important open space. EBMUD has license agreements in place with 11 different agencies in Contra Costa and San Joaquin Counties including an agreement with the City that was completed in 2003. All of the agreements preserve EBMUD's ability to operate and maintain the Aqueducts supplying water to the 1.3 million customers in EBMUD's service area.

1.1

The Study indicates the City would like to negotiate provisions of the existing license agreement for the proposed project. EBMUD agrees that the existing license agreement was developed for a different project scope and is not appropriate for the proposed project. If the City proceeds with the preferred bicycle pathway project described in the Study, a new license agreement will need to be developed. The new agreement will likely require more maintenance by the City and include a stricter indemnification for EBMUD given the higher use proposed for the Aqueduct ROW. It is unclear in the Study if the project will consist of trails only or a combination of trails and landscape. The proposed project is not clear about the extent of landscaping. The new license agreement cannot be completed until these details are

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understood and agreed to. The associated maintenance requirements will largely depend on these plans. Property rights for each of the roadway crossings for the proposed project should be identified and verified prior to development of final crossing designs for each roadway.

Landscaping improvements included in the project as well as major hardscape features such as switchbacks will necessitate a changed maintenance approach. EBMUD would remove graffiti from its facilities only. Based on the scope of the project in this Study, trash removal should be the responsibility of the City following these improvements.

1.2

EBMUD cannot make improvements or perform maintenance for the benefit of other local governments because doing so would be considered a gift of public funds. EBMUD cannot construct or reconstruct the City's landscape or bicycle path improvements and cannot contribute to maintenance of these facilities. References to EBMUD sharing maintenance for the improvements should be removed from the Study documents as an alternative.

1.3

EBMUD must have complete access to its Aqueduct facilities for operations, routine and emergency maintenance, and for long-term capital replacement projects. There is a \$30 million planned capital improvement project for the No. 1 Aqueduct currently scheduled for 2015-2020 time frame. This project will require major excavation, materials storage and construction traffic along the right of way for the entire study area. Maintenance on the Aqueducts is continuous and EBMUD will need uninterrupted access to its facilities at all times and will need to close portions or all of the ROW for varying amounts of time and with minimal notice to perform the maintenance.

1.4

The project sponsor must adhere to EBMUD's requirements on use of the ROW describe in EBMUD's Procedure 718 – Raw Water Aqueduct Right-of-Way Non-Aqueduct Uses. Highlights of these requirements are summarized below and a copy of the procedure is enclosed for your reference.

- Gravity drainage of the ROW needs to be maintained.
- Permanent structures (e.g., building structures, bridge supports, retaining walls, traffic signal lights, cameras, etc.) and all related appurtenances cannot be placed on EBMUD property.
- Property line fences and walls (including footings) need to be completely off the ROW and extend the full length of the project.
- A field meeting can be held to discuss issues if needed.
- A temporary construction or entry permit is required for any and all access to EBMUD's ROW.
- Temporary construction fences are required along the entire length of the property line and need to be maintained throughout the project construction period.

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- Drawings will need to include a section labeled "EBMUD Notes" and can be discussed at drawing review.
- Survey markers need to remain undisturbed.
- Drainage structure maintenance responsibility needs to be indentified for any installations.

Additionally, EBMUD requires the project sponsor to submit a complete set of project drawings (full-size or half-size 11x17) for review and approval. All submittals need to be sent to the attention of Andrew K. Enos, Jr., Superintendent of EBMUD Aqueduct Section. Documents requiring courier use such as FedEx should be sent to 1804 West Main Street, Stockton, CA 95203. Letter correspondence should be sent to P.O. Box 228, Stockton, CA 95201.

SPECIFIC COMMENTS TO THE STUDY

1.5 On page 1-3, under Pathway Crossings, the last sentence states “. . . signalized at-grade crossings are the most feasible . . .”. This sentence should be eliminated. Signalization, lighting, controllers, signage and other traffic control elements associated with any of the roadway crossings will not be allowed on the EBMUD Aqueduct ROW. This is a typical restriction on all improvements along the EBMUD Aqueduct ROW.

1.6 On page 1-4, under Preferred Pathway Design, the last sentence states “Planning and design of a pathway through the EBMUD Aqueduct ROW would be carried out in accordance with EBMUD’s structural requirements, administrative procedures, and maintenance activity needs.” In October 2010, EBMUD made comments to the City on the first draft of the Opportunities and Constraints Report which included a requirement that paved paths be a minimum of 12-feet wide with 2-feet graded shoulders. However, the Class I Bikeway Design Standard on page 3-6 prescribes a minimum width of 8 feet. The Study should be revised to reflect EBMUD’s requirement that 12-feet is the standard for new paved path installations on EBMUD ROW as it allows efficient access by emergency response agencies like police, fire, ambulance.

1.7 On page 1-7, the cost estimate shown in Table 1-1 under Phasing, presents a pathway total maintenance cost. Please provide a breakdown of the cost as it is not clear what maintenance costs are included in the total cost.

1.8 On page 1-8, under Construction and Maintenance Costs, the last sentence states, “Actual maintenance costs will likely be lower, depending on final design . . .”. The City should consider the elimination of switchbacks to the greatest extent possible. Switchbacks on hilly slopes will make existing Aqueduct maintenance methods difficult if not impossible. Alternative maintenance methods will likely increase maintenance cost.

1.9 On page 1-9, under Funding Options, the fourth bullet states “Require adjacent property owners to maintain the pathway.” EBMUD is opposed to this alternative because it is

Leah Greenblat, Transportation Planner, Project Manager
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1.9
cont.

very difficult to manage the work of private owners on EBMUD property. This is the reason EBMUD only issues Revocable Landscape Licenses to public agencies. The City can issue a sub-license to the property owners; however, the City must have ultimate responsibility for the maintenance. If the private owners do not perform, the City will need to respond to meet the requirements of the license agreement. The seventh bullet under Funding Options reads, "Request maintenance assistance from EBMUD or East Bay Regional Parks District." EBMUD cannot provide maintenance assistance and therefore requests that its name be removed from the statement.

1.10

On page 3-1, under Policy Summary, the last sentence of the first paragraph should include *Caltrans*, "... EBMUD Aqueduct and *Caltrans* ROWs".

1.11

On page 3-3, under Regional Plans and Policies, the third sentence states that the Lafayette Reservoir connects to the Aqueduct ROW. The Aqueducts and Lafayette Reservoir do not connect and are independent systems. Please incorporate the correction into the Study.

1.12

On page 3-4, under Design Standards, the next to the last sentence states, "... Class I bikeways have a maximum grade of five percent. . .". The City should carefully reconsider the criteria for the switchbacks in the areas listed below to minimize maintenance costs and EBMUD's requirement to not allow permanent structures (e.g., retaining walls) over the Aqueducts.

- West of Happy Valley Road
- West of Dolores Drive
- West of Oak Hill Road
- East of Oak Hill Road
- East of 2nd Avenue

Switchbacks cannot impact EBMUD access to the Aqueduct ROW or impact operation and maintenance of the Aqueducts.

1.13

On page 4-7, under Topography, the first paragraph states, "The EBMUD Aqueduct ROW has varying slopes . . . some sections also have tree canopy." Currently, maintenance of this tree canopy is largely done on an as-needed basis. Significantly increased use of this ROW will likely require substantially increased maintenance by the City of this canopy to prevent possible injury due to falling tree limbs, etc.

1.14

On page 4-7, under Aqueduct/Utility Locations, the first sentence should be revised to read, "... EBMUD's water supply system, which serves ~~1.4~~ *approximately 1.3* million people . . ."

On page 4-9, under Aqueduct/Utility Locations, the fifth sentence states, "Due to the age of the Aqueducts and the lack of accurate mapping, the exact locations of a majority of

Leah Greenblat, Transportation Planner, Project Manger
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- 1.15 | the pipelines within the Pathway Study Area are unknown.” This statement is incorrect and should be deleted from the Study. EBMUD as-built drawings of the Lafayette Aqueducts accurately describe actual horizontal and vertical alignments.
- 1.16 | On page 4-9, under Aqueduct/Utility Locations, the last paragraph reads, “...smaller domestic water lines lie within the southern portion of the EBMUD Aqueduct ROW.” The paragraph is not accurate. There is a major distribution pipeline in the far northern portion of the ROW between Dolores Drive and Happy Valley Road.
- 1.17 | On page 4-31, under Private Property-Owner Concerns, the first paragraph states, “Many properties adjoining EBMUD’s ROW are privately-owned. Private property owner concerns associated with pathway implementations include impacts on security, pathway access and potential for trespass, privacy, funding and maintenance, aesthetic impacts, lightning design and pathway access after dark, parking, traffic operations and existing easements.” These are issues and costs that will need to be resolved in the license agreement and the cost for these efforts should be evaluated in the Study.
- 1.18 | On page 4-31, under Security, the first sentence of the third paragraph cites, “. . . studies show that neither public nor private landowners have suffered from trail development.” The citation does not reflect EBMUD’s experience with actual trails in the Bay Point and Highway 24 corridor. EBMUD is concerned that increased access will increase vandalism of EBMUD facilities. Fencing, patrols, and other techniques to address the security issues and concerns will need to be addressed in the new license agreement.
- 1.19 | In Chapter 5, Options Evaluation and Preferred Options, cost estimates for different project elements are identified. These different conceptual cost estimates identify the need for excavation and fill at various locations along the EBMUD ROW. If the City decides to proceed with this project, additional discussions will be required with EBMUD during the project planning and design phases to better understand the specific project sites where the EBMUD ROW and our infrastructure may be impacted. EBMUD will need to review the design and issue an encroachment permit for the construction phase if we approve the design.
- 1.20 | On page 5-12, under Pathway Design, the pathway cost estimate in Table 5-2 includes the cost for the installation of stairs. Stairs are considered a permanent installation and are not allowed on EBMUD property.
- 1.21 | On page 6-3, under Maintenance and Operations Requirements, the last paragraph states “If the City decides to pursue construction of the EBMUD Aqueduct Pathway, it is likely that the City and EBMUD will update the Revocable Landscaping License agreement to reflect more appropriate and achievable maintenance requirements. Rather than eliminate maintenance tasks, it is likely a revised agreement would reduce the frequency with which tasks are conducted.” EBMUD agrees that a new license

Leah Greenblat, Transportation Planner, Project Manger
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agreement is necessary for the project proposed in this study. However, there are insufficient details for the proposed project to be able to define the maintenance requirements and it is problematic for the study to suggest or theorize that maintenance will be reduced for the proposed project.

1.22

On page 6-16, under Funding Source, Option 4 recommends “The City may wish to consider requiring adjacent property owners to maintain the pathway and associated landscaping.” EBMUD is opposed to Option 4 unless the City issues the private owners a sub-license agreement for meeting the requirements of the landscape license. If the private owners do not perform, the City will need to respond to meet the requirements of the license agreement.

1.23

On page 6-16, under Funding Source, Option 7 recommends “. . .the City should explore the option of having EBMUD assist with maintenance of the proposed pathway.” As already indicated in the Option 7 discussion, EBMUD cannot provide maintenance assistance.

1.24

On page 7-2, under Phase1: Risa Road to BART, the first paragraph, last sentence states “Construction of the bridge over Happy Valley Road requires coordination and approvals from Caltrans, EBMUD, and BART . . . The bridge design must avoid placing structural load over the Aqueduct in the EBMUD ROW.” It should be clarified that the proposed bridge design must not place any permanent structures in/or on the Aqueduct ROW.

EBMUD remains committed to working with the City and our neighboring jurisdictions to ensure the public’s best interests are considered while protecting critical water infrastructure. If you have any questions concerning this response, please contact Andrew K. Enos, Jr., Superintendent, Aqueduct Section of the Water Supply Division at (209) 946-8001.

Sincerely,



William R. Kirkpatrick
Manager of Water Distribution Planning

WRK:AKE:ELE:sb
sb11_149.doc

Enclosure

cc: Lauren Ledbetter, Project Manager

Leah Greenblat, Transportation Planner, Project Manger
September 29, 2011
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bcc: X. Irias
E. White
S. Boeri
J. Hurlburt
A. Enos
R. Cortez
D. Rehnstrom
E. Esparza
Chron
C-1678

cc: Lauren Ledbetter, Project Manager
Alta Planning + Design
2560 9th Street, Suite 212
Berkeley, CA 94710

Correspondence #2

September 30, 2011

Leah Greenblat
Transportation Planner
City of Lafayette
3675 Mt. Diablo Blvd., Suite 210
Lafayette, CA 94549

Subject: Lafayette Bicycle Pedestrian Advisory Committee (BPAC) review of EBMUD Aqueduct Right-of-way Trail Feasibility Study

Leah:

The Lafayette BPAC has been actively engaged with the EBMUD Aqueduct Right-of-way Trail Feasibility study, the public comment period for which concludes today. Two members of the BPAC have served as BPAC liaisons to the study's Citizen Advisory Committee (CAC), and were actively involved in providing input and review in that capacity. Furthermore, other BPAC members have been in attendance at all of the other public sessions held by the study team, have reviewed the document, and provided input individually. At the BPAC public meeting on Wednesday, September 14, 2011, the topic was again discussed and we would like to summarize here the majority view of the BPAC regarding the study.

1. The Lafayette BPAC is in general support of the objectives, approaches, and conclusions defined in the study, and recommend that development of the EBMUD Aqueduct Right-of-way Trail be pursued as described, with a number of caveats.
2. The trail should be constructed following the Phasing plan described in the study. However, we are of the opinion that at the conclusion of each phase there should be a re-examination of the cost and use actuals relative to the projections made in the study to confirm that the cost/benefit assumptions continue to hold before a subsequent phase is started. Even if all three phases are not ultimately implemented for whatever reasons, we feel that the Phase 1 and 2 trail segments have value in and of themselves, though complete implementation might provide benefits that are larger than the sum of the parts.
3. The BPAC has a general concern about the projected costs of trail maintenance, in that the City could be taking on a significant financial liability. The study identifies a number of activities that must be pursued before more accurate maintenance costs can be identified, such as renegotiating the current maintenance requirements for the Right-of-way with EBMUD. The BPAC is of the opinion that accurate maintenance costs must be identified and the City secure funding sources for them before the project proceeds further. The BPAC is particularly concerned that without sufficient pre-secured funding, the financial obligations relative to trail maintenance could negatively affect adequate funding for other important pedestrian and cycling initiatives over time by siphoning off resources that might otherwise be available.

2.1

2.2

Thank you,

Bruce G. Allan
Chair – Lafayette Bicycle Pedestrian Advisory Committee (BPAC)

CC: Lafayette City Council, Lafayette Circulation Commission

LAFAYETTE HOMEOWNERS COUNCIL

Correspondence #3

BOARD OF DIRECTORS

Marie Blits, President
Lucas Drive Neighbors

Carol Singer,
Vice-President
Silver Springs
Homeowners Association

Lynn Hiden, Secretary
At Large

Mary-Jane Wood,
Treasurer
St. Mary's Orchard
Homeowners Association

Maeve Pessis
Valley View Estates
Homeowners Association

Joe Garrity
Crescent Moon
Homeowners Association

George Burt
Acalanes Valley
Homeowners Association

Jim Fitzsimmons
Valley View Estates
Homeowners Association

Byrne Mathisen
Happy Valley
Improvement Association

Mike Grant
Las Trampas Neighbors

Guy Atwood
Springhill Valley
Homeowners Association

Brian Smith
Acalanes Valley
Homeowners Association

Avon Wilson
Richelle Court/Reliez St. Rd.
Homeowners Association

Susan Callister
Happy Valley
Improvement Association

Ivor Samson
Honorary Board Member

DIRECTORS EMERITUS

Jack Fox
Jim Todhunter

September 30, 2011

Honorable Mayor Anduri and City Council
City of Lafayette
3675 Mount Diablo Boulevard, Suite 210
Lafayette, CA 94549

Subject: Public Review of the Draft Feasibility and Options Study for a Pedestrian and Bicycle Pathway Along the EBMUD Aqueduct Right of Way in the Downtown Lafayette Area

Mayor Anduri and Honorable Council Members:

The Lafayette Homeowners Council (LHC) welcomes the opportunity to comment on the Draft Feasibility and Options Study, as we have been involved in this process from the beginning. One or more Board Members have attended all Citizen Advisory Committee (CAC) meetings, field trips, public workshops, and both recent public reviews. The comments which follow comprise an overall consensus by LHC members on the CAC, together with other LHC Board Members.

As noted in the Feasibility Study and various public presentations, we understand that this Study is the first in a series of steps to evaluate the proposed Pathway before decisions are made on whether to proceed with any design or construction steps.

We have great appreciation for the concept of pathways that encourage walking and biking in lieu of vehicle transportation in Lafayette. We are interested in learning more about this current proposed Pathway as the process advances from the feasibility study to more rigorous study.

In our view, each Phase (the Study divides the proposed Pathway into three geographic portions for study and phased implementation) should be fully funded and complete with enough reserve monies to maintain, police and retrofit, *prior to starting the next phase*. The City, through funding sources such as those enumerated in the Study or through inter-operational agreements with other entities, including EBMUD, Caltrans, and business or property owners, should assure this. We believe that such fiscal responsibility is critical to enhancing our City and making it a more desirable place to live, commute and work.

3.1

While our Board Members may differ on overall or individual elements or impacts of the three recommended phases at this juncture, we are united in our concern regarding the importance of planning level accuracy of capital and maintenance/policing cost estimates, as well as *those costs not specifically enumerated* but mentioned in passing or contained in a footnote on an individual segment, such as additional traffic studies, environmental reports, soil reports, and more local data (to supplement the national data) on potential users. Also, in the absence of an identified administrative overhead component, including a professional construction manager, it is important to identify whether those costs have been bundled together as a contingency, or are to be considered later through some form of implementation studies. Further, we support the parties' proposed renegotiation of the EBMUD lease agreement, to more realistically incorporate the proposed creation and maintenance of the Pathway. And, of course, these further studies themselves will require funding along the way.

3.2

To: Mayor Anduri and Honorable City Council Members
Re: Comments on Draft Feasibility and Options Study, EBMUD Aqueduct Pathway
Date: September 30, 2011
Page 2

SPECIFIC CONCERNS

A. Professional Construction Manager.

3.3 We emphasize the absolute necessity for employing a qualified professional construction manager on any implementation of the Pathway's segments. The benefit is coordination of all aspects of the design and the construction, thereby achieving a cost effective project.

B. Reliance on the DSP DEIR/FEIR for Environmental Information and Guidance

Air Quality and Noise

3.4 Public hearings have yet to be held on the Downtown Specific Plan Final Environmental Impact Report (DSP FEIR), which incorporates most of the data from the Draft Environmental Impact Report (DEIR); indeed, there are many issues yet unresolved regarding the accuracy and sufficiency of information presented. Since this Feasibility Study is by extension a study derived from the Lafayette Bikeways Master Plan which was deemed *not* subject to CEQA, to now utilize the DSP DEIR/FEIR for guidance on issues as noise, air quality, and such, is problematic. Since development of the Pathway will be in the future and many advances in electric and other fuel efficient vehicles are expected, we urge that environmental quality be addressed as each phase of the project is designed and built. The expected vehicle advances may improve air quality but will not mitigate traffic noise, which is due primarily to tire noise.

Traffic Data

3.5 The Feasibility Study relies to some degree on the DSP and its DEIR/FEIR for traffic counts, movements, and related items. We request that the Study specify whether the source was: (1) the series of reports done by Fehr and Peers for the original draft DSP prepared by WRT; (2) TJKM's studies prepared for the DEIR on the revised draft DSP written by City Staff; or (3) new turning movements, volume counts, and related data generated by Fehr and Peers for this Feasibility Study. At the first public review of this Feasibility Study document, a member of the public emphasized that the Study does not address the weekday AM peak phenomenon of Oak Hill Road heavy northbound traffic seeking to access the westbound Highway 24 on-ramp on Deer Hill Road. It was not clear from the Consultant's response whether AM peak hour traffic volumes were available to the consultant at that time. As each phase of the Study begins, it is important that up-to-date traffic data, analysis and strategies are utilized.

3.6

C. Establish a Stakeholder Advisory Committee

3.7 Key to support for each phase of the Pathway is establishment of an advisory committee comprised of persons representing all stakeholders for that particular phase: adjacent residential and commercial property owners, the disabled, seniors, parents, schools, bicyclists, and others identified as the process proceeds. The participation of such a committee was extremely effective in achieving development and support for the Lafayette Moraga Trail. The concerns and issues of each stakeholder group must not be underestimated or ignored, particularly those of the adjacent property owners.

Thank you for considering our comments.

Sincerely,



Marie C. Blits, President
Lafayette Homeowners Council

cc: Leah Greenblat, City of Lafayette Transportation Planner

Fateman-Cunningham Family

Leah Greenblat, Transportation Planner
City of Lafayette
3675 Mt. Diablo Boulevard, Suite 210
Lafayette, CA 94549

Correspondence #4

September 30, 2011

Ms. Greenblat:

We are writing to express our enthusiastic support for the City's efforts to explore the development of a Pedestrian and Bicycle Pathway along the EBMUD Aqueduct ROW. We also wanted to take this opportunity to provide comments on the Draft of the Feasibility and Options Study for a Pedestrian and Bicycle Pathway along the EBMUD Aqueduct ROW.

4.1

Our family frequently rides bikes to downtown to run errands to the library and businesses. We have found that is very difficult to negotiate the large parking lot areas fronting Mount Diablo Blvd near Safeway, Peets, Whole Foods and other businesses as a pedestrian or cyclist. If constructed with multiple access points to the business areas along Mt Diablo Blvd, the path would help us safely travel around and through downtown while avoiding vehicle traffic and parking lots. We encourage you to provide access to businesses along the pathway. This will provide safe access for people who use the path as an alternative to either riding a bicycle or driving along Mt. Diablo Blvd.

We support the pathway project and request that as it moves forward, the City and businesses adjacent to the path work together to identify access points in addition to street crossings along the path. This will maximize the path's use as a safe route for pedestrians and cyclists to patronize downtown businesses.

Thank you for your work on this project,



Abigail Fateman



John Cunningham

Greenblat, Leah

From: Sergio Ruiz
Sent: Tuesday, September 27, 2011 4:09 PM
To: Greenblat, Leah
Cc: Beth Thomas
Subject: Comments on Public Review Draft Feasibility & Options Study

Correspondence #5

Hi Leah.

Below are some comments from Caltrans on the Public Review Draft Feasibility and Options Study for a Pedestrian and Bicycle Pathway Along the EBMUD Aqueduct ROW.

- 5.1 Page 5-44 - Oak Hill Road and Eastbound SR 24 Off-ramp
"All pedestrians and bicyclists cross at the same time, regardless of direction, while all vehicle movements are held."
Holding all vehicle movements during the crosswalk phase will minimize conflicts with pedestrians and bicyclists crossing Oak Hill Road. For future traffic analysis, include a no turn on red (NTOR) option, in combination with the above-described phasing, for vehicles wanting to turn right onto southbound Oak Hill Road. A NTOR would reduce potential conflicts even further while bicyclists and pedestrians are crossing. If sufficient traffic-calming measures are provided for right-turning vehicles, a NTOR may be unnecessary.
- 5.2 The pathway section adjacent to the Oak Hill Road off-ramp will need to be separated by an approved barrier. Coordinate with Caltrans during the design phase on barrier type, aesthetic treatments and possible concrete/railing combination.
- 5.3 Page 5-57 - Signal Analysis for First Street Options 2, 3, and 4
For the First Street pathway crossing, determine if either alternative will impact traffic on the westbound SR 24 off-ramp onto Deer Hill Road. Although it is not within project boundaries, its proximity may result in potential impacts to traffic queuing onto SR 24. Include this for future traffic study.

Let me know if you have any questions.



Sergio Ruiz
Transportation Planner
Community Planning Branch
Caltrans District 4

Greenblat, Leah

From: Russell, Jennifer
Sent: Thursday, September 15, 2011 2:06 PM
To: Greenblat, Leah
Subject: FW: Comments from PTR on Feasibility and Options Study - EBMUD Aqueduct Pathway

Correspondence #6

Hi Leah

Thank you for giving the PTR Commission an opportunity to comment on the Feasibility and Options Study for a multi-purpose pathway along the EBMUD Aqueduct. After attending the presentation and discussing this matter at its August 24 and September 14, 2011 meetings, the Commission had no comments beyond its previously submitted comments of November 11, 2004. Individual Commissioners, who had specific comments, were encouraged to submit them as Lafayette residents.

Jeff Peacock, Chair
Lafayette Parks, Trails & Recreation Commission

Rcvd.
8/22/11

Correspondence #7

Lafayette War Veterans, Inc.
Veterans Memorial Building in Lafayette

The Veterans Memorial Building supports the creation of a recreational trail that travels from one end to the other of the city. We do have a concern about section of the trail that would be adjacent to our building. We are asking that in the planning of this project, steps be taken to insure that users of the trail will be clear that the parking lot at the Veterans Memorial Building is reserved for our renters and their guests.

7.1

It's a great temptation for the public to want to use our parking lot to leave their car while walking to the reservoir or dropping a car off in order to car pool with another or a variety of other reasons. We don't want to add "using the trail" to that list.

Because our parking lot sits empty most of the time, it is understandable why this encroachment happens. But the reality is that nobody outside of our building staff knows when the next event will occur at the building. When an event is scheduled, our lot will fill up in as little as fifteen minutes. Therefore, it must be kept ready at all times.

We asked that in the planning for the west end of the trail that provision be made to prevent access to or from the trail from our parking lot. This could include the construction of a barrier or the planting of flora that will prevent this access or egress. We'd also request that notices be place at the entrances to the park warning the public that if they have left their car in our parking lot, it could be subject to being towed.

Thank you for this consideration.

Sincerely,



Ed Stevenson,
Building Manager

Greenblat, Leah

From: Chris Dodge
Sent: Wednesday, August 03, 2011 2:03 PM
To: Greenblat, Leah
Subject: comment on proposed pathway

Correspondence #8

8.1

Leah - I am an enthusiastic supporter of the proposed pathway in Lafayette. my only request is that there be a small dirt path next to the concrete path (similar to the way the Lafayette/Moraga trail does it) so that runners who want to use the pathway can have that option (in order to protect their knees). I think the additional cost would be minimal relative to the benefits.

thanks

Chris Dodge

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Greenblat, Leah

From: Robbins, Joanne
Sent: Monday, August 15, 2011 9:28 AM
To: Mel Epps
Cc: Greenblat, Leah
Subject: RE: Proposed Pedestrian Pathway along freeway

Correspondence #9

Dear Mr. Epps: Thank you for your e-mail. Your letter is being forwarded to Leah Greenblat so it can be included with the other public comments on this proposed project.

Joanne Robbins, CMC
City Clerk
City of Lafayette
3675 Mt. Diablo Blvd. #210
Lafayette, CA 94549
925-284-1968
925-299-3210 direct
925-284-3169 fax

From: Mel Epps
Sent: Monday, August 15, 2011 9:22 AM
To: Robbins, Joanne
Cc: Mel Epps
Subject: Proposed Pedestrian Pathway along freeway

Apparently our city council members and some of our managers have great expectations of getting into state and national elected positions. I say this because they appear to have lost control of spending and suffer from an absence of common sense.

Why would anyone with an ounce of common sense want to build a 1 1/2 mile trail along a freeway at an "estimated" cost of \$ 5.9 million to \$ 5.9 million? (Oh yes, hasn't the cost of the BMX park escalated from the initial estimate of \$ 105,000 to \$ 240,000 and climbing?) One can only assume that these figures will escalate also. And then incur yearly maintenance costs of \$ 150,000!

9.1

Leah Greenblat was quoted in the Local News as saying "It will provide improved access to the BART station and to downtown and local shopping areas". There are existing sidewalks that cover the same distance from Risa Road to Brown Avenue as well as paved roads for bicyclists at no cost. How does the city council waste their time on such poor ideas?

9.2

Who will pay the \$ 150,000 in yearly maintenance costs? Some group outside Lafayette may say it will provide the funds but with the states financial condition the funds may be withdrawn leaving Lafayette to pay the maintenance fees. Then there is the problem of liability.

Safety cannot be a factor in this project as the City of Lafayette has exhibited that safety is not high on its priority list. As an example, bicyclists still present a serious hazard along the route of St Mary's Road to Olympic. I have yet to see one bicyclist stop for the numerous stop signs along that route. Also, they often ride two and three abreast causing any cars following them to go into the oncoming lanes to pass them. Another example is the BMX Park which would have children riding there unsupervised in an area far from nearest road.

Comments on Public Review Draft Submitted Via Study's Website (www.lafayettepathway.com)

Submitted Date	Comments:	Name:
9/26/2011 11:38 10.1	I'm sorry to have missed the walking tours of the proposed path, but will throw my 2 cents in any way. In general there is a strong desire by the community for more safe bike routes/paths around Lafayette. For the aqueduct trail I think it's important to identify the most important uses and design the path to accommodate those uses. Two of the most valuable uses would be: a) for residents to be able to use the trail as a way to get to/from BART on their bikes (need path connection to BART station), b) for easy bike access to the business areas on the north side of Mt. Diablo - especially the Safeway/Whole Foods shopping areas (need path connection to key shopping areas).	Steve Richard
9/25/2011 18:19 11.1	The City of Lafayette Creeks Committee at its September 12, 2011 meeting unanimously approved the following resolution: "The City of Lafayette Creeks Committee requests that the bicycle and pedestrian pathway along the EBMUD right-of-way strongly considers the use of pervious pavement for the surface of the pathway, given that there will be approximately two (2) acres of new pavement added as part of the proposed pathway project." [submitted by Jeffrey Gilman, Creeks Committee member and acting minute-taker for September 12, 2011 meeting]	Jeffrey Gilman (Lafayette Creeks Committee)
8/30/2011 9:58 12.1	I do not have to read any further than the first page of your public review draft to determine that your urban planning priorities are all wrong. The plan is well-meaning but you have it backwards. You should be ENCOURAGING bicyclists and pedestrians into your downtown area (Mt Diablo Blvd.) rather than DISCOURAGING them by pushing them off to a separate path AWAY from the downtown. You are guaranteeing that your downtown will forever be dedicated to supporting the almighty motor vehicle rather than the vibrant city center it could be if pedestrians and bicyclists were higher on your priority list. This section in your document says it all: "... the City considered reallocation of the Mt. Diablo Boulevard public ROW through Downtown to create additional space for bicyclists and pedestrians. However, the trade-offs associated with reallocation of the limited public ROW were considered to be too great." The specific "trade-offs" are not detailed, but it is obvious that it would mean reduced traffic flow and less parking. Cars ahead of people. Get your priorities straight and spend the taxpayers money to improve access for bicyclists and pedestrians in downtown rather than wasting it by pushing them away.	Mike Noonan
8/16/2011 9:40 13.1	As part of a larger plan it seems like it would make sense for the pathway to run East to Pleasant Hill Rd as this is a major corridor in the community and would give many more residents access to the path. As the plan stands now residents in east Lafayette do not seem to benefit from the construction as there is not convenient pedestrian / bike access east of Brown. Any thoughts would be welcome.	Curtis Springfield

	Submitted	Comments:	Name:
14.1	8/4/2011 10:31	----- it'd sure be nice to have a bathroom at the pumping plant site. it'd be nice to have drinking fountains every two miles or so . . .	Big Wayne
15.1	8/3/2011 14:02	I bike to bart daily from east lafayette during the warm months. I like the proposal, and mostly the oak hill road crossing on figures 5-14 and 5-15. One thing that I think is missing is some connection to the north side of the bart station. I have a bike locker on the north side and there is no easy way to get there from the south side of the station so I currently bike up the east side of oak hill road, make a difficult crossing to the west side at the location of the proposed crossing, up the sidewalk, through the parking lot to the locker area. Also the bike racks on the north side of the station are more desirable because of the presence of the station agent and larger foot traffic there. Is there a plan to provide some form of access to the north side of the station? Thanks.	octavio lacayo

Correspondence #16

Greenblat, Leah

From: Avon Wilson
Sent: Thursday, August 18, 2011 9:09 PM
To: Greenblat, Leah
Cc:
Subject: EBMUD Pathway Written Report and Public Presentation

Dear Leah,

I apologize for not following through immediately on my promise to send some questions for consideration by you and the consulting team before the next public presentation of the EBMUD Pathway proposal. Life and doctors' appointments intervened. However!

- I was asked at the last LHC Board meeting how CEQA applies to a study of this nature. For the life of me, I couldn't remember what the Citizens' Committee had been told at the outset, but I think it would be prudent to provide that information on Monday and include a statement to that effect at the beginning of the written report. Relative to this, the written report cites the DSP D/FEIR for various issues, such as Traffic, Air Quality, etc., but doesn't specifically cite the report's EIR grounding. **16.1**
- I know that one of the study's consultants is Fehr and Peers. It would be helpful to know and I think the study should state, what Fehr and Peers data was used in the study: was it the series of studies used for the first DSP iteration by WRT, the TJKM studies for the DSP DEIR. or are the figures presented based on new data gathered by Fehr and Peers for this particular EBMUD Pathway Study? **16.2**
- I am a little concerned by the statement in the written report and re-iterated by Ian, that the BAAQD person to whom he spoke indicated that the air pollution: particulate matter and OZONE fallout was less significant to a *moving* pedestrian and/or bicyclist than to a stationary resident. Does this apply to only periodic and recreational users or to transportation commuters or all of the above? We must be careful that such statements can be backed up by more than one Air District staff member. **16.3**
- As you know, I resigned as an active member of the Citizens' Advisory Committee because of uncertainty regarding my future attendance. Brian Smith is my designated replacement. I think it would be good if his name replaced that of Joe Garrity as a representative of the LHC on the written report's list of Citizen Advisory Committee members. **16.4**

Thanks for all your hard work.

Avon

E.1.2 Response to Comments

The following responses are best reviewed with the comment letters presented in Section E.1.1.

Correspondence #1: William Kirkpatrick, EBMUD

Response to Comment 1-1: Noted, a new license agreement will need to be developed.

Response to Comment 1-2: Since EBMUD already has existing maintenance responsibilities along the Aqueduct ROW, the study suggests that, if a pathway were constructed, potential areas of overlap should be identified to improve efficiency. For example, a paved pathway may serve to also provide access for maintenance vehicles in lieu of the existing maintenance path. If found to be workable, then the jurisdictions may wish to develop a shared maintenance approach; the details of which would be specified in the new license agreement. The existing revocable license agreement (Section A-3) says EBMUD shall restore the ground surface to its pre-existing grade and make best efforts to limit damage to landscaping. Further discussion will be needed to determine arrangements for repairing damaged portions of the pathway.

Response to Comment 1-3: The City was aware of a possible project, but did not know that a specific planned capital improvement project for the No. 1 Aqueduct was scheduled for 2015-2020. EBMUD staff has since indicated that this project's schedule may be delayed. The consultant team has investigated further and revised the Public Review Draft by adding this paragraph to section 4.4.2:

“EBMUD has a planned capital improvement project—the Lafayette Aqueduct No. 1 Relining Project—which is scheduled for the 2015-2020 timeframe. This project will repair the lining on the Lafayette Aqueduct No. 1 from the Walnut Creek Water Treatment Plant to the Lafayette Control Works. If the City decides to pursue construction of the proposed pathway, the timing of this capital improvement project may be advantageous, as it will be easier to construct a pathway in the context of a larger project than in isolation.”

Response to Comment 1-4: The retaining walls that occur on EBMUD ROW are gravity type which we understood could be used subject to review by EBMUD. The proposed gravity retaining walls within EBMUD ROW would be removable, consistent with discussions held with EBMUD, the City and the Project Team on August 23, 2010. Per that discussion it is understood that ‘removable/temporary’ structures include gravity retaining wall, timber, etc. We have added the clarification (shown here underlined) to the first paragraph of section 4.4.2: “EBMUD may allow a less permanent structure, such as a gravity retaining wall (e.g., a keystone retaining wall), to be installed within their ROW.” We have also changed all generic references to “retaining wall” to “gravity retaining wall,” where the proposed retaining wall would be placed within the EBMUD Aqueduct right-of-way.

The advance video detection proposed at Dolores Drive can be installed in compliance with EBMUD's procedures. Passive video detection can detect movement up to 300' away, and the study recommends detecting pathway users 200 feet in advance of the Dolores Drive intersection. We have revised the Public Review Draft to reflect this by adding the following item to recommendation 3b, passive video detection, in Section 5.4.4. Dolores Drive Crossing: “Cameras should either be installed outside of the EBMUD ROW, which would require an encroachment permit from adjacent property owners (Caltrans or other), or at the roadway crossing looking back at the path, on City of Lafayette's ROW.”

FINAL

The consultant team has evaluated the locations of the proposed pathway lighting at street intersections, medians (at Private Drive) and in-pavement flashers (at Dolores Dr.) and added the following clarifications to the Public Review Draft:

The following sentence has been added to all items in Chapter 5 recommending pedestrian scale lighting: “Light poles should be installed within City of Lafayette’s ROW or easement over the EBMUD Aqueduct ROW.”

The recommendation for a median at Private Drive (item 6, Section 5.4.3) has been revised to clarify that “. This extension of the median falls within the City’s easement over the EBMUD Aqueduct ROW. If a raised median is not feasible per EBMUD’s procedures, a painted median can be considered as an alternative.”

In section 5.5.2 Oak Hill Road Crossing Options, option 2 has been revised to include the note, “Traffic signal poles should be located within Caltrans’ or City of Lafayette’s easement over the EBMUD Aqueduct ROW.” In Section 5.6.2 First Street Crossing, option 3 has been revised to include the note that “Traffic signal poles should be located within Caltrans’ or City of Lafayette’s easement over the EBMUD Aqueduct ROW.”

Response to Comment 1-5: The Public Review Draft has been revised to acknowledge that the signalized at-grade crossings occur within the Caltrans’ ROW, not EBMUD’s. (See response to comment 1-4.)

Response to Comment 1-6: When describing a Class 1 Bikeway Design Standard, the Caltrans standard is used as the reference. The Public Review Draft has been revised to incorporate EBMUD’s 12-foot wide pathway requirement in both the discussion of facility type and the preferred pathway design. The change from 10-foot to 12-foot paved width will not require modifications to cost estimates or alignments. The cost of paving an extra two feet of pathway is minimal and can be contained within the 25% contingency already included in cost estimates. The alignments are conceptual, and will be refined if the City decides to pursue the pathway further.

Response to Comment 1-7: The Public Review Draft has been revised to clarify costs included in maintenance. Specifically, Table 1-1 Cost Estimates by Phasing and the associated narrative has been revised to show annual maintenance, long-term maintenance (e.g. slurry sealing and AC overlay), and reconstruction of pathway at 30 years. Similar modifications have been made to Table 7-1 and associated narrative.

Response to Comment 1-8: The draft layout is based on satisfying the standards for a Class 1 Bikeway and an ADA compliant pathway, as this will provide for the widest range of users and access to transportation funding. The initial layout was developed to minimize switchbacks to the greatest extent possible. If the project advances, then future design phases will refine the alignment further.

Response to Comment 1-9: The City understands that if it issues a sub-license to an adjacent property owner, the City is ultimately responsible for maintenance if the property owner fails to comply. See also Response to Comment 1-2. The Public Review Draft’s Chapter 6 Funding and Maintenance Strategy has been revised to clarify this. Specifically, the following sentence has been added to Option 4, Adjacent Property Owner Maintenance Requirements in Section 6.4.2: “Under the existing EBMUD Landscaping Licensing Agreement, if the City issues a sub-license to an adjacent property owner, the City is ultimately responsible for maintenance if the property owner fails to comply.”

Response to Comment 1-10: Noted. The Public Review Draft has been revised on page 3-1, Policy Summary, first paragraph, last sentence to include Caltrans and read, “...EBMUD Aqueduct and Caltrans ROWs.”

Response to Comment 1-11: Noted. The Public Review Draft has been revised on page 3-3, EBMUD Trails so that it does not imply that the EBMUD Reservoir is connected to the Aqueduct ROW.

Response to Comment 1-12: See response to comment 1-8. A subsequent conversation with EBMUD staff clarified that one of the concerns with switchbacks was the impact switchbacks might have on discing the site to meet the Fire Marshal's standards. Steep locations of the Aqueduct ROW are difficult to disc and a pathway with switchbacks may further hinder the ability to disc. During the design phase, the City should evaluate which areas may no longer be suitable for discing and consider installation of landscaping in order to meet the Fire Marshal's standards. The following paragraph has been added Section 6.2.1. "In some cases, maintenance requirements may impact the final design. For example, if switchbacks along the pathway limit the ability to disc vegetation near the switchbacks, it is recommended the City consider alternate means to disc or install landscaping at the impacted areas to meet Fire Marshal standards. If the City decides to pursue the pathway, the City should consider impacts to maintenance while preparing the final design."

Response to Comment 1-13: Noted. Section 6.2.1 Maintenance and Operations Requirements has been revised to note that "...construction of a pathway along the EBMUD Aqueduct ROW may require increasing the frequency of maintaining tree canopy from an as-needed basis to a higher level." As frequency of maintaining tree canopy will be determined by the final pathway alignment and more detailed review of canopy cover, maintenance costs have not been adjusted.

Response to Comment 1-14: Noted. On page 4-7 the number of people served by EBMUD has been changed in the Public Review Draft from 1.4 to "approximately 1.3 million people..." Note: Also modified in Section 4.8.2

Response to Comment 1-15: Although not our understanding from previous conversations with EBMUD staff, we are pleased to learn that "EBMUD as-built drawings of the Lafayette Aqueducts accurately describe actual horizontal and vertical alignments." On page 4-10, second sentence has been deleted. A review of the EBMUD as-built drawings provided to Mark Thomas & Company does not suggest that there are any conflicts with Lafayette Pathway preliminary engineering. Please note that explicit invert and top of pipe elevations are not shown in the as-built drawings that Mark Thomas has been provided. Steps were taken in the preliminary design process to avoid conflict with known, above ground Aqueduct features and eliminate/minimize the need for excavation within the EBMUD Right of Way.

Response to Comment 1-16: Noted. On page 4-10, under Aqueduct/Utility Locations, the last paragraph has been revised to incorporate reference to a major distribution pipeline in the far northern portion of the ROW between Dolores Drive and Happy Valley Road. Per Mark Thomas & Company, the major distribution pipeline indicated in EBMUD's letter is not explicitly shown on the as-built drawings in plan or profile view. Preliminary design of the pathway in this area DOES take steps to avoid conflict with known, above ground Aqueduct features and minimize excavation of any sort. Pedestrian bridge footings that will require significant excavation are proposed outside of the EBMUD right of near the area in question. Also, a keystone block retaining wall in a "fill scenario" is proposed within the right of way near the area in question to accommodate the grade difference of the pathway, created by the tight switchbacks. All construction of the pathway and the wall at the area in question can be done above existing ground elevation.

Response to Comment 1-17: Chapter 4 of the Draft Feasibility and Options Study discusses private property-owner concerns, including security, pathway access and potential for trespass, privacy, aesthetic impacts, lightning design and pathway access after dark, parking, traffic operations and existing easements. Funding

FINAL

and maintenance are discussed in Chapter 6. The planning-level cost estimates include a 25 percent contingency (that is, an amount equal to one-quarter of the total construction costs) to account for these additional costs. More detailed cost estimates would be prepared during a future phase, if the City decides to pursue the pathway. On page 4-31 under Private Property-Owner Concerns and in the Next Steps, page 7-5, section 7.2.6, has been revised to note that some of these concerns will need to be addressed in the new license agreement. A list of the specific items noted in the study needing to be addressed in the new license agreement have been added to page 7-6.

Response to Comment 1-18: In a phone conversation on January 25, 2011, the EBMUD Manager of Security and Emergency Preparedness, Steve Frew, indicated that the proposed EBMUD Aqueduct Pathway would not be a cause for concern related to Homeland Security issues. He did have suggestions for improving general security along the proposed pathway. Specifically, he requested that any design enhance the visibility of the pathway to deter unwanted activities, and requested installation of a fence along Happy Valley Creek to deter people from walking across the exposed Aqueducts. He indicated that EBMUD has a precedent for working with communities to transform unused EBMUD right-of-way into formalized recreational amenities, and sees this transformation as beneficial to security. The following sentence, and a reference to the aforementioned phone call has been added to Section 4.8.1, under Security, “Additionally, EBMUD has a precedent for working with communities to transform unused EBMUD right-of-way into formalized recreational amenities, and sees this transformation as beneficial to security.”

Response to Comment 1-19: Yes, cost estimates include import borrow and grading for the Class I path, including some in the EBMUD Aqueduct ROW. The following sentence has been added to the end of Section 5.3.1 “If the City decides to pursue construction of the pathway, additional discussions with EBMUD, review and approval of the pathway design, and issuance of an encroachment permit for construction will be needed during future planning and design phases.”

Response to Comment 1-20: The steps envisioned would be rustic and not permanent in nature. They would help prevent further erosion of the hillside due to current informal use. At the design stage, the City would coordinate on the design with EBMUD. Narrative and photos illustrating an example of the type of steps has been incorporated into Section 5.4.1 under Section 5.4 Segment I: Risa Road to BART. The narrative states, “The proposed timber stairs would be constructed using railroad ties and rebar to hold them in place. Construction would require minor ground disturbances at the timber stair location. The timber stairs would not be placed on top of the aqueducts or considered permanent structures. “

Response to Comment 1-21: Noted. On page 6-3, the last sentence has been deleted: ~~“Rather than eliminate maintenance tasks, it is likely a revised agreement would reduce the frequency with which tasks are conducted.”~~

Response to Comment 1-22: See Response to Comment 1-9.

Response to Comment 1-23: See Response to Comment 1-2.

Response to Comment 1-24: The proposed pedestrian and bicycle bridge at Happy Valley Road does not place any permanent structures in/or on the EBMUD Aqueduct ROW. The bridge footings and retaining walls would be located within Caltrans ROW and are shown on Figure 5-7 of the Draft Feasibility and Options Study. The EBMUD approvals would be required for the pathway segments which connect to the bridge. The

last sentence in the first paragraph under Section 7.1.1 has been revised to read, “...the bridge design must ~~avoid placing~~ not place a structural load over the Aqueduct...”

Correspondence #2 Bruce Allan, Chair, Lafayette Bicycle and Pedestrian Advisory Committee

Response to Comment 2-1: An evaluation of the completed phase prior to implementing the next phase is reasonable and consistent with the conservative approach taken throughout the study. The following paragraph has been added to page 7-1, “Prior to implementing Phase 2 and Phase 3, the prior completed phase should be evaluated to determine if cost-benefit assumptions continue to hold. At that point, a determination can be made whether to pursue the subsequent phase.”

Response to Comment 2-2: Regarding securing maintenance costs, renegotiating the license agreement and next steps, the comment letter’s proposal may not give the City the best flexibility to pursue opportunities to implement the project. EBMUD would like the maintenance terms renegotiated when there is a more detailed design available, while the commenter is suggesting to not pursue next steps until accurate maintenance costs are identified and secured. At this stage it may be appropriate to acknowledge, as the study does, that the City should identify a maintenance funding source prior to the construction of the pathway. The next steps in Section 7.2 have been reordered to more closely reflect the likely order of implementation. The following sentence has been added to Section 7.2.6. Secure Operations and Maintenance Funding, “Since the costs of maintenance and operations are tied to the final design of the pathway this step must come after designs have been finalized and the EBMUD Revocable Landscaping License Agreement is renegotiated.”

Correspondence #3 Marie Blits, President, Lafayette Homeowners Council

Response to Comment 3-1: See Response to Comment 2-2. The study acknowledges that funds for operation and maintenance be secured prior to construction; however, completely pre-funding, prior to construction, all elements including the pathways long-term reconstruction is not realistic and inconsistent with how the City and other jurisdictions plan for CIP projects.

Response to Comment 3-2: Construction, operation and maintenance cost estimates are based on actual costs. Reality checks of the cost estimates have occurred by comparing the estimates to existing projects.

Response to Comment 3-3: Decisions on project staffing will be made at the time the project is undertaken.

Response to Comment 3-4: An EIR is an informational document and the Downtown Specific Plan Draft Environmental Impact Report has been used in this instance as it provides the most current and available data. If the City Council decides it wishes to pursue the pathway’s implementation, one of the next steps would likely include the statutory environmental review. Section 7.2.2. Environmental Review has been added to the Next Steps discussion in Chapter 7 of the Public Review Draft.

Response to Comment 3-5: The study used traffic count data from the Downtown Lafayette Specific Plan EIR (completed by TJKM and data collected in September 2007 and 2009) and the Traffic Impact Study for the Proposed Whole Foods Market (completed by TJKM in May 2010 and data collected in July 2009).

Response to Comment 3-6: Morning Peak hour traffic volumes for northbound Oak Hill Road are referenced in the development of this feasibility study. Figure 4-4 (page 4-5) shows existing traffic volumes at several intersections in the study area; including Oak Hill Road at the SR24 off-ramp (data collected 2007/2009). Figure 4-5 (page 4-6) shows the predicted future traffic volumes at these intersections, given build-out of the Downtown Specific Plan.

FINAL

Level of service at Oak Hill Road/ SR24 off-ramp for both existing conditions and future build out of the DSP are shown in Table 4-3, page 4-27. The consultant team conducted preliminary traffic analysis for preferred Option 3 (lane reduction) on Oak Hill Road, and found that the intersection would operate at an acceptable level of service during the PM peak, as shown in Table 5-13, page 5-42. The study notes that signaling this intersection would significantly reduce delay.

Response to Comment 3-7: The project will follow the City's standard protocols for public outreach and project delivery.

Correspondence #4: Abigail Fateman and John Cunningham

Response to Comment 4-1: If the project proceeds to the design and implementation phase, the City will work with adjacent property owners to facilitate connections between the pathway and adjacent properties.

Correspondence #5: Sergio Ruiz, Caltrans

Response to Comment 5-1: Further traffic analysis of Oak Hill Road/SR 24 Off-ramp is identified in Chapter 7, Next Steps. Section 7.2.3 Conduct Additional Traffic Analysis, in the Next Steps discussion in Chapter 7 has been revised to note that No Right Turn On Red should be included in the future evaluation.

Response to Comment 5-2: Noted. On page 5-47, Figure 5-15 depicts a barrier between the pathway and the off-ramp. If the project proceeds to the design phase, a barrier design would be submitted to Caltrans for approval.

Response to Comment 5-3: Further traffic analysis of a traffic signal at the intersections of First Street and the SR-24 On-ramp is identified in Chapter 7, Next Steps. Analysis of possible queuing onto Deer Hill Road and SR24 is one element of this step. . Section 7.2.3 Conduct Additional Traffic Analysis, in the Next Steps discussion in Chapter 7 has been revised to note that queuing analysis needs to be evaluated for Deer Hill Road and SR24.

Correspondence #6 Jeff Peacock, Chair, Lafayette Parks, Trails and Recreation Commission

No specific comments submitted on the Public Review Draft.

Correspondence #7 Ed Stevenson, Building Manager, Lafayette Veterans Memorial Building

Response to Comment 7-1: Noted. Signage and site design and access matters would be addressed in a future design phase of pathway development.

Correspondence # 8 Chris Dodge:

Response to comment 8-1: Noted. The pathway design standard includes 2-foot wide shoulders on both sides of the paved pathway. Figure 5-2, Preferred Pathway Design Standard, has been added to Section 5.3.1 Pathway Design, illustrating the recommended pathway cross-section.

Correspondence #9 Mel Epps:

Response to Comment 9-1: Chapter 6 provides a Benefit-Cost Analysis of the pathway. Table 6-8: Net Present Value Benefit-Cost Results has been revised to include a summary column.

Response to Comment 9-2: The background information as to why the City undertook the pathway study is included in Chapter 1, Section 1.2 Policy Context, page 1-1.

Correspondence #10 Steve Richard

Response to Comment 10-1: See Response to Comment 4-1.

Correspondence #11 Jeffrey Gilman, Lafayette Creeks Committee

Response to Comment 11-1: Pavement material is a matter to be considered during the design phase. The new figure 5-2, Preferred Pathway Design Standard, in Section 5.3.1, includes a note that “Pathway surfacing material to be determined during design development and may include pervious pavement.”

Correspondence #12 Mike Noonan

Response to Comment 12-1: Balancing the demand for ROW among various modes is addressed in several of the City’s planning and policy documents including the General Plan. The revised draft Downtown Lafayette Specific Plan contains several recommendations towards improving pedestrian and bicycle access and circulation. The pathway study is consistent with the City’s overall approach.

Correspondence #13 Curtis Springfield

Response to Comment 13-1: The City’s adopted Bikeways Master Plan identifies additional projects that would connect the northern and eastern portion of Lafayette with the proposed pathway. The second paragraph on page 2-1 has been revised to further describe the adjoining bikeways projects.

Correspondence #14 Big Wayne

Response to Comment 14-1: The Pumping Plant site is not within the project area. Amenities such as drinking fountains would be considered during the design phase of the pathways development.

Correspondence #15 Octavio Lacayo

Response to Comment 15-1: Access to the north side of the Lafayette BART station is outside the scope of this study. BART is aware that improving north-south bicycle and pedestrian access through the station is of interest to the community.

Correspondence #16 Avon Wilson

Response to Comment 16.1: See Response to Comment 3-4. Feasibility studies such as this are statutorily exempt from environmental review. If the City Council decides to proceed with the pathway, environmental review would be required at such point when the City would be bound to implementing some form of the project such as executing a new license agreement or completion of the design phase.

Response to Comment 16-2: See Response to Comment 3-5

Response to Comment 16-3: Additional discussion of air quality matters has been incorporated into Chapter 1, Executive Summary, Section 1.3.7 Environmental Constraints and Chapter 4, Existing Conditions, Opportunities and Constraints, Section 4.9.2 Potential Air Quality Impacts to Trail Users

Response to Comment 16-4: Noted. The Acknowledgements page has been updated.

E.2 City Council Staff Reports and Minutes

The staff report and meeting minutes for the November 14, 2011 City Council meeting and the staff report for the February 13, 2012 City Council meeting are presented on the following pages. (Note: the November 14th meeting minutes are presented in the February 13th staff report.)

City of Lafayette Staff Report

For: City Council
By: Tony Coe, Engineering Services Manager
Meeting Date: November 14, 2011
Subject: Presentation of Final Draft of EBMUD Aqueduct Pathway Feasibility and Options Study

Background

The City Council will recall that you authorized staff to obtain a planning grant to undertake a feasibility study of the concept of a bicycle and pedestrian pathway within the EBMUD aqueduct right-of-way, generally running parallel to State Route 24, BART, and Mt. Diablo Boulevard through the downtown. The Bikeways Master Plan identifies this pathway as a means to achieve a complete non-motorized transportation network through downtown Lafayette and connecting to other regional facilities, and its feasibility study is listed as a priority task. The 1.5-mile-long study area runs from Risa Road to Brown Avenue.

Upon securing grant funding, staff issued a request for proposals and selected a consultant team headed by Alta Planning and Design. Over the past 15 months the team has delved into a variety of technical, planning, logistical, and regulatory issues that affect the pathway's long-term viability. The study process also includes an extensive public outreach effort guided by two advisory committees consisting of interested local citizen and outside agency stakeholders, Councilmember Federighi, City commissioners and staff. The effort culminated in a public review draft that was circulated for review and comments in August, followed by two public workshops with invitations to all City Commissions and Committees to attend. Staff also made a presentation to the Lafayette Homeowners Council at its request. Formal comments received from this review process have been incorporated where appropriate into a final draft, which staff now wishes to present to the City Council. Individual responses to these comments are also contained in a companion document to the study.

The consultant team will present highlights of the study to the City Council at your meeting, and staff is requesting any comments and feedback that you may have on the final draft. We expect to return with additional information and clarification where needed to allow the City Council to consider adoption of the study at a future date.

Fiscal Impact

The feasibility study has been undertaken with mostly grant funds with a roughly \$13,000 local match. The pathway project will require substantial capital to construct and maintain. Challenges and opportunities related to project funding are discussed in the feasibility study.

Recommendation

City Council receives presentation of final draft of feasibility study and provide comments to staff.

CONTINUE TO Feb 13, 2012
LAFAYETTE CITY COUNCIL
J.R. Adriano 1-23-12
CITY CLERK DATE

City of Lafayette Staff Report

For: City Council
By: Leah C. Greenblat, Transportation Planner *LWG*
Meeting Date: January 23, 2012
Subject: Consideration of Final Feasibility and Options Study for a Pedestrian and Bicycle Pathway along the EBMUD Aqueduct Right-of-Way

Please bring your copy of the Draft Final Report from November 2011 or it is available online at <http://lafayette.waterware.com/docushare/dsweb/View/Collection-589>

Introduction

At its November 14, 2011 meeting, the City Council received a presentation on the Draft Final Feasibility and Options Study for a Pedestrian and Bicycle Pathway along the EBMUD Aqueduct Right-of-Way. The Council also reviewed comments provided by various interested parties and stakeholders. (The Planning Commission did not submit formal comments at the time; however the Commission did discuss the study at its September 19, 2011 meeting. The minutes from that meeting are attached.) At that time the Council provided comments directed staff to prepare responses and return to the Council with this matter for consideration to accept the study. Staff has prepared responses and developed a suggested list of next step actions, should the Council wish to continue to pursue implementation of a pathway. Staff seeks the Council's acceptance of the final study, re-confirmation of the project's status in the Bikeways Master Plan, and acceptance of the list of next step actions.

Discussion

The City Council had the following questions and concerns at your meeting of November 14:

1. Without Phase 3 (Oak Hill Road to Brown Avenue), is Phase 2 (BART to Oak Hill Road) still worth doing and what would it accomplish?
2. Explore connections from the path to on-street sidewalk at some point between private driveway east of Veterans Building and Dolores Drive.
3. Provide context of this project's cost compared with other similar projects.
4. Is there a less expensive but viable non-ADA-but-bike-accessible option for Segment 2 (BART to Oak Hill Road)?
5. Based on experience with actual facilities, do switchbacks in fact negate a project's viability as a bike transportation facility?

6. Provide a better explanation of how this project benefits property values and economic activity. Cite studies and other examples.
7. Explain the basis for the projected doubling of bike usage. Will pedestrian usage actually increase given that the east-west alignment duplicates current sidewalks on Mt. Diablo Blvd?
8. The unit benefit value assigned to bike/ped trips seems high. Explain the basis and assumptions. Explain why this value does not equate to demand pricing; i.e. would someone pay \$X to use the path.
9. Address confusion over annual maintenance cost of \$1.1M over 30 years.
10. Explain further the difference between long term maintenance and reconstruction sinking fund.
11. Revisit the next steps sequence starting with acceptance of study.

Staff has since coordinated with the consultant team to research and respond to the Council's questions, as follows:

1. Without Phase 3 (Oak Hill Road to Brown Avenue), is Phase 2 (BART to Oak Hill Road) still worth doing and what would it accomplish?

Yes. Chapter 7, Phasing Plan and Next Steps, discusses project sequencing. Each phase has been selected to provide independent utility. As described in Section 7.1.2, Phase 2 (BART to Oak Hill Road, including the Oak Hill Road Crossing) links BART more directly to certain employment and service destinations in downtown Lafayette. The Oak Hill Road and First Street crossings are critical to the functionality of the pathway between BART and Brown Avenue. However, given the greater community concerns and the uncertainty of potential downstream traffic effects with signalizing First Street, it is recommended that signalization of that intersection be implemented in Phase 3 rather than Phase 2.

We have expanded the discussion of the utility of Phase 2 in Section 7.1.2. The first paragraph now reads (additions are underlined):

Phase 2 continues the pathway from BART to Oak Hill Road, providing connections between the station and employment and services in Downtown Lafayette, including access to the Safeway shopping center, and shops and services along Mount Diablo Boulevard. This phase includes widening the sidewalk on the east side of Oak Hill Road between Mt. Diablo Boulevard and Deer Hill Road, which will improve bicycle and pedestrian access to downtown.

2. Explore connections from the path to on-street sidewalk at some point between private driveway east of Veterans Building and Dolores Drive.

This feasibility study addresses in detail access to the pathway at roadway crossings. Other minor pathway access points are addressed conceptually in *Section 4.7.1 Access Points* and shown in Figure 4-6 Potential Access Points and Locations for Improved Security/Privacy from the EBMUD Aqueduct ROW. The figure includes a potential access point between the private driveway east of the Veterans Building and Dolores Drive, through private property. Details

regarding minor pathway access points will be addressed if the City decides to pursue construction of this pathway. Future development along the pathway alignment could also be conditioned to provide access to the pathway.

3. Provide context of this project's cost compared with other similar projects.

Chapter 6, Section 6.1. (Page 6-2) compares the cost of the EBMUD Aqueduct path to that of St. Stephen's Trail in Orinda. The EBMUD Aqueduct Trail would cost approximately \$4 million per mile.

St. Stephen's Trail: 1 mile long, \$1.8 million in 2011 dollars. The St. Stephen's Trail was completed in 1998 but required a decade of Caltrans coordination to secure permits and approvals. This trail's alignment consists of mostly gradual topography yet some traditional retaining walls were also utilized as needed. (This estimate is based on fact sheet from CCTA 2008 Strategic Plan, escalated from 2008 dollars.)

Treat Avenue Bicycle and Pedestrian Bridge on Iron Horse Trail: \$13.4 million (2011 dollars), required a decade to plan & design, (1,300 users/day) (Cost estimate is based on fact sheet from CCTA 2008 Strategic Plan, escalated from 2008 dollars.)

Alameda CTC draft costs for the Pedestrian and Bicycle Master Plan updates estimate \$1.2 million per mile for construction of class I multi-use paths, based on a review of paths constructed in the Bay Area since 2006.

The cost estimate developed for this study is quite inclusive and contains the cost of some elements which may be fully or partially funded and constructed by others; e.g. traffic signals on Oak Hill Road and First Street. Additionally, the pathway's cost estimate takes into account that this corridor contains challenging topography, roadway crossings and utility requirements which necessitate a bridge, traffic signals and potentially special EBMUD design requirements. Lastly, the pathway's cost estimates likely include more extensive project development costs than the St. Stephen's Trail due to multi-agency (EBMUD and Caltrans) involvement. The Treat Avenue bridge is perhaps the fairer comparison of the two as it is a more recent project also with complex vehicle traffic and utility challenges.

4. Is there a less expensive but viable non-ADA-but-bike-accessible option for Segment 2 (BART to Oak Hill Road)?

Chapter 5, Section 5.5 provides the cost for both a Class I Bikeway/ADA-Accessible pathway and an unpaved, non-ADA compliant, multi-use pathway that follows the existing topography. While it is about one-third the cost to provide an unpaved and non-ADA compliant pathway over the rise from BART to Oak Hill Road, this facility would have slopes up to 25% and be so steep as to be used only by a few intrepid bicyclists. Further, this type of pathway would not meet one of the project's primary goals of providing access to a range of users and improving the ability of less experienced bicyclists to access BART and downtown Lafayette. The study does not recommend a non-ADA-but-bicycle accessible route as the preferred option, due to potential lack of grant funding opportunities and lower use.

5. Based on experience with actual facilities, do switchbacks in fact negate the project's viability as a bike transportation facility?

The project consultant provided several examples of pathways that have been constructed with a number of switchbacks. Some accommodate significant levels of use:

Lick Run Greenway, Roanoke, VA (photo right) Provides access to an overpass of an interstate highway and connects to a shopping mall. Data from one month (June 2010) show between 40-50 users per day. Hourly averages show peaking at 6 am, noon, and 6 pm, suggesting it is primarily used for recreation. The city is looking into an extension to the trail that may help boost its use.



Banks Veronia Trail, Oregon State Parks, (photo right) This trail has 200,000 users annually. This is a rural pathway 25 miles outside of Portland, OR.



Coastal Trail, south of Pacifica, CA (photo left) Provides alternative access to Highway 1. This pathway includes a significant number of switchbacks. Use data not available, but Google aerials show bicyclists on path.



Freedom Parkway Trail, Atlanta, Georgia (aerial photo left) The pathway is “relatively popular” according to the jurisdictions Assistant Director for Transportation Planning. This pathway connects to a transit station.

In a local example, the access to the south side of the BART station in Lafayette was recently renovated to have a series of switchback ramps. While they are mainly intended for wheelchair users, staff has observed that BART users with bicycles ride down the ramps from the station to the street level.

6. Provide a better explanation of how this project benefits property values and economic activity. Cite studies and other examples.

Section 6.3, Benefit Cost Analysis, includes references to several studies that describe the economic benefits of pathways. Specifically, home prices near pathways tend to be higher than home prices farther from pathways, and bicycle and pedestrian facilities can lead to increased spending by consumers. These papers are summarized below.

Karadeniz, D. (2008). The Impact of the Little Miami Scenic Trail on Single Family Residential Property Values. Unpublished master’s thesis, University of Cincinnati.

The authors utilized a hedonic price model to determine the effect of the Little Miami Scenic Trail, a 70+ mile multi-purpose rail-trail in southwest Ohio, on the 376 single-family residential property values located within one mile of a trail entrance. The findings included an increase in sale prices of \$7.05 for each foot closer to the trail. Unlike previous similar studies, this model included land use characteristics and network distance to the trail. This study was in response to concerns by residents of property value decreases due to an increase of crime, traffic, and noise resulting from the trail.

Although not peer-reviewed, given its thoroughness and scientific approach, this study provides a valuable analysis of the impact of trails on property values.

Lindsey, G., J. Man, S. Payton, & K. Dickson. (2004). Property Values, Recreation Values, and Urban Greenways. Journal of Park and Recreation Administration, 22(3), 69-90.

The authors examined two aspects, the impact on property values and the recreational value of greenways in Indianapolis/Marion County. The study found that some greenways have a significant positive effect on property values, and that the recreational benefits of a trail exceed the costs. To determine the impact on property values, a hedonic model was used, with the value of houses within a linear half mile of publicly accessible trails in the greenway corridors as the study area. For the Monon trail, home values were 11.4 percent above the mean, but for the other greenway trails they were found to be -0.1 percent below the mean. The recreational benefits

were measured using the travel cost method, in which the costs of time and travel that people incur while using a recreational facility are assumed to equal the minimum price that they are willing to pay to use the facility. The total value of the willingness to pay is the total benefit of the facility. According to this analysis, the benefit-cost ratio was found to be 5.7 to 1, with a total benefit over a 10-year horizon of \$22.6 million.

Los Angeles County Metropolitan Transportation Authority. (2007). Bicycle Paths: Safety Concerns and Property Values.

This paper summarizes research on two aspects of bicycle paths: safety concerns and impacts on property values. The latter portion of the paper lists the quantified benefit of bicycle paths on property values from several studies. These include the following examples:

- A 2006 study analyzed home values in seven Massachusetts towns near the Minuteman Bikeway and Nashua River Rail Trail. Homes near the trails sold at 99.3 percent of the listing price, compared to 98.1 percent for other homes in these towns. Additionally, homes near the trails sold in an average of 20 days faster compared to other homes.
- A 1998 study of property values along the Mountain Bay Trail in Wisconsin found that lots adjacent to the trail sold faster and for an average of 9 percent more than similar property not located next to the trail.
- A 1995 study of property values near city-owned open space in Boulder, Colorado found that the average value of property adjacent to the greenbelt, all other variables held constant, would be 32 percent higher than those 3,200 feet away. The greenbelt includes hiking and mountain biking trails.

Center for International Public Management, Inc. for the Florida Dept. of Environmental Protection, Office of Greenways and Trails. (1998). Thinking Green: A Guide to the Benefits and Costs of Greenways and Trails.

This guide included no original research, but summarizes findings from other sources, including the economic benefits of greenways of trails. A 1991 National Park Service study found that shorter, urban trails generate less per person, but can attract higher number of users, than longer, rural trails. In this study, rail-trail average expenditures per single use ranged from \$1.90/person to \$14.88/person. Property values were briefly discussed: property values near, though not adjacent to, greenways generally increase. Non-consumptive fees are another source of economic benefit for communities, and the report cites five examples, most involving an exchange of paving costs for easements or building rights.

7. Explain the basis for the projected doubling of bike usage. Will pedestrian usage actually increase given that the east-west alignment duplicates current sidewalks on Mt. Diablo Blvd?

To estimate bicycle usage for the EBMUD Aqueduct Pathway, the feasibility study relies on methodology presented in NCHRP Report 552, Guidelines for Analysis of Investments in Bicycle Facilities, published by the National Cooperative Highway Research Program. This methodology is very briefly noted in Section 6.3.1 of the report. We have revised this section of the report to include the following additional description of the methodology for determining bicycle and pedestrian usage:

The NCHRP report presents a sketch planning model that can be used to estimate bicycling demand in local areas. The sketch plan is derived from an analysis of bicycle demand research and high-quality, nationally consistent data (e.g. U.S. Census, National Household Travel Survey). Based on this research, the sketch plan uses bicycle commuting as a leading indicator for other types of bicycling in a community. The model estimates the number of bicyclists by:

- a) Using U.S. Census or local data to establish the number of residents within 1600 meters, 800 meters and 400 meters of the proposed facility, then calculate the number of commuter by travel modes, including bicycling, within each buffer;
- b) Applying low, medium, and high ratios between commuter bicyclists and all adult bicyclists to estimate the existing number of adult bicyclists on a given day. Ratios are derived from the aforementioned analysis of research.
- c) Applying multipliers, based on proximity to the proposed facility, to calculate the number of bicyclists who would be induced to ride if a facility was built. Multipliers are derived from the aforementioned analysis of research.

To account for extrapolating data, the analysis includes low, medium and high usage scenarios. A lot of research went into developing the methodology used and while it may not be perfect, it is the best available.

Regarding pedestrian usage, the pathway will create a more direct pedestrian connection between BART and several of the densest residential clusters in Lafayette, decreasing walk time and increasing convenience and safety, all of which are important factors in a person's decision to walk to transit. In addition, the NCRHP method is based on several standard growth rate factors that take time to materialize; while these rates may not reflect current conditions, over time Lafayette may well increase its Downtown residential density more than the standard rates assume.

8. The unit benefit value assigned to bike/ped trips seems high. Explain the basis and assumptions. Explain why this value does not equate to demand pricing; i.e. would someone pay \$X to use the path and explain why this may not be a fair metric of value.

Section 6.3.1 summarizes the methodology used to calculate benefits. The benefit values are based on the review and analysis of research related to each benefit category presented in NCHRP report 552. Note that the values are not "how much would you pay to use the trail" but much broader benefits that are typically not monetized: mobility, health benefits, recreation, reduced auto use benefits. The benefit assumptions in the NCHRP report are relevant to Lafayette, and the consultant team does not recommend revising the benefit amounts.

Staff believes it is not appropriate to compare the calculated benefit value with an amount someone would pay to use the facility, i.e. demand pricing. As with most public facilities people are not charged the true cost of using them and if, for example, a driver were charged the true cost of driving, roadway usage would likely be significantly different. Any cost-benefit ratio assuming demand pricing as justification for benefits would likely result in low benefits that would not justify a public project.

This section of the report has been revised to include additional detail on the sources used by NCHRP to estimate benefits. Additions to the document are underlined:

The NCHRP report relies on a review and analysis of relevant literature to estimate the benefits of proposed facilities. The total annual benefits are determined by summing the mobility, health, recreation, and reduced auto use benefits anticipated to result from implementation of the pathway. The benefit category monetary values are determined based on research review as identified by NCHRP Report 552 and summarized here:

- a) The mobility benefit quantitatively evaluates individual preferences for different cycling environments. Mobility benefits are based on analysis of stated preference research. The mobility benefit for each existing and new cyclist of riding on an off-street bicycle trail, compared to riding on a street with parked cars is \$4.08/trip, with 2 trips per day 5 days per week 50 weeks per year.
- b) The annual health benefits is derived from multiplying \$128, the annual per capita cost savings from physical activity, by the number of new cyclists. Benefits are based on a literature review of the cost savings of increased physical activity, and represent the median value of benefits presented in ten studies.
- c) The annual recreation benefit for new adult cyclists, excluding new bicycle commuters, is calculated at \$10/day times 365 days. Benefits are based on a literature review of numerous studies, which found that the typical monetary value of an hour of outdoor recreational activity is \$10.
- d) The reduced auto use benefit is based on an average 6-mile roundtrip commute distance and \$0.13/per mile, the NCHRP Report 552 value for urban areas. Benefits are based on the review of several reports that discuss benefits of reduced auto use associated with increased bicycling. Benefits include the value of reduced congestion, reduced air pollution, and user cost savings.

9. Address confusion over annual maintenance cost of \$1.1M over 30 years.

Maintenance costs are summarized in Section 1.5, Table 1-1, and described in Section 1.6 in the Executive Summary. Maintenance costs are described in detail in Section 6.2.3 and Table 6-4 in Chapter 6.

As noted in the document, maintenance costs are divided into two categories: 1) Annual routine maintenance, which includes ongoing maintenance that must be performed each year (\$50,925 annually), and 2) long-term maintenance that will prolong the life of the pathway and is performed periodically (e.g. slurry sealing and AC overlay). It is assumed the City will put approximately \$4,700 to \$5,200 annually into a sinking reserve fund to pay for long-term maintenance. (Note that since maintenance costs are discounted over time, it is not appropriate to divide the total cost of maintenance over the 30-year pathway lifetime by 30 to come up with annual maintenance costs.) The annual maintenance and long-term maintenance cost contributions cited above assume completion of all phases of the pathway. These costs include traffic signal maintenance and operations which are expenses the City would not incur until Phases 2 and 3 were implemented. Table 7-1 Cost Estimates by Phase will be updated to more

clearly present the annual maintenance costs and the annual contribution required for long-term maintenance in addition to the cost over 30 years.

To provide greater City of Lafayette context to these maintenance costs, the Public Works 2011-2012 combined Traffic Maintenance and Road and Drain Maintenance budgets are \$1.12 million excluding personnel costs. A large portion of these current maintenance expenditures support the operation of motorized vehicles on the City's roadways through replacing roadway striping, maintaining signage, filling potholes, operating traffic signals, etc. Some of the pathway maintenance costs may also overlap with existing street maintenance costs, such as traffic signal maintenance, which is necessary to manage traffic generally, not just to facilitate operation of the pathway.

Cost of reconstruction of the pathway is not considered a maintenance cost, and is discussed below.

10. Explain further the difference between long term maintenance and reconstruction sinking fund.

Reconstruction of the pathway at 30 years includes the cost of replacement of all features of the pathway—retaining walls, signals, and the pathway itself. Given the long-term maintenance that is recommended (see above), it is likely that many of these features will not need to be replaced, and may just require repair. As such, this is a very conservative estimate of the needs for replacement.

The executive summary and Chapter 6 have been modified to include this information.

11. Revisit next steps sequence starting with acceptance of study.

The study identifies a variety of actions that would be needed to move the pathway project ahead. Staff believes these can be more realistically broken down into smaller steps. While not necessarily sequential, the follow up actions could be grouped by timeframe, ranging from the near term (next 12 to 24 months) to the long term (10 or more years from now).

Near-Term Next Steps

1. Staff seeks the City Council's acceptance of the pathway study and re-confirmation of the Council's support for this project to remain on the Bikeways Master Plan. It is currently listed as Project 10B, EBMUD Aqueduct ROW Pathway Design and Construction from Walter Costa Trail to Brown Avenue.
2. Following acceptance, in the very-near term, Engineering staff would monitor the currently on-going process for developing a Mitigation Monitoring Plan for the Downtown Specific Plan. The FEIR for the DSP recommends the installation of two traffic signals at the same locations (Oak Hill Road and SR24 Eastbound Off-Ramp and First Street and SR24 Eastbound On-Ramp) as are needed in the pathway study. If through the broader DSP process, the community wishes to include these signals as mitigations, then the DSP and pathway study recommendations are complimentary. If the DSP process results in not including the two signals at mitigations, then the feasibility of extending the pathway beyond Phase 1 is significantly diminished as other means of

the pathway crossing the streets were studied and were not recommended due to their cost, impacts and feasibility.

3. There are several active development applications at the westerly end of the Phase 1 section of the pathway, e.g. the Woodbury Condominiums. These projects have already been conditioned to contribute to or implement a portion of the pathway, and staff could monitor these projects to coordinate implementation of the pathway consistent with the study's recommendations. Should the Woodbury project move forward, staff would likely need to begin re-negotiating the existing use license with EBMUD regarding the maintenance responsibilities associated with the pathway in EBMUD's right-of-way. Staff's approach would be to re-negotiate the license along this section of the EBMUD ROW only as a first step, and wait on the future phases until such time when they become more imminent.

Short to Mid-Term Next Steps

4. Depending on the outcome of the DSP process on the traffic signals at Oak Hill Road and First Street (Step 2 above), staff would seek grant funds to conduct additional analysis as outlined in the study. This would address specifically in more detail the implications of signaling these two locations to facilitate pedestrian crossing as well as manage future vehicular traffic growth.
5. The positive outcome of Step 4 would support moving ahead with design development, preliminary engineering and environmental review for implementing Phase 1. Again grant funds would be sought for this work.
6. Various grant programs are available to fund the actual construction of projects of this type. This project could also be added to future updates to the Lamorinda Transportation Mitigation Fee Program. Staff could also seek opportunities to coordinate construction of usable segments of the path as an off-site improvement to new development, similar to what the Woodbury Development has committed to do.

Long-Term Next Steps

7. Upon completion of Phase 1 or any usable segments of the pathway, actual use and cost experience would then be available to be evaluated to decide whether the City should complete the entire pathway alignment over the long term.

Fiscal Impact

In the near-term, if the Council accepts the study and the proposed next steps, matching funds may be needed to secure grant funds to conduct additional studies and analyses. As is staff's practice, prior to submitting grant applications, staff would alert the Council to the possibility of matching funds being required.

Staff resources would also be used to secure implementation opportunities through development applications, negotiations with EBMUD, etc.

The study provides extensive discussion and estimates of the financial costs of the pathway's implementation. In summary, the entire pathway would cost \$6.2 million to design and construct and \$51,000 annually for routine maintenance. The City would also contribute about \$5,000

annually to a long-term maintenance sinking fund. Should the City desire, it could additionally contribute approximately \$100,000 annually to a long-term replacement fund.

Recommendation

Staff recommends that the City Council:

1. Accept the Final Feasibility and Options Study for a Pedestrian and Bicycle Pathway Along the EBMUD Aqueduct ROW with the modifications as noted;
2. Re-confirm support for the project to remain in the Bikeways Master Plan; and
3. Direct staff to pursue next steps as identified in this staff report.

Attachments

1. November 14, 2011 City Council minutes
2. September 19, 2011 Planning Commission meeting minutes excerpt

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will go to the ACS and 100% of proceeds from their Bounce for Breast Cancer Awareness Dance will be donated. The LYC also donated funds to have tee shirts printed which are on sale for \$10 each;

Upcoming events will include:

- December 9, 2011-LYC's first ever open mic night, called the LYC Café;
- January 20, 2012-7th graders Tri-City Dance at the Community Center;
- February 24, 2012-8th Graders Tri-City Dance;
- March 2, 2012-Father/Daughter Dance;
- March 3, 2012-Basketball Tournament called Three-on-Three for Three/Three;
- March 23, 2012-Bounce for Breast Cancer Awareness Dance, featuring bounce houses;
- April 13, 2012-Ace of Clubs Concert-LYC is still looking for bands;
- Planning for next year's Haunted House; volunteer work parties will begin in September and the house will open in late October.

LYC Associate Members are youth from grades 6-12 who turn in applications to be members that can work events, attend meetings, but not vote. To become a member, apply on-line at the City's website. Youth outside of Lafayette can also volunteer with the LYC or are directed to contact the Orinda Teen Advisory Council or the Moraga Youth Involvement Committee.

Councilmembers thanked the Youth Commission for their work, planning strategies, and presentation which they confirmed could be found on U Tube. They further commented that the LYC sets the standard for entrepreneurial activities and confirmed they made \$6,157 from the Haunted House event before and \$4,599 after expenses for the event, which was a record setting amount.

C. Final Draft of the East Bay Municipal Utility District Aqueduct Pathway Feasibility and Options Study

Recommendation: Receive presentation and provide comments to staff.

Engineering Services Manager Tony Coe gave the staff report and said when the City developed and adopted its Bikeway Master Plan, the pathway concept was included because it parallels Mt. Diablo Boulevard through the downtown and serves to provide a connected bicycle and pedestrian network. At question is whether the concept can be implemented in terms of cost, coordination with EBMUD, Caltrans, and design challenges such as street crossings.

Mr. Coe reported that a planning grant was obtained to conduct the feasibility and options study and consultants were chosen to prepare a draft report which was circulated for public comment. The City undertook a fairly expensive public outreach effort overseen by two advisory committees, and the Draft Report was published in August. Comments were received and incorporated into a Final Draft which will be presented tonight by the consultant team. He said staff is seeking Council comments and feedback in order to incorporate them into a final study which will be returned for the Council's consideration and adoption.

Ian Moore, Fehr and Peers, gave a PowerPoint presentation of the EBMUD Aqueduct Pathway Feasibility and Options Study, presented the study area, project history, their technical analysis of what was possible in terms developing a pedestrian and bicycle pathway, those involved in the

technical advisory committee and the citizens advisory committee, pathway feasibility options and Caltrans design standards, three key challenge areas, switchbacks, crosswalk improvements, retaining wall, various alignments and signal controls.

Councilmember Tatzin questioned the location of EBMUD pipes at the Oak Hill off-ramp location, and Mr. Moore pointed them out as being located just south of what was shown or behind the existing retaining wall along the freeway. He noted that the entire EBMUD right-of-way is south of that retaining wall.

Mr. Moore then presented cost assumptions and said total construction costs are in the area of \$6.2 million, plus annual maintenance costs.

Councilmember M. Anderson confirmed with Mr. Moore that annual maintenance costs, with added factors and methodologies for transportation costs, result in \$1.7 million annually over the course of 30 years and he then discussed maintenance funding ideas.

Councilmember Tatzin questioned next steps for all cost-related items and likely sources for development. He recognized that estimates and timing are available for Phase 1, but if Phase 2 could not be done, he asked if Mr. Moore would recommend funding Phase 3. Mr. Moore responded by pointing out that Phase 2 would still connect some downtown shopping and the library via First Street even if the path does not continue on to Phase 3. However, the value of Phase 2 may be less if the City is not confident that Phase 3 can materialize.

Councilmember M. Anderson questioned whether a pedestrian connection at Mt. Diablo west of Dolores Drive and the EBMUD right-of-way as benefitting residents there. Mr. Moore replied that this was not analyzed in the study. Mr. Coe stated they actually have two approved developments in that area that will install a sidewalk along Mt. Diablo Boulevard starting where the Veterans Memorial frontage leaves off and extending east and connecting to where the existing sidewalk ends, which provides a connection to Dolores Drive, where a connection to the path can be made.

Councilmember M. Anderson wondered if there could be a connection further west so as to make it a nice, straight walk to BART. Mr. Coe said one connection is the Woodbury project and the other would be a new office development east of Woodbury that has a direct connection. The residential neighborhood between there and the BART station would have to use the on-street sidewalk going east to Dolores Drive.

Mayor Anduri questioned how one would compare the cost of this project to the cost of similar projects. Mr. Moore replied that the St. Stephens Trail project in Orinda is the only comparable project. That one cost about \$1.5 million per mile. The Aqueduct Pathway would be more, but there are also other pathway projects that are even more expensive. So the Lafayette project is certainly not the highest cost.

Mayor Anduri asked regarding the underestimated true benefits such as economic activity and increase of property values, how likely are they to be realized with this project. Mr. Moore responded that regarding property values, communities that have made it a policy to include a pathway project such as this, consistently have higher property values. In the instances of individual parcel level, such as the Iron Horse Trail and the Lafayette-Moraga Trail, it is common to include these in real estate listings as they are considered a highly desirable feature, as they are commonly well built and well maintained.

Mayor Anduri further questioned what additional public input would be had from this point forward. Mr. Moore indicated that there would be opportunities during the project development process, including the recommended focus traffic analysis and design development.

Councilmember Tatzin said one of the assumptions made is that the number of pedestrians and bike trips would greatly increase. He questions where the underlying assumptions came from and whether they reflect Lafayette conditions. Mr. Moore indicated that some traffic counts were done, then extrapolated using regional data.

Councilmember Tatzin further commented he would make is that the bicyclist clearly would have problems getting to Mt. Diablo Blvd., even though we have sharrows. However, considering pedestrian traffic it is not quite the same perceived safety increase by going with this proposed trail, as they will be on sidewalks or in vehicles.

Councilmember Tatzin said in the cost benefit analysis assigns a benefit value of \$4 for bicycles commute trips and \$10 for recreational bicyclists. He wonders whether in reality people would actually pay these amounts as a fee to use the path.

Mayor Anduri asked for public comment on the item.

Public Comments:

TRACI REILLY asked if there was any discussion about measures for safety features on the path. Mr. Moore indicated that safety measures are addressed in the study as well as a discussion in the response to comments.

Councilmember M. Anderson asked what does "adoption" of the study mean? Mr. Coe said mainly this was a path identified in the Master Plan. When the study is returned to the Council, staff wants to make sure that it adequately addresses all issues known to date so the City can say that either the path is feasible or not feasible based on those factors. The Council could make a finding as to whether or not more information is needed. In order for this project to go forward, staff felt that it is important to have a conclusion on the feasibility question. The study should allow us to say that this is a project for the future or not a good idea after all issues have been vetted and the City is not comfortable it is a viable project.

Councilmember Tatzin thanked all those who worked on the study. He referred to Section 2, there were two alternatives studied—one recommended which would cost \$1.42 or \$1.43 million not including the signal, and the other was having people follow the East Bay Aqueduct for \$27,000 to \$47,000, which is a significant difference. While there is an ADA compliance issue, this also includes switchbacks on the western portion. Another option might be to say to people coming from the east to the west that you get to that area if you require an ADA accessible path, go down the sidewalk, go half a block over to Mt. Diablo Boulevard and go to the BART station. If one wants to walk along the non-ADA compliant trail, do so, and he thinks the City could use \$1 million in ADA accessible improvements to benefit more people. He thinks that the need for an ADA accessible trail and using it in this location for the cost of \$1 million is slim. He would be interested in seeing some reactions to this.

Councilmember B. Andersson said he thinks the information from the study is very valuable and worthwhile. There are many issues that have never been taken far enough for consideration until now. Now the City understands all issues, difficulties and possibilities. It is not an easy path, but it

could happen. It comes down to the cost benefit analysis, which appears to be a positive result, but he is more concerned with funding the maintenance. In terms of next steps.....He thinks the key is that a path project should be laid out for a funding structure, recognizing there is a maintenance cost. He further suggested that there may be areas that money can be raised to pay these costs.

Councilmember M. Anderson said he appreciates the study because it objectively demonstrates the need for a lot of money to implement it probably won't get a lot of use, and he does not see people using the switchbacks because they are not conducive to bicycle commute. . He feels the alignment that has been discussed has the ability to serve the downtown and he doesn't believe it ties in to the other connections very well. Therefore, if there is more funds available on the contract to do some adjustment and consider a phasing concept and perhaps Phase 1 could be a stand-alone project as an access to BART. He further noted that this study as being complete, however he doesn't see a benefit for this actual improvement.

Mayor Anduri said this is a resource he would like to see more about the potential benefits years from now because he has a feeling that development pressures will encourage walking, bicycling and noted he wasn't sure how this would be measured in terms of a cost benefit analysis. He thanked the consultant team for their help.

Councilmember B. Andersson said a couple of reasons why he believes that there would be more users than currently anticipated is that a facility like this attracts more users over time. He cited the Lafayette-Moraga Trail. He believes that once it is implemented people will start using it and will build on it.

Mayor Anduri said there have been past complaints about "a trail to nowhere" from Murray Lane to the Community Park, and that no one would use it. He commented though that every time he goes to the area, he sees someone walking and people do use it.

Councilmember M. Anderson said the problem he sees with this is that we know that the switchback is not friendly to bike commutes. He noted that Murray Lane is a hiking trail and not a trail for commuters. He suggested finding one somewhere that can be tried out.

Convene Redevelopment Agency

ACTION: It was M/S/C (Tatzin/B. Andersson) to convene the Redevelopment Agency meeting. Vote: 4-0-1 (Ayes: Anduri, M. Anderson, B. Andersson, and Tatzin; Noes: None; Absent: Federighi).

8. CONSENT CALENDAR

ACTION: It was M/S/C (Tatzin/M. Anderson) to approve Consent Calendar Items A, B, C, D, E, and F. Vote: 4-0-1 (Ayes: Anduri, M. Anderson, B. Andersson, and Tatzin; Noes: None; Absent: Federighi).

A. City Council/RDA Minutes October 24, 2011 Recommendation: Approve.

From: Jeannet Adajevich To: Leah

1 applicant's request.
2 **Project Planner:** Greg Wolff, Tel. (925) 299-3204 • gwofff@lovelafayette.org

3 Commissioner Mitchell moved approval of Consent Calendar Items A, as amended, B, and C;
4 Commissioner Chastain seconded the motion, which carried by unanimous consent.

5 SPECIAL PRESENTATION – FOLLOW UP *include with staff report for council*

6 **A. LAFAYETTE PATHWAY FEASIBILITY STUDY ALONG EBMUD AQUEDUCT RIGHT-OF-WAY**
7 **Recommendation:** As follow up to last month's presentation, staff is available to respond to
8 questions. The Commission may wish to identify comments and prepare a comment letter on the
9 Public Review Draft.
10 **Project Planner:** Leah Greenblat, Tel. (925) 299-3229 • lgreenblat@lovelafayette.org
11 **Estimated Start Time 7:05PM / Estimated Duration 45 Min**

12 Ms. Greenblat said she was here to answer questions as a follow up on the feasibility study
13 presentation last month which the Commission attended the first of two presentations. Following the
14 first presentation, to respond to questions received, , staff developed additional PowerPoint slides to
15 better describe and respond to questions, which she wanted nowto share with the Commission.

16 She said she understood that the Planning Commission wanted to focus its discussion on the three key
17 intersections: Happy Valley Road, Oak Hill Road, and First Street. She presented the Happy Valley Road
18 crossing which looks at the topography, or the 33% change in grade which is one of the reasons why the
19 draft study is proposing a bridge at this location. Some of the improvement which consists of new curb
20 bulbs, crosswalk, and in-pavement flashers will be done as part of the Downtown Street Improvement
21 Streetscape project going out for bid and to be constructed later this year. Questions at the first meeting
22 involved why people could not cut across portions of the path and staff wanted to better illustrate the
23 actual grade change at the location. There is a 14.5 foot elevation change as well as in another location,
24 where stairs will be proposed to take pedestrians down to Happy Valley Road. She said the plans reflect
25 the new BART entrance with ramps, and it is clearer how the upper path meets the top of the BART
26 plaza ramp.

27 Ms. Greenblat displayed the section between the BART alignment and Oak Hill Road. Staff proposes
28 transitioning into the Caltrans right-of-way to miss a significant grade further to the east. She presented
29 a view from the State Route 24 Oak Hill off-ramp and the uphill slope of the EBMUD Aqueduct. They are
30 proposing that the north side of the off-ramp would get realigned and shifted over, and the existing wall
31 will remain.

32 She said there were also questions about the Oak Hill State Route 24 off-ramp intersection. She
33 presented the revised slide which shifts the lane assignments around so they are different north of the
34 off-ramp versus south of the off-ramp, which she briefly explained.

35 There were also questions about the traffic and background data. She pointed out that the draft DSP in
36 the cumulative no-project condition has this as a LOS D intersection. If the DSP project is added in under
37 cumulative conditions, it is LOS F, or with signal control, LOS C. In the future, projects from the DSP will
38 influence Level of Service. As part of the study, they looked at pedestrian crossings and evaluated it
39 under a scramble phase. She said if a signal is installed, it helps with queuing on the off-ramp which
40 Caltrans is especially concerned about.

41 The other key intersection was the First Street/State Route 24 on-ramp. She presented existing
42 conditions and said the span is a much wider and flatter crossing than Happy Valley Road, and the

1 topography does not work as well to minimize the span. A bridge would need to back out farther to get
2 to the height that was needed. Because of these issues, staff looked at two alternatives for First Street
3 and the freeway. Both have signalization at the off-ramp, and one also has full signalization at the
4 driveway at Whole Foods. Alternative 4 maintains the existing condition at Whole Foods.

5 In looking at the projects, the southbound, left-turn from First Street to the on-ramp is where the worst
6 delay at this intersection is experienced in the future. Under cumulative conditions, with no project, the
7 LOS is at F. With a signal control this can be slightly improved. Future steps identified in the study are to
8 conduct additional traffic analysis at this intersection and at Oak Hill, but primarily at this intersection
9 and looking at the upstream and downstream types of effects.

10 In conclusion, the cost is \$6.1 to \$6.2 million. Traffic signals for some of the pathway segments are
11 included in the overall cost, but they could potentially be funded through other sources. She then
12 presented the recommended phasing, stating that the first phase is to go from Risa Road to BART. The
13 second phase is to go from BART to the east side of Oak Hill. The last phase, if acceptable, would take it
14 to Brown Avenue. She said she was available to answer any questions.

15 Commissioner Mitchell asked if numbers were run to determine how much a bridge would cost,
16 particularly at First Street. He said some municipalities like Pleasant Hill and Walnut Creek have long,
17 ramped bridges. Ms. Greenblat said staff knows the cost at Treat Boulevard, which is \$12.1 million. This
18 bridge is a bit more complicated than what Lafayette would need. Another issue she did not mention is
19 that the City cannot build structures in the EBMUD right-of-way. She said the reason the City was able to
20 do the bridge at Happy Valley is because it is on Caltrans right-of-way the whole way.

21 Chair Curtin-Tinley questioned where the crossing works on the First Street, which Ms. Greenblat
22 explained, stating the path comes down, there is a white rail fence, and one can cross at either option in
23 two parts; first the southbound traffic, go along a median, and then cross the northbound traffic with a
24 signal.

25 Commissioner Mitchell said in the southbound direction where there is the center median, it appears
26 there is only one southbound lane in that particular spot and then it widens to two lanes. Ms. Greenblat
27 said it does look like that, but she did not bring any cross sections with her.

28 Chair Curtin-Tinley asked if the signal is operated by the pedestrian or bicyclist, similar to what is in
29 Walnut Creek by Nordstrom's. Ms. Greenblat said a pedestrian or bicyclist would need to push a button
30 for signal control.

31 Commissioner Mitchell questioned what staff's preferred recommendation is, and Ms. Greenblat said
32 staff needs to study the First Street crossing further and is not willing to commit yet to a specific one.
33 There is some interest in trying to improve the pedestrian crossing at Whole Foods because there are
34 many jaywalkers, but it might interrupt the flow more. If the signal was added at First Street, it would
35 not be quite as far for the jaywalkers, and they could go up to it and get a protected crossing.

36 Chair Curtin-Tinley referred to the crossing at Happy Valley and asked why is there a bridge crossing
37 here as opposed to First Street. Ms. Greenblat said it is a matter of grades and too many switch-backs.

38 Chair Curtin-Tinley referred to the Oak Hill crossing, and asked if the lane changes going from two to one
39 and two to one on Oak Hill is caused by a bike path, or she asked if this was a different project. Ms.
40 Greenblat said interestingly, the Circulation Commission is looking at this option now because the City
41 receives a number of complaints about the site distance coming off the off-ramp. The Circulation
42 Commission just extended the no-parking zone, but it also improves a condition where there are now

1 two lanes and if someone is turning southbound into Safeway, they block one of those lanes. The
2 benefit of this option is improvement of the southbound traffic. Chair Curtin-Tinley said; however, the
3 northbound lane is reduced, which is the most heavily traveled portion. Ms. Greenblat said there were
4 some questions about Mt. Diablo Boulevard and that turn, and currently, there is only one thru lane
5 feeding in there at a time. If turning from Mt. Diablo Boulevard, one lane is turning at a time. From Oak
6 Hill and going straight, there is only one thru lane there.

7 Chair Curtin-Tinley confirmed that purpose of tonight's meeting is for the Planning Commission to
8 comment on the draft plan.

9 Chair Curtin-Tinley opened the public comment period. Seeing none, she returned back the discussion to
10 the Commission.

11 Commissioner Mitchell said obviously Oak Hill and First Street will be a big challenge, and he is anxious
12 to see what the Circulation Commission returns with. He is generally supportive of the trail. He thinks it
13 will be a great amenity for the City and he hopes it works out. He also said if the City has conversations
14 with Caltrans, particularly with regard to the right-of-way on the off-ramp on Oak Hill, he asked to
15 include the fact that at Mt. Diablo Court, there was an application for 18 condominium units, and there
16 was a proposed trail in the Caltrans right-of-way to approach Pleasant Hill Road from the end there.

17 Commissioner Lovitt questioned where funding is anticipated. Ms. Greenblat said there is an entire
18 chapter on funding needs and expenses, but most of the funding is anticipated through federal
19 transportation dollars that come through MTC or through sales tax dollars through CCTA. She said one
20 of the reasons why there is a bridge at Happy Valley is to maintain a Class I bike facility and that it be
21 ADA compliant, and by doing that, it opens up transportation dollars, as opposed to it being classified as
22 a recreational facility, the dollars of which are much more limited.

23 Commissioner Humann said of the \$6 million, how much of this is for the bridge. Ms. Greenblat said the
24 bridge is a pre-manufactured bridge, and each phase was about \$2 million. Commissioner Mitchell
25 noted the cost is \$1.2 million for the Happy Valley Crossing.

26 Vice Chair Ateljevich said she has concerns with the safety of both the Oak Hill and First Street crossings.
27 Because she lives on a street that is crossed by the Regional Trail that goes through Lafayette, she sees
28 at least 10 kids every day with one ear plugged up with their iPods and phones and they never stop.
29 Twice, cars have been hit by bicycles. She is very worried, but she knows they tend to be more careful
30 with busier streets, but there will always be the daredevil. Secondly, the mix on the Regional Trail
31 includes a lot of kids and people out for recreational walking, but it does not include hardly any bicyclists
32 as this would. Serious bicyclists go on St. Mary's Road, and they do not mix with kids and stop signs.
33 Therefore, she does not see this as much as a recreational possibility as possibly one that would get
34 people to BART. And, the first phases are more innocuous than the subsequent phases. If the City moves
35 forward, she would hope they would put a good amount of time between phase 1 and any subsequent
36 phasing to see how much demand there really is, because she does not feel comfortable with the cost-
37 benefit analysis which is based largely on projections made in very different situations than this one. So,
38 if it is going to exist, it had better be used a lot to be worth what it will cost.

39 Commissioner Chastain said he was not sure what to do about safety, as there are risks. He thinks what
40 would be helpful in looking at this is that this is a good way to get to BART as well as the reservoir. This
41 almost is more compelling to him. Vice Chair Ateljevich said she thinks they would take a different route
42 before taking this one in coming from the north. If coming down south, they will come down Brooke
43 Street. He also thinks it would cost more than what is estimated.

1 Commissioner Maggio said she sees a lot of benefit for the first phase without some of the constraints.
2 She thinks it would be an asset to the community. There is a lot more studying to do. It should run
3 through more Commissions, but she thinks at least the first phase would be very worthwhile. Vice Chair
4 Ateljevich agreed and said it should be considered a 'test' phase, to which Commissioner Maggio
5 agreed.

6 Chair Curtin-Tinley commended all the work that went into the feasibility report and would love to have
7 a bike/pedestrian path throughout Lafayette. If she came from the north, she would never use the bike
8 path because of the constraints on it. She also would not take children across the First Street crossing,
9 not in front of an on-ramp to go on a freeway, and not one they would have to stop in the median,
10 which is extremely unsafe. She thinks it would cause more traffic problems when having the pedestrians
11 and bike users pressing the buttons, as it backs up cars. She likened it to problems she has experienced
12 in Walnut Creek and said she was concerned with safety at First Street. She said she does not see it
13 working at all, as it is already a mess. She is also concerned about Oak Hill Road and not in favor of any
14 of the road improvements. The bridge on Happy Valley Road is also very expensive. She was supportive
15 of the first phase and then after that, to look at the use of the bike path along Deer Hill Road.

16 Vice Chair Ateljevich said the other impact the City should study is the impact on the commute. Adding
17 one more light will upset people greatly. She thinks a very good effort has been made to contact the
18 public about this project, but no one knows exactly what it entails other than those closely involved. She
19 agrees with Phase 1 relatively being innocuous and providing a service.

20 Commissioner Maggio said she thinks the placement of the bridge with the backdrop of the other
21 overpass would really just go away, and this is a really good design idea to allow for the ADA access.
22 Commissioner Lovitt said he thinks it would actually help.

23 Chair Curtin-Tinley asked how and where the bridge drops back down onto the path. Ms. Greenblat
24 pointed out the location of the bridge, the sidewalk along the BART parking lot and the point where it
25 forks. One would come down to the parking lot level or if one's destination is BART, they go right into
26 the plaza level. She said people are on the bridge span and fill in various sections. She said it is short
27 enough so that it can be a manufactured, and not designed, bridge.

28 Commissioner Lovitt commented that if the design for a pedestrian bridge could be something other
29 than used parts of the Bay Bridge, it would soften the view of the freeway considerably. Ms. Greenblat
30 said when discussed at the Technical Advisory level, the bridge would be similar to the one at the
31 Community Park.

32 Chair Curtin-Tinley asked and confirmed there had also been consideration given to the height of the
33 sides of the bridge for safety, and confirmed there were no further comments of the Commission.

34 NEW PUBLIC HEARING

35 **A. LLR03-11 ALAN & NEL WAGNER and LAMAR & ELIZABETH WILKINSON (APPLICANTS &**
36 **OWNERS), LR-10 & R-40 ZONING:** Request for a Lot Line Revision pursuant to Chapter 6-24 of the
37 Lafayette Municipal Code to adjust the property lines between a developed parcel & two
38 undeveloped parcels located within the Hillside Overlay District at 1722 Reliez Valley Road.
39 APN's 167-240-019, 167-240-020, & 167-240-021
40 **Recommendation:** Approve the application for lot line revision.
41 **Project Planner:** Greg Wolff, Tel. (925) 299-3204 • gwolff@lovelafayette.org
42 **Estimated Start Time 7:50PM / Estimated Duration 30 Min**