

Section 1

Introduction

1.1 PROJECT OVERVIEW

The San Francisco Bay Area Rapid Transit District (BART) is proposing to extend transit services into east Contra Costa County from its existing Pittsburg/Bay Point BART Station in the unincorporated community of Bay Point near the City of Pittsburg. The project is generally known as “eBART” in reference to the extension of service to the “East” portion of Contra Costa County. This document is an Environmental Impact Report (EIR) prepared pursuant to the California Environmental Quality Act (CEQA), the purpose of which is to evaluate the potential environmental impacts that could occur if the transit extension were constructed and to evaluate alternatives and mitigation measures which could avoid or reduce significant adverse impacts.

Existing BART Service and Future Extensions

BART has been in operation since 1972 and currently operates in four Bay Area counties: San Francisco, Alameda, Contra Costa, and San Mateo. The entire BART system is illustrated in Figure 1-1. The most recent extensions to the BART system are the extensions to Dublin/Pleasanton in eastern Alameda County, to Pittsburg/Bay Point in east Contra Costa County, and to San Francisco International Airport in San Mateo County, with a terminus in Millbrae.

In east Contra Costa County, BART service extends as far east as the Pittsburg/Bay Point Station, which is located in the median of State Route 4 (SR 4) just west of Bailey Road. BART opened the Pittsburg/Bay Point BART Station in 1996. This station offered east Contra Costa County residents a transit alternative for travel between the City of Pittsburg and the rest of the BART service area. Since opening, the station and line have been heavily used, as an average of 10,000 persons enter and exit the station each weekday.

In order to guide BART in the extension and expansion of its system, such as currently envisioned by the Proposed Project, the BART Board of Directors adopted a Strategic Plan in 1999 (updated in 2003). The Strategic Plan defined BART’s strategic initiatives to ensure the achievement of its mission to “provide safe, clean, reliable, and customer friendly regional public transit service in order to increase mobility and accessibility, strengthen community and economic prosperity, and preserve the environment in the Bay Area.” These strategic



Source: BART, 2008.

REGIONAL LOCATION AND EXISTING BART SYSTEM
FIGURE 1-1

initiatives include specific policies for system expansion and station area planning. The System Expansion Policy of the Strategic Plan ensures that a uniform set of criteria is used for evaluating future project opportunities.¹ These criteria include:

- Transit Supportive Land Uses and Access – How well do existing residential and/or employment land uses, intermodal connections, and local land use plans and policies support transit use?
- Ridership Development Plan – Does the project meet BART’s ridership threshold, and have the local jurisdictions prepared plans to promote transit supportive uses and improve access to proposed stations?
- Cost Effectiveness – How much does it cost to increase ridership?
- Regional Network Connectivity – How well does the project close gaps in the regional transportation network?
- System and Financial Capacity – How does the project affect BART’s existing system and is there a viable capital financing plan and operating financing plan?
- Partnerships – How much community and stakeholder support exists for the project?

BART Extension Planning in East Contra Costa County

Rapid growth in east Contra Costa County coupled with worsening congestion and vehicle delays (described later in this section) compelled local policy makers to formulate a strategy of combined investment in SR 4 improvements and transit options to serve the existing and future travel demands along SR 4. In 2000, the Contra Costa Transportation Authority (CCTA) and BART formed a partnership to conduct the SR 4 East Corridor Transit Study, which covered an approximately 23-mile corridor from Pittsburg in the west to the unincorporated communities of Byron and Discovery Bay in the east. This transit alternatives feasibility study looked at a full range of bus and rail transit improvements in the corridor. (This feasibility study is a successor to an earlier Pittsburg-Antioch Corridor Study, which BART led and completed in the late 1980s. That earlier corridor study considered 12 alternatives.) The SR 4 East Corridor Transit Study was one of BART’s first efforts to comply with and implement the System Expansion Policy process outlined in the BART Strategic Plan. The study was marked by a high degree of collaboration between BART and local policy makers, and in 2002, when the study was completed, a unanimous recommendation was made to advance a transit system based on a rail technology using independently propelled rail cars known as “Diesel Multiple Units,” or DMUs. This fuel-efficient technology uses rail cars that have engines that can burn low sulfur diesel fuel that meets state and federal air emission standards.

In 2002, BART and CCTA agreed to move forward with the environmental analysis and preliminary engineering of the DMU extension into east Contra Costa County. The proposed

¹ A copy of the System Expansion Policy is included as Appendix B to this report.

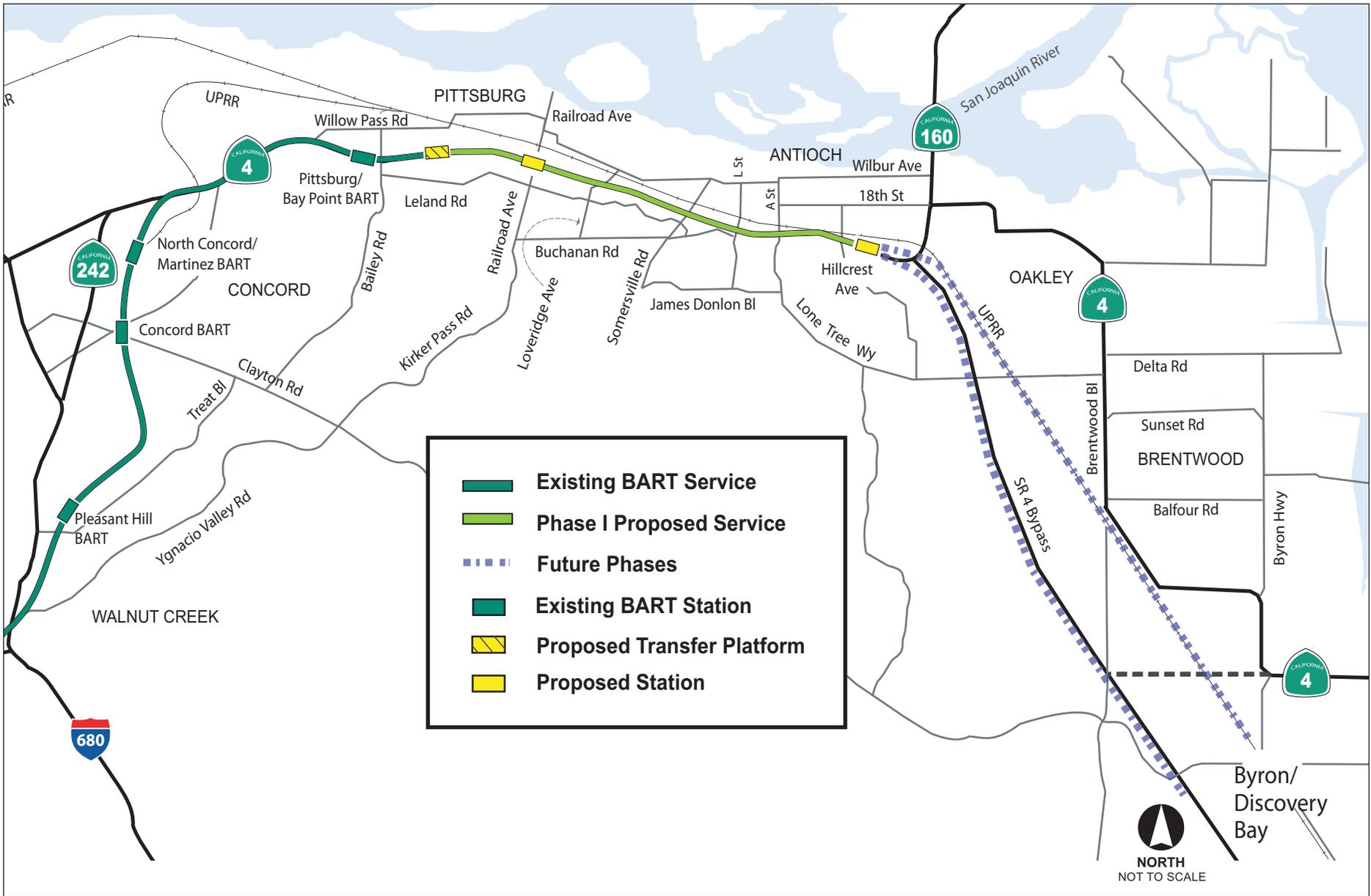
plan called for extension of eBART approximately 23 miles east of the existing terminus in order to provide direct service to the communities of Pittsburg, Antioch, Oakley, Brentwood, and Byron/Discovery Bay. The alignment for the new trains would follow the median of SR 4 from the existing Bay Point terminus to Loveridge Road and then along Loveridge Road to connect to Byron/Discovery Bay via the Union Pacific (UP) Mococo Line. Approximately six stops were included as a part of this plan. While the need for the extension was clear based on the results of the prior studies and the existing traffic conditions, the cost for implementing such improvements presented obstacles for implementation.

In 2004, Bay Area voters passed Regional Measure 2, which raised tolls in the San Francisco Bay Area, and Measure J in Contra Costa County, which continued a local quarter-cent sales tax increase, both for the purpose of relieving traffic congestion. On March 23, 2005, the Metropolitan Transportation Commission (MTC) approved the use of funds from Regional Measure 2 for additional study of transit service improvements in the SR 4 corridor in east Contra Costa County. On August 3, 2005, a Memorandum of Understanding (MOU) was signed by the City of Pittsburg, the City of Antioch, the City of Brentwood, the City of Oakley, Contra Costa County, CCTA, East Contra Costa Transit Authority (Tri Delta Transit), and BART expressing the goal of bringing high quality rapid transit service to east Contra Costa County. As a part of the MOU, the cities and the County took direct responsibility for the development and implementation of Ridership Development Plans at each of the six proposed stations along the east Contra Costa County corridor. It is this regional directive that has enabled further planning, design, and environmental review of the Proposed Project.

Despite regional support for the 23-mile BART expansion, the feasibility of the full development of the eBART corridor remains limited under current funding conditions. The trickle down effect of the recent economic downturn on home sales, land development, tax generation, and population growth has impacted the original projections. While the expansion of eBART to Byron/Discovery Bay is anticipated at some point, the practicality for such an expansion does not currently exist. BART is now proposing that service in the project corridor be extended in a series of segments, to be constructed as funding and right-of-way become available. The first segment, for which funding currently exists, encompasses an initial alignment of approximately 10 miles from the Pittsburg/Bay Point BART Station to the area east of the Hillcrest Avenue interchange in the City of Antioch (see Figure 1-2).

Proposed Project

The Proposed Project that is the subject of this EIR is the first 10-mile segment of the project corridor. The recommended DMU rail technology uses a self-propelled passenger vehicle that has one or more diesel engines for propulsion power. These trains, popular in Europe, do not need a dedicated locomotive. The word “Multiple” refers to the fact that these single vehicles can operate in a train of multiple units.



Source: BART, 2008.

FULL eBART PROJECT CORRIDOR AND PHASE I EXTENSION
FIGURE 1-2

As part of the Proposed Project, the DMU trains would operate on tracks to be constructed in the median of SR 4. The portion of SR 4 between the Pittsburg/Bay Point BART Station and Loveridge Road has already been widened to accommodate transit service. The portion of SR 4 between Loveridge Road and Hillcrest Avenue is proposed for widening by the State Department of Transportation (Caltrans) and CCTA and has completed environmental review. The schedule for construction and operation of eBART is contingent on the scheduled Caltrans widening of SR 4 east of Loveridge Road.

A transfer facility and two stations would be constructed as part of the Proposed Project. The transfer platform to conveniently link DMU passengers to the BART system would be constructed east of the existing Pittsburg/Bay Point BART Station, in the existing BART tailtrack area. A new passenger station would be constructed at Railroad Avenue in the City of Pittsburg, and a terminus station would be constructed in the median of SR 4 east of the Hillcrest Avenue interchange in the City of Antioch. Three optional locations for the terminus station are also evaluated in this EIR; two of these optional locations would be located north of SR 4 in the area between SR 4 and the UP Mococo Line. The third option would be located east of the Proposed Project station within the SR 4 median. In addition, a maintenance facility would be constructed as part of the Proposed Project, east of the Hillcrest Avenue Station.

BART's goal remains the eventual extension of transit service through Oakley and Brentwood to Byron/Discovery Bay as recommended by the 2002 feasibility study. However, funding for this full system is undefined at this time, major questions are unresolved regarding the route, station locations, and local plans for development, and it is highly speculative when such improvements could be implemented in the near future. As a result, rail expansion along the full project corridor is likely to occur over multiple phases.

Project Alternatives

In addition to the Proposed Project, this EIR considers and evaluates several project alternatives as enumerated below. These alternatives are described in detail in Section 5 of this report.

- A No Project Alternative that considers the consequences of not extending transit services beyond the Pittsburg/Bay Point BART Station. This alternative would involve continuation of the existing Tri Delta Transit District bus system and implementation of additional express bus service from East County communities to the BART system.
- A Bus Rapid Transit (BRT) Alternative that considers technical and operational transit improvements using buses in the same alignment as the Proposed Project. The system seeks to emulate the service levels provided by a rail system. Amenities would be provided at stations, and portions of the route could be constructed with exclusive

transit lanes or other transit preferential treatments in order to bypass areas of localized traffic congestion.

- A Light Rail Vehicle (LRV) Alternative that would use an electric-powered light rail vehicle technology operating in the same alignment as the Proposed Project. This alternative would require the installation of overhead lines to transmit the electricity that would power the vehicles.
- A conventional BART Extension Alternative that uses full-length BART trains and systems in the same alignment as the Proposed Project. This alternative would consist of an extension of the electrically-powered, exclusive-use right-of-way BART system with one station at Hillcrest Avenue and a maintenance yard facility.

Additional alternatives were considered in a screening-level analysis and determined to be infeasible, and therefore were not carried forward for full evaluation. These alternatives and the results of the screening analysis are also described in Section 5 of this EIR.

1.2 OVERVIEW OF THE STUDY AREA

The study area for the Proposed Project lies in east Contra Costa County, California within the nine-county San Francisco Bay Area (see Figure 1-1). Notwithstanding the recent difficulties with housing mortgages, the East Contra Costa County study area (see Figure 1-2) has been one of the fastest growing submarkets of the San Francisco Bay Region. As a result, travel demand in the region has continued to increase, even though gridlock occurs on a regular basis on the study area's "Main Street," SR 4. The study area's profile of continued growth, a constrained road network, and limited transit service and options, as detailed below, creates an enormous need to introduce enhanced transit services to improve mobility throughout the area.

Growth Trends and Travel Patterns

Between 1970 and 2000, the project corridor experienced a population increase of 73 percent, compared to the County increase of 41 percent. Within the past decade for which US Census data are available, between 1990 and 2000, population growth in the full project corridor accounted for about 37 percent of total growth within the entire County, and approximately 6 percent of total growth within the Bay Area. Over this period, the corridor experienced an average yearly population growth of approximately 6 percent, compared to 1.5 percent annually for the County overall.

In the full project corridor (Pittsburg, Antioch, Oakley, Brentwood, and Byron), there is an imbalance between the numbers of jobs and homes. In 2000, the project corridor had about

48,000 households and 37,910 jobs,² suggesting a high level of commuting from the corridor to jobs elsewhere. The majority of residents within the project corridor commute via automobile.³ In 2000, according to information compiled by the MTC, on average, approximately 90 percent of the employed residents within the cities of Pittsburg, Antioch, Oakley, and Brentwood commuted by automobile. Of that 90 percent, only 16 percent carpooled and approximately 73 percent drove alone.⁴ This high level of single-occupant commuting contributed to congestion on SR 4. On average, residents from these communities spent 42 minutes traveling to work, significantly longer than the mean travel time to work of 34 minutes for all County residents.⁵ Both figures are significantly higher than the average commute times in the County of 27 minutes in 1980, and 29 minutes in 1990.⁶ In 1990 there were 52,572 County residents with over a one-hour commute to work, versus 82,436 people in 2000 (a 57 percent increase).^{7,8}

In the future, according to the Association of Bay Area Government's (ABAG) 2007 projections, the total population of all communities within the full project corridor (Pittsburg, Antioch, Oakley, Brentwood, and Byron) will increase substantially by 2030, placing higher demand on area roadways, especially SR 4. ABAG population forecasts suggest that the study area will absorb a substantial share of the Bay Area's population and household growth over the next 20 to 30 years. Between 2000 and 2030, population in the SR 4 corridor is projected to increase from about 167,700 people to 232,000 people (about 38 percent).⁹ During that same timeframe, population in the County is expected to increase from a population of about 948,800 to 1,255,300 (about 32 percent), and the population of the Bay Area is likely to increase in population from roughly 6.8 to 8.7 million (about 28 percent). The more rapid growth rate projected for the project corridor indicates that the corridor is forecast to house an even greater proportion of the Bay Area's growth in 2030 than it does currently.

² Association of Bay Area Governments, *ABAG Projections 2007*, December 2006. Household and job data are for the cities of Pittsburg and Antioch.

³ Metropolitan Transportation Commission and the Association of Bay Area Governments, Bay Area Census, Online at: <http://www.bayareacensus.ca.gov/counties/ContraCostaCounty.htm>, Accessed February 22, 2006.

⁴ Metropolitan Transportation Commission and the Association of Bay Area Governments, Bay Area Census, Online at: <http://www.bayareacensus.ca.gov/counties/ContraCostaCounty.htm>, Accessed February 22, 2006.

⁵ Metropolitan Transportation Commission and the Association of Bay Area Governments, Bay Area Census, Online at: <http://www.bayareacensus.ca.gov/counties/ContraCostaCounty.htm>, Accessed February 22, 2006.

⁶ Metropolitan Transportation Commission and the Association of Bay Area Governments, Bay Area Census, Online at: <http://www.bayareacensus.ca.gov/counties/ContraCostaCounty.htm>, Accessed February 22, 2006.

⁷ The 2005 California Child Care Portfolio—a project of the California Child Care Resource & Referral Network, (800) 543-7793, Online at: www.rrnetwork.org, Accessed August 22, 2006.

⁸ Note – data do not designate commute mode, i.e., automobile, transit, walk.

⁹ Association of Bay Area Governments, *ABAG Projections 2007*, December 2006. Population data are for the cities of Pittsburg and Antioch.

East Contra Costa County has been the fastest growing subregion in the Bay Area. This growth has been tempered by the recent housing mortgage crisis, which has resulted in foreclosures and a drop in housing prices over the past year; however, factors that contributed to the area's development boom over the past two decades are still present – available land, lower housing costs, attractive weather, and suburban lifestyle. As a result, even though growth will certainly slow in the short term, development would be expected to resume and travel conditions along SR 4, already heavily congested, would continue to worsen.

Transportation Conditions in East Contra Costa County

SR 4 is the primary east-west transportation corridor in the County, the only inter-regional route of significance that runs east and west in the County, and the only highway link between central and eastern County. The geography of the area to the north and south of SR 4 limit alternative east-west transportation routes in the area. As previously discussed, rapid development within east Contra Costa County has resulted in severe congestion along SR 4. Furthermore, there is a job/housing imbalance within the corridor, suggesting a high level of out-commuting. Vehicle delay is the delay incurred during the peak hour as a result of congestion on a freeway or freeway ramp and is measured in units of “vehicle hours.” Currently, motorists traveling on SR 4 experience an average eastbound and westbound daily delay of 6,272 and 5,538 vehicle hours, respectively, for a total of 11,810 vehicle hours of delay for the entire corridor.

In 2007, the eastbound afternoon commute along SR 4 from Bailey Road in Pittsburg to the A Street/Lone Tree Way exit in Antioch was listed as one of the “top ten” most congested freeway segments in the Bay Area. Throughout the Bay Area, the daily number of vehicle hours of delay due to commute congestion rose by 15 percent in 2005, resulting in the fifth fastest rate increase since 2001, according to Caltrans. Of the nine counties that comprise the Bay Area, the largest overall increase in freeway congestion in 2005 occurred in Contra Costa County.

Transit Services in the Study Area

The study area is currently served by BART and Tri Delta Transit. The four-county BART system serves many cities/communities in San Francisco, Contra Costa, San Mateo, and Alameda counties. During the 2005 fiscal year, BART provided over 310,000 trips to residents of the Bay Area on an average weekday.¹⁰ The BART system is heavily utilized by East County residents. The Pittsburg/Bay Point BART Station serves approximately 10,000 people entering and exiting the BART system each weekday.¹¹

¹⁰ Bay Area Rapid Transit, *Fiscal Year Average Weekday Exits by Station*, Online at: http://www.bart.gov/docs/station_exits_FY.pdf, Accessed February 16, 2006.

¹¹ Contra Costa Transportation Authority, *Bay Area Rapid Transit, SR 4 East Corridor Transit Study-Summary Report*, prepared by Wilbur Smith Associates, December 12, 2002.

Tri Delta Transit serves over 2,500,000 riders each year, operating 14 local bus routes Monday through Friday, two local bus routes on weekends, commuter routes, a door-to-door bus service for senior citizens and disabled individuals, a 49ers sports service to home games at Candlestick Park, and numerous shuttle services for community events. Tri Delta Transit provides approximately 10,000 rides per day on fixed-route service and over 300 rides per day through a door-to-door bus service.¹²

1.3 PROJECT OBJECTIVES

Given the transportation characteristics and future travel demand in east Contra Costa County in general and along the project corridor in particular, the following objectives have been identified by BART for extension of transit service to east Contra Costa County:

- Improve overall transportation service and enhance mobility in the State Route 4 corridor – Caltrans data show that westbound SR 4 from A Street/Lone Tree Way in Antioch to State Route 242 rose from the 32nd worst congestion location in the Bay Area in 2000 to the sixth worst congestion location in 2007, with a daily weekday delay of 4,750 vehicle hours. The Proposed Project would create a transit alternative for individuals commuting from east Contra Costa County residences and thereby divert traffic from the congested SR 4 corridor. Based on the travel demand projections developed by Wilbur Smith Associates for this EIR, the Proposed Project would result in a reduction of 193,100 daily car miles on the roads in 2015, when the Proposed Project would commence service, and 340,800 daily car miles on the roads in 2030. This diversion of motorists off the roads would translate to a reduction of 56 million vehicle miles traveled in 2015 and 98.8 million vehicle miles traveled in 2030.
- Enhance access to transit systems – Consistent with the BART System Expansion Policy as identified in the Strategic Plan, the Proposed Project would extend transportation services to communities currently not served by rail transit. Stations would be designed to provide intermodal regional links to bus, shuttle, automobile, bicycle, and pedestrian networks. The Proposed Project would enhance the public's access to jobs, education, shopping, and social activities throughout the Bay Area.
- Enhance connectivity and seamlessness of the transit system, both from home to transit and from one form of transit to another – The Proposed Project would connect to Tri Delta Transit's existing bus routes and employ a DMU technology that is clean and appropriate to the anticipated demand. The proposed cross-platform transfer at the transfer platform would offer passengers a convenient, quick connection between DMU and BART trains.

¹² Eastern Contra Costa County Transit Authority, Tri Delta Transit, Online at: <http://www.transitinfo.org/providers/providerinfo.asp?cid=3D>, Accessed February 16, 2006.

- Promote transit-oriented land use initiatives and policies – The Proposed Project would, through improving public transit availability, serve as a catalyst for transit-oriented public and private development. Transit station areas can be designed to maximize ridership by implementing smart, efficient, and desirable growth patterns that would continue to support transit into the future, while preserving open space and agricultural uses. The Proposed Project is consistent with BART’s System Expansion Policy and with MTC Resolution #3434 on Transit Oriented Development, which require that transit projects have a high level of coordination with local land use and access planning (see Section 1.4, below).
- Enhance economic benefits – The Proposed Project would provide development investment benefits by inducing higher land values near station locations, increased rents, and tax revenues to cities.
- Achieve financial feasibility – With the help of east Contra Costa County voters, the Proposed Project has secured a total of \$502 million of funding from state, regional, and local sources. BART is confident that the Proposed Project can be implemented with the resources available.
- Balance short, medium and long-term strategies – The Proposed Project offers a strategic investment in the extension of transit services to east Contra Costa County. While the long-term strategy envisions service along the full project corridor and possibly beyond, this initial segment is realistic given available funding, while preserving the later opportunity to upgrade to BART. The proposed alignment is designed to enable eBART to continue within the SR 4 and SR 4 Bypass rights-of-way or to extend along the UP right-of-way in the future. The Proposed Project also seeks to coordinate construction with the widening of SR 4 in order to reduce disruption of traffic flow on SR 4, impacts to residents, and to reduce construction costs.
- Protect and enhance the environment – Increased traffic volumes and longer commuting distances have combined to increase the number of vehicle miles traveled annually in the Bay Area. Traffic congestion means that automobiles travel at slower and less efficient speeds, which contribute not just to air pollution, but also to the less efficient use of fossil fuel energy. Improved access to mass-transit systems can provide energy savings because they are able to transport people much more efficiently than private automobiles. Based on the reduction in vehicle miles traveled, the Proposed Project would result in 710 pounds per day less of carbon monoxide, 75 pounds per day less of nitrogen oxide, 10 pounds per day less of particulate matter, and 146,650 pounds per day less of greenhouse gas, measured as carbon dioxide, in 2015. Greater reductions are forecast for 2030.
- Implement the mandate of Contra Costa voters as described in Measure J – Passage of Measure J mandates that, by law, revenues derived from the half-cent sales tax be expended for the transportation projects and programs set forth in CCTA’s adopted transportation expenditure plan. This measure was extended by vote in November

2004. The new transportation expenditure plan includes this rail extension to east Contra Costa County.

- Provide a cost effective and technology appropriate system – The proposed DMU technology provides passenger rail service at lower costs and at a smaller scale than conventional BART. Another benefit is that cars can be added to the trains easily to adjust to demand. DMUs operate similar to conventional light rail vehicles but with a lower capital cost.

1.4 TRANSIT SYSTEM EXTENSIONS IN THE BAY AREA

While BART has specific project objectives for extending transit services into east Contra Costa County, as articulated in Section 1.3, above, major investments in transit in the San Francisco Bay Area are shaped and influenced by two key policies that provide an overarching framework for improving regional mobility. These policy directives are Resolution #3434 of the Metropolitan Transportation Commission (MTC) and BART's System Expansion Policy. Because these two policies must be satisfied if any eBART service is to be offered, it is important to describe them and understand the efforts to meet the system extension criteria as a premise to this EIR.

Metropolitan Transportation Commission Resolution 3434

Requirements for Transit Extensions. The MTC is responsible for planning, financing, and coordinating transportation in the nine-county San Francisco Bay Area. Of relevance to the Proposed Project is MTC Resolution #3434 – Transit-Oriented Development (TOD) Policy for Regional Transit Extension Projects. The MTC adopted Resolution #3434 in 2005 to aid the various jurisdictions throughout the Bay Area region in addressing multiple goals: improving the cost effectiveness of regional investments in new transit expansions; easing the Bay Area's chronic housing shortage; creating vibrant new communities; and helping preserve regional open space by ensuring cooperation in creating development patterns that support transit services. The TOD policy applies only to physical transit extensions funded by Resolution #3434, which identified specific priority projects for transit expansion. Resolution #3434 included the extension of BART service to east Contra Costa County. There are three key elements of the regional TOD policy:

- Corridor-level thresholds to quantify appropriate minimum levels of development around transit stations along new corridors;
- Local station area plans that address future land use changes, station access needs, circulation improvements, pedestrian-friendly design, and other key features in a transit-oriented development; and
- Corridor working groups that bring together Congestion Management Agencies (CMAs), city and county planning staff, transit agencies, and other key stakeholders to

define expectations, timelines, roles and responsibilities for key stages of the transit project development process.

Meeting the corridor-level housing thresholds requires that, within one-half mile of all stations, a combination of existing land uses and planned land uses meets or exceeds the overall corridor threshold for housing. The corridor-level thresholds, which are listed below, vary depending on the type of service proposed. MTC considers the proposed DMU technology a type of commuter rail and, thus, requires 2,200 housing units per station, including existing housing units near the current end station at Pittsburg/Bay Point, to meet the MTC corridor-level thresholds.

Proposed Project Attainment of MTC Resolution #3434 Ridership Targets. A review of the existing General Plans of Pittsburg and Antioch was performed to determine whether the existing and future number of housing units would satisfy the MTC target of 2,200 housing units for commuter rail service. The one-half mile radius was delineated around each station and the existing and future development for those traffic analysis zones falling within this radius was totaled. Table 1-1 shows the development within one-half mile of the proposed Railroad Avenue and Hillcrest Avenue Stations by 2030, as well as the existing Pittsburg/Bay Point BART Station. According to the General Plan projections, the average number of housing units near the proposed stations would exceed MTC’s target of an average of 2,200 units per station.

Station	Housing Units in 2030^a	
MTC Target	2,200	
Pittsburg/Bay Point ^b	2,195	} Per Station Average = 2,755
Railroad Avenue ^c	4,591	
Hillcrest Avenue ^c	1,479	

Source: Pittsburg General Plan; Antioch General Plan, CCTA, and Fehr & Peers Associates.

Notes:

- a. Housing units within one-half mile of station sites; however, housing units do not include Ridership Development Plan.
- b. Pittsburg/Bay Point BART Station Area Specific Plan Final EIR, December 2001, identifies 2,195 housing units at buildout.
- c. These figures are derived from the CCTA traffic model. Data were based on the adopted General Plan and compiled for applicable Traffic Analysis Zones, which included those within one-half mile of a station.

As described in greater detail below, the cities of Pittsburg and Antioch have engaged in local station area planning to foster transit-oriented development and access improvements. These plans are being prepared as Specific Plans, pursuant to the California Government Code, and contain detailed guidelines and standards for station area land uses, circulation, and design.

Finally, in addition to satisfying the station area development target for transit extensions, significant collaboration among key stakeholders, including BART, CCTA (the local Congestion Management Agency), and the individual cities has occurred. These entities, along with representatives from other public agencies, have formed an eBART Partnership Policy Advisory Committee that has met regularly throughout the planning and development of the Proposed Project. The committee has been integral to the funding and advancement of the proposed DMU service.

The existing and projected development around the stations, the preparation of Specific Plans around each of the stations in the project corridor, and the ongoing participation by local and regional stakeholders in helping to implement eBART combine to satisfy each of MTC Resolution #3434's criteria for transit investment to east Contra Costa County.

BART System Expansion Policy

BART adopted a System Expansion Policy as part of its Strategic Plan in 1999. The policy identifies a uniform set of criteria to be applied to all extensions of BART service. The Proposed Project is the first application of this BART policy. Among the chief elements of the policy is the requirement that one or more Ridership Development Plans (RDP) be undertaken for all proposed expansion projects of the existing BART system. The RDP(s) must demonstrate that a corridorwide ridership threshold can be achieved through measures such as transit-supportive land uses and investment in access programs and projects.

Ridership Estimates. Ridership at the corridor level is to be estimated using a standard modeling methodology that incorporates assumptions regarding land use and transportation policies and projected growth. For eBART, transportation conditions such as infrastructure and traffic and congestion levels on local streets and highways were established in the CCTA's east county traffic model, and are carried forward into CCTA's new countywide model. The System Expansion Policy establishes a minimum corridor-wide ridership deemed necessary to satisfy the criteria of BART's System Expansion Policy.

The minimum ridership "threshold" varies with the proposed technology (e.g., conventional BART, Diesel Multiple Unit, and Bus Rapid Transit). The System Expansion Policy itself specifies the ridership threshold for conventional BART heavy-rail extensions. Thresholds for alternative technologies are adjusted based on the cost of the technologies, in relation to the cost of conventional BART. The reason for this adjustment is that a proportionally lower ridership may justify an investment in less expensive technologies than a conventional BART extension. The ridership threshold for the Proposed Project utilizing the DMU technology is 5,801 patron entries and exits for an average weekday in 2030.

Ridership Development Plans. As provided by BART’s System Expansion Policy, in determining whether to adopt a system expansion project and where to locate new stations, BART shall consider whether RDPs developed for each station can collectively demonstrate that the project will achieve a threshold ridership level along with meeting the goals of the System Expansion Policy. Strategies for boosting ridership include planning and implementation of transit-supportive land uses, improvements in local transportation programs and infrastructure, increases in transit feeder services and development of additional auto-serving parking facilities including parking in the station area. The cities along the proposed extension must collectively demonstrate that the ridership threshold for the project can be achieved. Whether an individual station achieves its share of the corridorwide threshold by land use changes or access improvements or some combination of the two is at the full discretion of the local jurisdiction as long as the corridorwide ridership threshold is achieved.

Proposed Project Attainment of BART System Expansion Policy Ridership Targets. The planning process in the cities is led by city staff, with cooperation and assistance from BART. The RDP is obligated to address three component areas: Land Use, Access, and Station Plans. In satisfaction of the RDP requirement, the cities of Pittsburg and Antioch are completing Specific Plans around the station locations. These plans are described in greater detail in Section 3.3, Land Use, which evaluates the land use effects of the Proposed Project.

Future ridership is presented in detail in Section 3.2, Transportation, and shows that the Proposed Project satisfies BART’s corridor-wide ridership for DMU. Table 1-2 compares BART’s ridership targets with the projected ridership of the Proposed Project. The projected weekday ridership of 10,100 for the project corridor would satisfy the BART System Expansion Policy target.

System Expansion Policy Target	5,801
Proposed Project Ridership^a	
Railroad Avenue	1,900
Hillcrest Avenue	8,200
Total Corridor Ridership	10,100

Source: Arup for the Ridership Target, 2008; Wilbur Smith Associates for Proposed Project ridership, 2008.

Note:

a. These ridership figures include the Ridership Development Plans.

1.5 PURPOSE OF THE EIR

In accordance with CEQA, California Public Resources Code Section 21002.1, BART has prepared this EIR for the following purposes:

- To identify the significant effects on the environment of the Proposed Project, to identify alternatives to the Proposed Project, and to indicate the manner in which those significant effects can be mitigated or avoided.
- To mitigate or avoid the significant effects of the Proposed Project on the environment whenever it is feasible to do so.
- To consider the effects, both individual and collective, of all activities involved in the Proposed Project.
- To provide more meaningful public disclosure and focus on potentially significant effects on the environment of a Proposed Project.

This EIR has been prepared in accordance with CEQA (PRC Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.). For the purposes of this EIR, BART is the designated “lead agency,” which, according to Section 15367 of the CEQA Guidelines, is defined as the public agency with the principal responsibility for carrying out or approving a project and conducting the environmental review.

As provided in both CEQA and the CEQA Guidelines, the lead agency, in this case BART, is charged with the duty to substantially lessen or avoid significant environmental effects where feasible for projects subject to CEQA (refer to PRC Section 21004, CEQA Guidelines Sections 15002(a)(3) and 15021(a)(2)). As defined in the CEQA Guidelines Section 15382, a “significant effect on the environment” is:

... a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant. In discharging this duty, the lead agency has an obligation to balance a variety of public objectives, taking into account economic, environmental, and social issues.

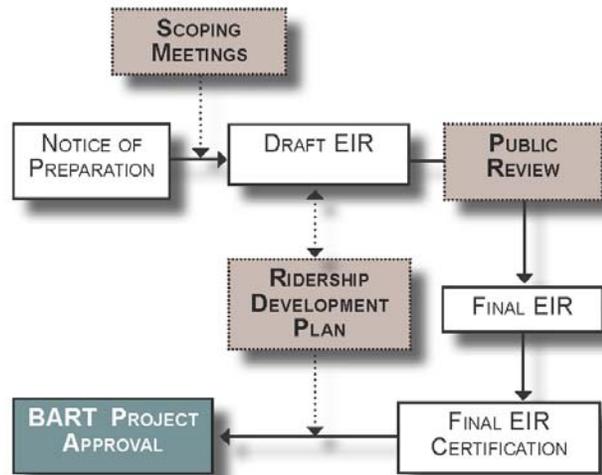
The EIR is an informational document that informs public agency decision-makers and the general public of the significant environmental effects of the Proposed Project and the ways in which those impacts can be reduced to less-than-significant levels, either through the imposition of mitigation measures or through the implementation of specific alternatives to the project as proposed.

Although this EIR does not control the ultimate decision on the Proposed Project, the BART Board of Directors must consider the information in this EIR and public comments on significant effects identified in this EIR. The BART Board of Directors will use the Final EIR (including responses to public comments), along with other information, to determine whether to approve, modify, or disapprove the Proposed Project, and to specify any applicable environmental conditions as part of project approval.

1.6 EIR PROCESS

Initiating the Environmental Review Process

As a first step in complying with the procedural requirements of CEQA, on July 15, 2005, BART filed a Notice of Preparation (NOP) with the California Office of Planning and Research, State Clearinghouse as an indication that an EIR would be prepared. (A copy of this NOP is included in Appendix A to this document.) In turn, the State Clearinghouse distributed the NOP to public agencies and interested parties for a 30-day public review period that began on July 15, 2005 and ended on August 15, 2005. In addition, notices were mailed to approximately 30,000 addresses in the project corridor. The purpose of the public review period was to solicit comments on the scope and content of the environmental analysis in the Draft EIR. The July 15, 2005 NOP was prepared for a project with a different scope of work than what is currently being proposed. At the time of the original NOP, BART envisioned providing transit services to the full project corridor, from Pittsburg to Byron/Discovery Bay. The scope of improvements to serve the entire corridor warranted federal funding, and BART initiated the federal environmental review process under the National Environmental Policy Act (NEPA) with the Federal Transit Administration (FTA). On July 6, 2005, FTA published a Notice of Intent (NOI) to prepare an Environmental Impact Statement in the Federal Register (70 Fed. Reg. 39004).



In addition, notices were mailed to approximately 30,000 addresses in the project corridor. The purpose of the public review period was to solicit comments on the scope and content of the environmental analysis in the Draft EIR. The July 15, 2005 NOP was prepared for a project with a different scope of work than what is currently being proposed. At the time of the original NOP, BART envisioned providing transit services to the full project corridor, from Pittsburg to Byron/Discovery Bay. The scope of improvements to serve the entire corridor warranted federal funding, and BART initiated the federal environmental review process under the National Environmental Policy Act (NEPA) with the Federal Transit Administration (FTA). On July 6, 2005, FTA published a Notice of Intent (NOI) to prepare an Environmental Impact Statement in the Federal Register (70 Fed. Reg. 39004).

In addition to receiving written comments in response to the NOP and NOI comments, BART and FTA hosted two scoping meetings at locations within the project corridor (July 19, 2005 and July 20, 2005) to provide a further opportunity for interested community members to identify concerns about the Proposed Project and issues that they wanted to have addressed in the EIR. Approximately 50 people attended the July 19 meeting, and an estimated 75 people

attended the July 20 meeting. Both meetings were set up as community forums, with six different information stations. Both staff and technical team members were available for questions, with both English and Spanish speaking translators. Notices of BART's intent to prepare an EIR and of the scoping meetings were distributed as:

- direct mailings to businesses and residents along the alignment;
- direct mailings to key stakeholders, including local, state, and federal officials and interest groups;
- emails to registered users of the Proposed Project website; and
- newspaper announcements in the San Francisco Chronicle, Concord Transcript, Southeast Antioch News, Ledger Dispatch, Brentwood News, Oakley News, and Contra Costa Times.

During the scoping period, 101 comment letters were received (either at one of the two scoping meetings or through telephone, mail, or online comments), including nine from public agencies and 92 from organizations and individuals. Additional oral comments were provided by attendees at the scoping meetings. The section below, Areas of Known Controversy and Issues to be Resolved, lists the issues identified as potentially significant concerns needing consideration in the EIR.

Numerous suggestions concerning potential alternatives were provided by the commentors as well. These suggestions were incorporated in the EIR, where applicable and feasible.

Revised NOP

Following the release of the NOP and the scoping meetings, BART began to refine the Proposed Project and explore the potential impacts. In 2007, BART determined that the most feasible way to implement transit service to East County was in phases, with the initial phase being the segment from Pittsburg to Antioch. The initial phase addressed in this EIR, the Proposed Project, will be funded with local and state funds; no federal funding is anticipated. Accordingly, on March 12, 2008, BART released a Revised NOP to inform those receiving the original NOP that there was a change in the project definition. (A copy of this NOP is in Appendix A of this document.) In addition to the Revised NOP, notices were sent to the original mailing list of approximately 30,000 addresses created for the full project corridor, key stakeholders and local, state, and federal public agencies. Newspaper announcements also appeared in the Concord Transcript, the Brentwood Press, the East County Times, the Contra Costa Times, and the San Francisco Chronicle—Bay Area Section.

Areas of Known Controversy and Issues to be Resolved

CEQA Guidelines Section 15123(b) requires that areas of controversy known to the lead agency be identified, including issues raised by other agencies and the public. The following

areas of concern and issues of controversy were raised in written comments in response to the NOP and Revised NOP, and at public scoping meetings. Environmental issues that were raised in response to the 2005 NOP that concern the previous larger project corridor are not listed below.

- Accessibility for pedestrians.
- Accessibility for bicyclists to stations, within stations, and on the trains.
- Transfer access for the handicapped.
- Adequate parking at stations.
- Impacts on Tri Delta Transit service.
- Transit-oriented development land uses and land use compatibility impacts.
- Impacts on lands within one-half mile radius of the stations.
- Prime agricultural land impacts and conversion of farmland.
- Impacts on the local work force economy.
- Potential archaeological resources impacts.
- Water quality, stormwater, and wetland impacts.
- Noise impacts during construction.
- Noise impacts on adjacent uses along the corridor.
- Noise impacts from train whistles.
- Air quality impacts during construction and operation.
- Air quality benefits from reduced air pollutant and greenhouse gas emissions due to use of electrical power.
- Impacts from the release of hazardous substances and any related remediation activities.
- Impacts on United States Bureau of Reclamation and Contra Costa Water District properties or facilities.
- Impacts related to the maintenance facility.
- Coordination with State Route 4 widening project.
- Potential use of eminent domain.
- Urban design and aesthetics impacts.
- General Plan consistency.
- Impacts to cultural resources and/or Native American burial sites.
- Grading impacts associated with construction.

- Geological impacts associated with construction.
- Hazardous disturbance associated with construction.
- Impacts associated with the transfer station location.
- Cumulative impact analysis and context.
- Issues with multi-agency collaboration (responsible agencies).

Issues related to project alternatives include:

- Consideration of other station locations, such as Century Plaza, Bliss/Harbor, Mountain House, Somersville Road, and Railroad Avenue.
- Effects of Proposed Project not being constructed.
- Ability to extend conventional BART.
- Consideration of other project alternatives, such as High Occupancy Toll Lanes and Bus Rapid Transit service.
- Viability of future expansions.
- Cost comparison of alternatives.

Issues to be resolved include:

- Sources of funding for station facilities.
- Coordination of construction phasing with the SR 4 widening project between Loveridge Road and SR 160.
- Whether additional funding becomes available to construct a Hillcrest Avenue Station outside of the median of SR 4 and whether such a station location would promote additional transit-oriented development and more readily allow construction of the full Proposed Project.
- If a Hillcrest Avenue Station outside of the median of SR 4 were feasible, which maintenance facility location would be preferable.

Draft EIR

This Draft EIR has been prepared following CEQA and the CEQA Guidelines. The focus of the analyses is on the physical impacts that would occur in the project corridor should the Proposed Project be adopted and implemented. The Draft EIR contains a description of the existing conditions in the project corridor and then assesses how those conditions would change with construction and operation of the Proposed Project. Where significant impacts are identified, the Draft EIR recommends mitigation measures to reduce or eliminate the potentially significant impacts. The Draft EIR also evaluates the environmental impacts of alternatives to the Proposed Project. Where feasible mitigation measures or alternatives are

insufficient to reduce an impact to less than significant, the effect is considered significant and unavoidable.

This environmental document is considered a “draft” under CEQA since it is subject to revision following review and comment by other agencies and members of the public.

The Draft EIR can be reviewed at the following locations:

Metropolitan Transportation Commission –
Association of Bay Area Governments Library
101 8th Street
Oakland, CA 94607-4700

Pittsburg Public Library
80 Power Ave
Pittsburg, CA 94565

Antioch Public Library
501 West 18th Street
Antioch, CA 94509

The Draft EIR and related documents can be reviewed at the following location:

San Francisco Bay Area Rapid Transit District
Contact: Katie Balk
300 Lakeside Drive, 16th Floor
Oakland, CA 94612
(866) 596-BART

The Draft EIR can be reviewed online at www.bart.gov or www.ebartproject.org. To obtain a copy of the Draft EIR on CD-ROM, email info@bartproject.org or call (866) 596-BART.

Public Review

This Draft EIR is being distributed for a 45-day public review and comment period, which extends from September 19, 2008, through 5 p.m. on November 5, 2008. Readers are invited to submit comments on the adequacy of the document; i.e., does this Draft EIR identify and analyze the possible environmental impacts and recommend appropriate mitigation measures? Comments are most helpful when they are specific and targeted to the environmental assessment; for example, by identifying specific impacts that need further evaluation and what additional information is desired, or by describing alternatives or mitigation measures that would better address significant environmental effects. CEQA Guidelines Section 15096(d) calls for responsible agencies¹³ to provide comments on those project activities within the

¹³ CEQA Section 21069 defines a responsible agency as a public agency, other than the lead agency, which has responsibility for carrying out or approving a project.

agency's area of expertise and to support those comments with either oral or written documentation.

Written comments should be submitted to:

Ms. Katie Balk
San Francisco Bay Area Rapid Transit District
300 Lakeside Drive, 16th Floor
Oakland, CA 94612

Comments may also be sent via the website www.ebartproject.org, via email at info@ebartproject.org, or via fax at (510) 464-7673. For more information, please call (866) 596-BART. However, comments cannot be accepted by phone.

A public meeting to accept comments on the Draft EIR will be held. The purpose of the hearing will be to afford the public agencies and members of the public an opportunity to comment on the Draft EIR orally or to submit written comments. Hearing notices will be mailed to responsible agencies. Additionally, all hearings will be noticed and advertised in the following ways:

- Published in the advertising section of the Contra Costa Times;
- Mailed to all property owners (as said owners are shown on the latest equalized assessment roll on which property taxes are collected) within 300 feet of the boundary of the project alignment; and
- Mailed to all individuals who have submitted a written request for notification concerning the Proposed Project.

Final EIR

Following the close of the public review and comment period, written responses will be prepared to address all substantive written and oral comments on the Draft EIR. The Final EIR will consist of the Draft EIR, the comments received during the public review period, responses to the comments, and any revisions to the Draft EIR as a result of public agency and public comments.

Project Review and Approval

The BART Board of Directors must ultimately certify that it has reviewed and considered the information in the EIR and that the EIR has been completed in conformity with the requirements of CEQA before any decision can be made regarding the project. Pursuant to CEQA Guidelines Section 15091, no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant effects of the project unless the public agency makes one or more of the following findings, which must be supported by substantial evidence in the record:

- Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Statement of Overriding Considerations

If the BART Board of Directors decides to approve the Proposed Project with significant effects that are identified in the Final EIR, but which are not avoided or substantially lessened, the BART Board of Directors must make findings that any such unavoidable significant effects are acceptable due to overriding considerations as described in CEQA Guidelines Section 15093. This is known as a “Statement of Overriding Considerations.” In preparing this statement, CEQA requires the BART Board of Directors to balance the benefits of the Proposed Project against its unavoidable environmental impacts. If the benefits of a Proposed Project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable (CEQA Guidelines Section 15093). If an agency makes a Statement of Overriding Considerations, the statement must be included in the record of the Proposed Project approval.

Mitigation Monitoring and Reporting Program

As part of the project approval process, the BART Board of Directors must also consider and adopt a mitigation monitoring and reporting program. This program would include all mitigation measures that BART intends to be implemented in order to avoid or reduce significant effects identified in the Final EIR. For each measure, the program would prescribe the party responsible for implementing the mitigation measure, the timeframe by which the measure should be implemented, and whether there are criteria to determine the success or effectiveness of the mitigation measure. BART would use the mitigation monitoring program as a mechanism to track and control project impacts during construction and operation of the Proposed Project.

1.7 ORGANIZATION OF THE EIR

This EIR has been organized for easy use and reference. To help the reader locate information of particular interest, a brief summary of the contents of each section of the EIR is presented below.

- **Summary** — This section provides a brief description of the Proposed Project and its alternatives as well as answers to general questions concerning the purpose and need of the Proposed Project. This section also contains a table that summarizes the significant and potentially significant impacts identified in this Draft EIR.
- **Section 1, Introduction** — This section provides a historical overview to the Proposed Project and the reasons it is being considered, the purpose and scope of the EIR, a summary of the environmental and public review process, and a brief outline of this document's organization.
- **Section 2, Project Description** — This section provides a detailed description of the Proposed Project, including the alignment, proposed stations, the operating plan, projected ridership, and anticipated construction schedule and activities.
- **Section 3, Environmental Analysis** — This section contains the environmental analysis for 14 topics. Each environmental topic contains a description of the environmental setting (or existing conditions), regulatory framework, and project-related and cumulative impacts. Each impact discussion includes the standards of significance used to determine the nature or magnitude of environmental impacts, and feasible mitigation measures that would avoid or minimize significant or potentially significant environmental impacts.
- **Section 4, Other CEQA Considerations** — As required by Section 15126.2 of the CEQA Guidelines, this section summarizes significant and unavoidable environmental impacts, irreversible changes to the environment, and growth-inducing impacts of the Proposed Project.
- **Section 5, Alternatives** — This section addresses alternatives to the Proposed Project, including the required No Project Alternative and identifies the environmentally superior alternative.
- **Section 6, List of Preparers** — This section identifies the individuals responsible for the preparation of this EIR.

1.8 RELATED STUDIES AND PROJECTS

In preparing this EIR, considerable background information has been reviewed and compiled in a series of technical studies. This information is available for review at the BART Planning Office at 300 Lakeside Drive, 16th floor, Oakland, California. Likewise, there are major development projects that are occurring in the project corridor that will both affect and provide a context for the Proposed Project. These related studies and projects are noted below.

Supporting Technical Studies

Studies prepared in support of this EIR include the following reports that are included by reference as part of this EIR:

- Archaeological/Historical Consultants, Archaeological Survey Report – East Contra Costa BART Extension Project, September 2008.
- Archaeological/Historical Consultants, Historical Resources Evaluation Report: San Pablo & Tulare Railroad/Central Pacific Railroad, February 2007.
- Bay Area Economics, eBART Project Direct, Indirect, and Induced Employment Growth Technical Report, September 2008.
- ERM-West, eBART Project EIR - Air Quality Technical Report, August 2008.
- ERM-West, eBART Project EIR - Noise Technical Report, August 2008.
- ERM-West, eBART Project EIR – Records Search for Hazardous Sites in the Project Corridor, August 2008.
- LTK Engineering Services, Wilbur Smith Associates, PGH Wong Engineering Inc., eBART Phase 1 Project to Hillcrest Terminal DMU and LRV Comparison, August 2008.
- PBS&J, eBART Project EIR - Biological Resources Technical Report, August 2008.
- Wilbur Smith Associates, eBART Project EIR - Transportation Technical Report, 2008.
- WRECO, East Contra Costa BART Extension (eBART), Hydrology Report, March 2008.

Related Projects

The development of the Proposed Project has been coordinated with the development of two other key projects under the jurisdiction of other public agencies: the Ridership Development Plans by the cities of Pittsburg and Antioch and the Caltrans SR 4 East Widening Project. Each of these projects is prominent in the cumulative analyses, presented in Section 3, Environmental Analysis, of this report. Because of their importance, they are introduced and described here, but more detailed information can be found in Section 3.1, Introduction to Environmental Analysis.

Ridership Development Plans

The cities of Pittsburg and Antioch, along with CCTA and Tri Delta Transit, have entered into a Memorandum of Understanding with BART that commits them to a process intended to attain the corridorwide ridership target established by the BART System Expansion Policy (see

earlier discussion in Section 1.4, Transit System Extensions in the Bay Area). The target is to be achieved by adopting transit-supportive land use plans and/or making access improvements at the proposed stations. These land use plans and access improvements, to be prepared and approved by the local jurisdiction, are presented in a RDP for each station. Ridership Development Plans incorporating land use changes and/or access improvements are being prepared by the cities of Pittsburg and Antioch. The development and access improvements proposed by the RDPs are not part of the Proposed Project and will be subject to separate CEQA evaluation, but are considered together with the Proposed Project for purposes of evaluating cumulative impacts. Under BART's System Expansion Policy, these RDPs must be approved by the local jurisdictions before BART can approve the Proposed Project.

State Route 4 Widening Project

SR 4 was originally constructed in the late 1950s and early 1960s as an east-west connector between the San Francisco Bay Area and the Central Valley. SR 4 is the primary east-west transportation corridor in Contra Costa County and the only highway connection between central and eastern Contra Costa County. Numerous studies have been prepared which document the need to widen SR 4 from four to eight lanes (including an HOV lane and three mixed-flow lanes in each direction). These road widening projects have often accommodated the development of a future extension of BART east of SR 242 as far as Hillcrest Avenue in Antioch. The 1985 Caltrans Route Concept Report for SR 4 recommended road widening and increased transit access and in November 1988 County voters endorsed these actions with the approval of Measure C.

The SR 4 widening project has been divided into segments for planning, design, and construction. The widening project has been completed between Bailey Road and Railroad Avenue. The remaining segments, between Railroad Avenue and SR 160, are programmed and funded. In 2005, the Federal Highway Administration (FHWA), Caltrans, and CCTA adopted a Negative Declaration and Finding of No Significant Impact (FONSI) for the SR 4 East Widening Project from Loveridge Road to SR 160. At that time, FHWA, Caltrans, and CCTA anticipated that the future transit alignment would exit SR 4 east of Loveridge Road and continue eastward on the UP Mococo Line, as proposed in the SR 4 East Corridor Transit Study. However, use of the UP Mococo Line is no longer considered a viable option for the Proposed Project. Accordingly, the SR 4 East Widening Project has been modified to further widen the highway segment from Loveridge Road to east of Hillcrest Avenue in order to provide additional median width to accommodate future transit service. Basic elements of the SR 4 East Widening Project intended to accommodate a future transit project include widening the median and construction of retaining walls, median subgrade, median drainage and median barriers. These elements are not specific to the Proposed Project and would accommodate any alternative evaluated in this EIR or any other transit project in the SR 4 median. Because these elements were not anticipated to be needed east of Loveridge Road at the time of FHWA, Caltrans, and CCTA prepared the 2005 Negative Declaration/FONSI for the SR 4 widening project, the agencies have prepared a "revalidation" of the Negative Declaration/FONSI to

incorporate the additional widening and project elements into the SR 4 widening project and to address any associated impacts.

As discussed in the construction scenario section of this EIR (see Section 2.8 in Section 2, Project Description), BART will work closely with Caltrans and CCTA to coordinate construction of the SR 4 East Widening Project and the Proposed Project. There are substantial public benefits associated with coordinated construction of highway and eBART improvements. Principally, the duration and magnitude of cumulative impacts on traffic, air quality, and noise, resulting from construction activities will be reduced if the two transportation projects are constructed concurrently. Further, construction costs would increase substantially if the two projects are not coordinated.

1.9 USE OF THIS REPORT

An EIR is an informational document, whose purpose is to make the public and decision-makers aware of the environmental consequences of a project. As noted earlier, BART is the lead agency for the EIR. Thus, the BART Board of Directors will review this report and weigh the impacts it discloses against the Proposed Project's benefits and any other economic, legal, social, technological, and other considerations, to determine whether the Proposed Project should be approved as proposed, approved with conditions, or not approved.

Other public agencies, especially the local jurisdictions, will take a particular interest in the Proposed Project's effects and will examine this EIR to understand the potential land use, traffic, and community implications of introducing eBART. The surrounding residents and businesses, and other interested individuals will also likely review the EIR to evaluate the Proposed Project's effects on existing conditions, especially visual, traffic, parking, air quality and noise, as well as the proposed mitigation measures to reduce potential environmental consequences.

Other public agencies besides the lead agency also have discretionary approval over the Proposed Project. These agencies, known as "responsible agencies," will also review the Draft EIR and may comment during the public review period. In addition, other agencies, known as "trustee agencies," are expected to review this document because the Proposed Project may affect resources over which they have jurisdiction. The responsible and trustee agencies for the Proposed Project are listed in Table 1-3.

**Table 1-3
Agencies with Permit and/or Approval Authority Over Proposed Project**

Agency	Statutory Authority	Permit or Approval Jurisdiction, Actions Covered	Documentation or Prior Approvals Required
Federal			
U.S. Environmental Protection Agency	Section 404 permit (Clean Water Act Amendment of 1977); Clean Air Act of 1970 as amended	Section 404 oversight	Review of this EIR
U.S. Army Corps of Engineers	Section 404 permit (Clean Water Act)	Section 404—permits for discharge of dredged or fill materials into waters of the United States, including jurisdictional wetlands according to Section 404(b)(1) guidelines	ENG form 4345 “Application for a Department of the Army permit,” RWQCB certification pursuant to Section 401
U.S. Fish and Wildlife Service	Section 7 (Federal Endangered Species Act of 1972); Migratory Bird Treaty Act of 1918	Section 7—Taking (kill, harm, capture, harass etc.) of endangered and other special status plant or animal species Migratory Bird Treaty Act—Prohibition to “take” (kill, harm, harass, etc.) any migratory bird listed in 50 CFR 10, including their nests, eggs, or products	Review of this EIR
State			
California Department of Fish and Game	California Endangered Species Act (CESA); Fish and Game Code, Sections 1601-1603 review; Fish and Game Code, Sections 3503, 3503.5, 3513, 3800	CESA—Review of project for “take” (altering habitat) of endangered and other special status plant or animal species. Sections 1601–1603—Streambed Alteration Agreement, review of project for potential to alter streamflows or the bed and bank of a stream, lake, or pond. Sections 3503, 3503.5, 3513, 3800—prohibition to take possess, or needlessly destroy the nests or eggs of any bird, except as otherwise provided by this Code or any regulation made pursuant thereto	EIR Form # FG2023 “Notification of Removal of Materials Game and/or Alteration of Lake, River, or Streambed Bottom or Margin,” map of area indicating public access, and environmental documentation
California Department of Transportation (Caltrans)	Caltrans Encroachment Permit	Encroachment of federal and state-funded highways requiring the use of a Caltrans Encroachment Permit	Proposed Project plans

**Table 1-3
Agencies with Permit and/or Approval Authority Over Proposed Project**

Agency	Statutory Authority	Permit or Approval Jurisdiction, Actions Covered	Documentation or Prior Approvals Required
California Public Utilities Commission	Operating/Safety Approvals	Operating/safety approvals	Proposed Project plans
California Department of Toxics Substances Control	Resource Conservation and Recovery Act of 1976; Hazardous Waste Control Law	Review and oversight of cleanup of sites where surface and/or subsurface contamination has occurred due to the potential release of hazardous materials or wastes	Proposed Project plans
State Water Resources Control Board	Section 402(o) of Clean Water Act	Section 402—National Pollutant Discharge Elimination System (NPDES) General Permits which regulate discharges of storm water from construction and industrial activities	Notice of Intent for storm water general permit coverage
State Historic Preservation Office	CEQA	Trustee agency for historic resources	Review of this EIR
Native American Heritage Commission	Public Resource Code Section 5097	Review of project for potential disturbance to native American heritage/burial sites	Consultation letter; Review of this EIR
Regional			
Regional Water Quality Control Board	Section 401 and 402 of Clean Water Act; Porter-Cologne Water Quality Control Act	Section 401 and Porter-Cologne Water Quality Control Act—Water Quality Certification, or waiver thereof, for construction in wetlands areas determined to be under Corps' jurisdiction (certification required before Corps' Section 404 permit may become effective Section 402—National Pollutant Discharge Elimination System (NPDES) permit which regulates discharge into surface waters	Copy of application to federal agency for permit (e.g., for Section 404 permit), EIR, copy of Section 404 (b) (1) alternative analysis, proposed mitigation plan, if any; Storm Water Pollution Prevention Plan
Metropolitan Transportation Commission	Section 176 (c) of Clean Air Act of 1970 as amended; MTC Resolution #3075; MTC Resolution #3434	Review all applications for state or federal funding	Proposed Project plans and EIR

**Table 1-3
Agencies with Permit and/or Approval Authority Over Proposed Project**

Agency	Statutory Authority	Permit or Approval Jurisdiction, Actions Covered	Documentation or Prior Approvals Required
Local			
BART	CEQA	Lead agency for EIR; approval of project and expenditure of funds	Certification of EIR and approval of Findings and Statement of Overriding Considerations
City of Antioch	Encroachment Permit	Possible encroachment permit for construction within City-owned right-of-way	Proposed Project plans
City of Pittsburg	Encroachment permit	Possible encroachment permit for construction within City-owned right-of-way	Proposed Project plans
Contra Costa Transportation Authority	CEQA	Review project for conformance with CCTA's transportation plans	Review of this EIR
Contra Costa County Flood Control Water District	CEQA	Review project for conformance with CCCFCWD requirements	Proposed Project plans, including hydraulic design
Tri Delta Transit	CEQA	Review project for conformance with Tri Delta's transit plans	Review of this EIR

Source: PBS&J, 2008.