

About Traffic and Transportation in Benicia ...

Green Gateway Business Community

A 21ST CENTURY POSSIBILITY



Prepared by Benicia citizens
organized as the Green Gateway Group

October, 2008

Disclosure

The Green Gateway Group fully believes that the Benicia City Council has sufficient data, facts, information, and legal opinion from numerous sources to fully deny the current project as proposed by Discovery Builders.

This document is not intended and shall not be used as grounds for the Benicia City Council to deny the current project as proposed.

We are simply formulating possibilities, based on our research and discussion with visionaries in the industry. We are not presenting an Alternative Project. We are simply taking a positive step in presenting a framework for a 21st Century vision.

Green Gateway Group
October, 2008

GREEN GATEWAY BUSINESS COMMUNITY A 21st Century Possibility

ABOUT TRAFFIC & TRANSPORTATION IN BENICIA

CONTENTS

| | |
|--|-------|
| Disclosure | p. 2 |
| Introduction and Summary | p. 4 |
| Traffic References in our September 2008 Study | p. 5 |
| Ozone <i>In</i> Benicia, Ozone <i>From</i> Benicia | |
| Benicia one of the 10 WORST IN BAY AREA | p. 9 |
| Ozone in Benicia - Nine-month Snapshot | p. 10 |
| Ground-level Ozone Map, Benicia on August 28, 2008 | p. 11 |
| Three Worst Ozone Pockets in Bay Area | p. 12 |
| Bay Area Ozone Levels, August 28, 2008 | p. 13 |
| Bay Area Ozone Levels, August 28, 2008 (summary) | p. 14 |
| The City of Benicia Citizen Survey | p. 15 |
| Health Effects of Ozone | p. 16 |
| General Plan Consistency Analysis | p. 18 |
| Benicia's New Greenhouse Gas Reduction Targets | p. 23 |
| Appendix - Seeno Timeline, 2007-2008 | p. 24 |

Introduction and Summary

Visionary 21st Century Planning based on a City-Sponsored Specific Plan

Benicia's Green Gateway Group proposes an achievable visionary business community in contrast to the current proposed project for Benicia Business Park.

This Study Focuses on Traffic

Much of the work we have done previously revolves around the need to reduce traffic and thereby reduce greenhouse gas emissions. This study will briefly recap substantial sections from our previous study concerning traffic, beginning on page 5, and then focus on new information on the subject.

The Vision

We believe the best way to achieve the goals envisioned in our study is to exercise our right as citizens to encourage a Specific Plan.

We join our voices with a chorus of local citizens and professionals who have advised a vote to deny the current Seeno plan, which is archaic, unsustainable and unsuited to the future. We believe that Benicia needs a 21st Century alternative that would be forward-looking and specific in its vision. We also recognize that a developer needs to be advised clearly by the citizens as to what we would require, what we want, and what would and would not be acceptable.

This vision is not only important to us as Benicians and world citizens, but it is required of us moving forward in our planning under State of California law "AB32," the California Global Warming Solutions Act, now approved and codified as Division 25.5 (commencing with Section 38500) of our California Health and Safety Code.

Industry Standard Sustainable Development

Our Green Gateway Business Community vision follows current industry standards, calling for sustainable, profitable, green development. It envisions an **environmentally sustainable** and highly profitable research park, having its uses and activities guided by an overarching concept and focus on the emerging field of clean technology. There should be protections against grading slopes beyond 20% incline (a common development standard), a richer mixed-use layout, **road alignment that will encourage greater walking and biking accessibility, an emission-free electric or low-emission hybrid public transit system to serve the entire city of Benicia**, and Form-based code to guide the development of a livable and sustainable business *community*.

Note: for our previous 51-page study, Green Gateway Business Community – A 21st Century Possibility, please go to www.greengatewaygroup.org/ or contact Green Gateway Group chairperson Roger Straw at 707.748.7350.

References to Traffic & Transportation in our September 2008 Study (GGBC)

The Green Gateway vision is heavily dependent on cutting back dramatically on the greenhouse gas emissions Benicia contributes to our Bay Area air. We propose to do this for our own health and safety. We propose to do this to satisfy the requirements of our Benicia General Plan, our Solano County General Plan and California's Global Warming Solutions Act (AB32). *And* we propose to do this on behalf of our "upwind neighbors," and because we belong to the planet and care about the future of Earth. Our September study, Green Gateway Business Community – A 21st Century Possibility, contained too many references to traffic to reiterate here, but we will lay out the basic formulations in the following summary.

Following are excerpts, with material not related to traffic omitted.

Context and Framework (pp. 5-10, GGBC)

1. General Plan goals

Benicia's General Plan governs all forms of community development and lays out goals for Sustainability, Identity and Health and Safety. Our General Plan is the law in Benicia....

Community Development and Sustainability - Circulation

- 2.14 Enhance Benicia's small town atmosphere of pedestrian-friendly streets and neighborhoods
- 2.15 Provide a comprehensive system of pedestrian and bicycle routes which link the various components of the community; employment centers, residential areas, commercial areas, schools, parks, open space
- 2.17 Provide an efficient, reliable and convenient transit system
- 2.18 Encourage the provision of convenient rail service to Benicia with a station near the Benicia Bridge
- 2.21 Encourage Benicia residents and employees to use alternatives to the single occupant automobile
- 2.22 Alleviate traffic near school sites
- 2.24 Continue to provide safe and direct access to the Industrial Park
- 2.26 Ensure that scenic and environmental amenities of I-680 and I-780 are not compromised
- 2.27 Ensure an active community deliberation process in response to Caltrans proposals now and in the future

Community Identity - Visual character

- 3.9 Protect and enhance scenic roads and highways

Community Health and Safety

- 4.1 Make community health and safety a high priority
- 4.7 Ensure that existing and future neighborhoods are safe from risks to public health that could result from exposure to hazardous materials
- 4.9 Ensure clean air for Benicia residents
- 4.10 Support improved regional air quality
- 4.17 Minimize hazardous waste generation
- 4.23 Reduce or eliminate the effects of excessive noise

2. AB 32 - California Global Warming Solutions Act – (Passed by the California Assembly and approved by the Governor September 27, 2006). Our California Health and Safety Code relating to air pollution now mandates a reduction in greenhouse gas emissions back to the “1990 emissions baseline” by 2020. By 2020 the bill would require the state board to adopt regulations to require the reporting and verification of statewide greenhouse gas emissions and to monitor and enforce compliance with this program. The bill defines “greenhouse gas emissions limit” as an authorization, during a specified year, to emit up to a level of greenhouse gases specified by the state board, expressed in tons of carbon dioxide equivalents. (Greenhouse gas or greenhouse gases includes all of the following gases: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulphur hexafluoride.)

Greenhouse gas emissions predominantly come from Transportation (38%)....When considering any development, it is clear that the City's responsibility lies in encouraging reduction in traffic and alternate transportation solutions....

The AB32 goal should primarily be achieved through ...transportation strategies to (1) reduce per capita “vehicle miles traveled”....

From the Attorney General's Office, titled: “The California Environmental Quality Act – Addressing Global Warming Impacts at the Local Agency Level”, comes the following recommendations that local agencies can require of development projects in order to carry out their duties under CEQA as they relate to Global Warming and AB32: (See <http://ag.ca.gov>)

Energy Efficiency

- Install light emitting diodes (LEDs) for traffic, street and other outdoor lighting.

Land Use Measures

- Include mixed-use, infill, and higher density in development projects to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and promote efficient delivery of services and goods.¹⁹
- Incorporate public transit into project design.
- Include pedestrian and bicycle-only streets and plazas within developments. Create travel routes that ensure that destinations may be reached conveniently by public transportation, bicycling or walking.²¹

Transportation and Motor Vehicles

- Limit idling time for commercial vehicles, including delivery and construction vehicles.
- Use low or zero-emission vehicles, including construction vehicles.
- Promote ride sharing programs e.g., by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides.
- Create car sharing programs. Accommodations for such programs include providing parking spaces for the car share vehicles at convenient locations accessible by public transportation.²²
- Create local “light vehicle” networks, such as neighborhood electric vehicle (NEV) systems.
- Provide the necessary facilities and infrastructure to encourage the use of low or zero- emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling stations).
- Increase the cost of driving and parking private vehicles by, e.g., imposing

- tolls and parking fees.
- Build or fund a transportation center where various public transportation modes intersect.
- Provide shuttle service to public transit.
- Provide public transit incentives such as free or low-cost monthly transit passes.
- Promote "least polluting" ways to connect people and goods to their destinations.²⁴
- Incorporate bicycle lanes and routes into street systems, new subdivisions, and large developments.
- Incorporate bicycle-friendly intersections into street design.
- For commercial projects, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including, e.g., locked bicycle storage or covered or indoor bicycle parking.
- Create bicycle lanes and walking paths directed to the location of schools, parks and other destination points.
- Work with the school district to restore or expand school bus services.
- Institute a telecommute work program. Provide information, training, and incentives to encourage participation
- Provide incentives for equipment purchases to allow high- quality teleconferences.
- Provide information on all options for individuals and businesses to reduce transportation-related emissions.
- Provide education and information about public transportation.

3. Sustainability defined ...

Sustainability is defined as "development that meets the needs of the present without compromising the future generations to meet their own needs". It is about balance between environmental protections, social equity and economic performance, the three major components of sustainability, and about balance between short and longer term returns on public and private investment.

Environmental Considerations

Maximize pedestrian circulation modes

Provide for alternative/renewable energy use - work toward "energy neutral" development

Safely and efficiently accommodate traffic with out adverse impact to surrounding community

Develop alternative public transportation modes and efficient connectivity between them

Social Equity

Contribute to critically needed solutions to regional transit and transportation issues

Recognize any regional significance and strive to ensure that it positively impacts its surrounding community (ies)

(The above information was adapted from Brisbane, California's Baylands Plan

Basics for a 21st Century Plan (p. 12, GGBC)

Transportation is key to air quality.

Fully 38% of the greenhouse gases in our Bay Area air comes from automobiles. It is simply no longer an acceptable alternative to develop new retail and industrial land usages that fail to take this into account.

A 21st Century development must be planned in such a way as to keep trip generation at a minimum. We need to enable and encourage many if not most of those fewer trips to be made on foot and by bicycle, and on clean-tech public transit. In this way, a primary goal of the Green Gateway Business Community is to provide alternatives to cars.

We propose:

1. A much smaller development, (fewer lots on less acreage, less grading, fewer square feet of building space) with accordingly fewer trips to and from the Business Community
2. Plentiful pedestrian and bicycle paths within the Community, and whenever possible, interconnected streets (as opposed to cul-de-sacs). This design would encourage foot and bicycle traffic.
3. Focus most business and industrial uses on cleantech R&D and related commerce, so that Green Gateway becomes known and recognized as a central cleantech hub in the emerging East Bay/Sacramento Green Corridor. By focusing on cleantech R&D and University collaboration, the Park would create a good job match for Benicia's employment demographics, thereby reducing commute traffic. A clean tech green-collar training center would generate a skilled green-collar workforce for the many businesses on site and elsewhere.
4. A distribution of commerce and retail throughout the acreage rather than concentrated near Interstate 680. This retail and commerce would primarily serve the Community itself, and would result in much less traffic off Interstate 680, although high-quality restaurants and other commercial ventures would appeal to hotel and retreat center guests, Benicians and others from nearby cities.
5. An Intermodal Transportation hub and shuttle service – paid for through assessment district financing – (note for example, Emeryville, CA), to cut down on trips from other cities.
6. Minimal parking which would encourage use of connector buses.
7. A citywide local transit system of electric -- or hybrid -- short buses (vans or cutaways) and a system of elegantly designed bus stops to serve all of Benicia. Buses would run frequently enough to make car trips to and from the Green Gateway Business Community (and elsewhere in Benicia) unnecessary in most cases.

Guidelines, Goals (p. 14, GGBC)

Guidelines

Sustainable under California law (AB32)
0 Carbon footprint
Net positive energy outflow

Goals

Intermodal transport site
Connect to electric trolley service that connects BIP, downtown, Yuba, Arsenal, Rose Drive business, Southampton, Community Park etc
Walking/biking trails
Connecting streets

Comparison: Seeno and the Green Gateway Vision, (p. 15, GGBC)

The Green Gateway model would result in an estimated 78% reduction in traffic over Seeno's 2007 proposal based on trip generation alone. With an intermodal transit station, on-campus shuttle service and an electric or hybrid transit system serving all of Benicia, there would be even greater reductions.

Ozone In Benicia, Ozone From Benicia

OZONE IN BENICIA - one of the 10 WORST IN BAY AREA

Source: <http://gate1.baaqmd.gov/aqmet/AQYearly.aspx>

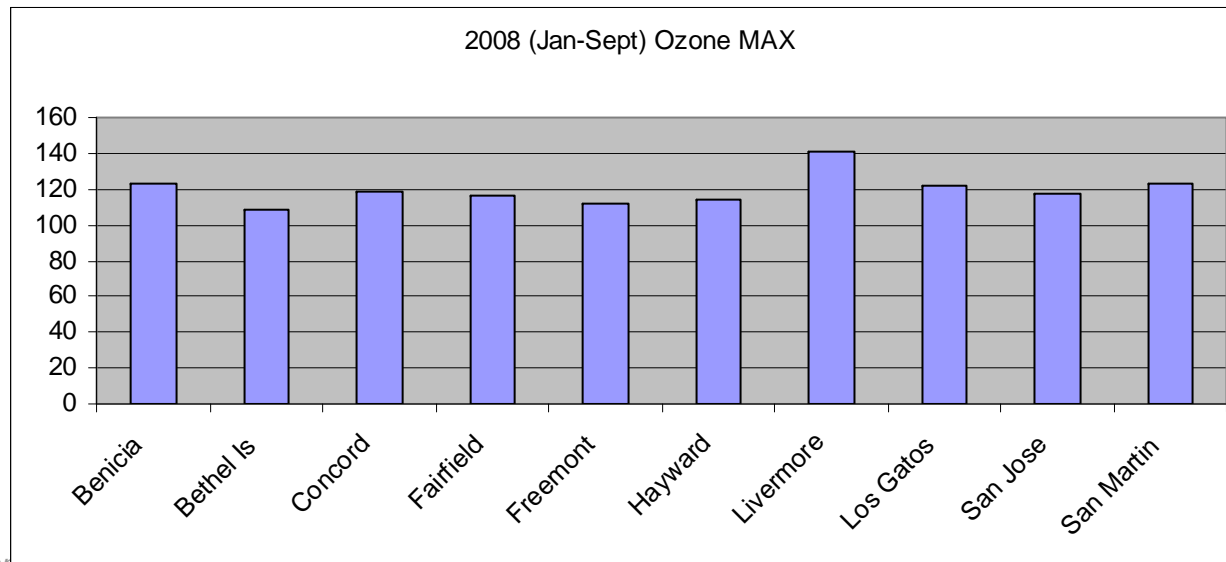
Benicia already has a serious public health ozone problem compared to other Bay Area communities.
Please don't approve any measures that will make this problem worse!!

The 10 stations listed below consistently have HIGHEST readings of all 23 stations in Bay Area!

(as of Sept. 29)

2008 (Jan-Sept) Ozone MAX

| | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Avg MAX | highest MAX |
|-------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|---------|-------------|
| Benicia | 45 | 50 | 51 | 87 | 65 | 81 | 123 | 87 | 94 | 76 | 123 |
| Bethel Is | 43 | 49 | 56 | 79 | 103 | 96 | 109 | 88 | 86 | 79 | 109 |
| Concord | 51 | 47 | 57 | 94 | 73 | 102 | 119 | 84 | 97 | 80 | 119 |
| Fairfield | | | | 81 | 63 | 77 | 116 | 95 | 85 | | 116 |
| Freemont | 52 | 45 | 55 | 90 | 58 | 76 | 112 | 79 | 89 | 73 | 112 |
| Hayward | | | | 85 | 55 | 74 | 114 | 83 | 88 | | 114 |
| Livermore | 51 | 44 | 54 | 91 | 87 | 91 | 141 | 117 | 97 | 86 | 141 |
| Los Gatos | 53 | 46 | 56 | 88 | 79 | 80 | 122 | 81 | 92 | 77 | 122 |
| San Jose | 50 | 43 | 54 | 94 | 64 | 83 | 118 | 83 | 85 | 75 | 118 |
| San Martin | | | | 78 | 91 | 86 | 123 | 95 | 91 | | 123 |
| Avg MAX | | | | 88 | 80 | 85 | 126 | 94 | 91 | | |



Ozone in Benicia

9-Month Ozone Snapshot

Note that Benicia measured one of the highest Maximums in the Bay Area, and ties with Fairfield and Hayward for the highest Average for the year so far. Source: <http://gate1.baaqmd.gov/aqmet/AQYearly.aspx>

Bay Area Air Quality Management District

Ari Quality

<http://gate1.baaqmd.gov/aqmet/AQYearly.aspx>

Ozone: units: ppb

Monthly Maximum/Average Values

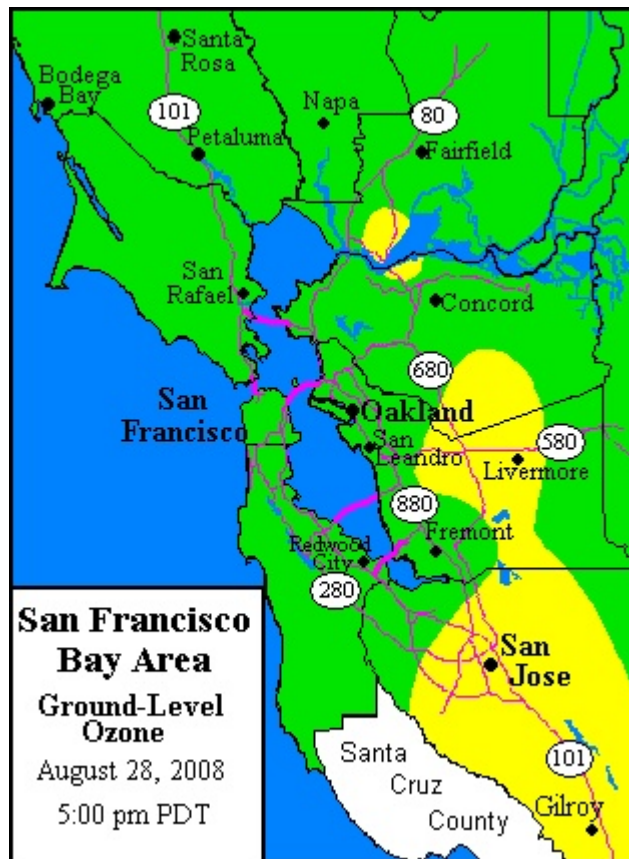
Raw data: Unchecked data that may contain errors

QC data: Validated data

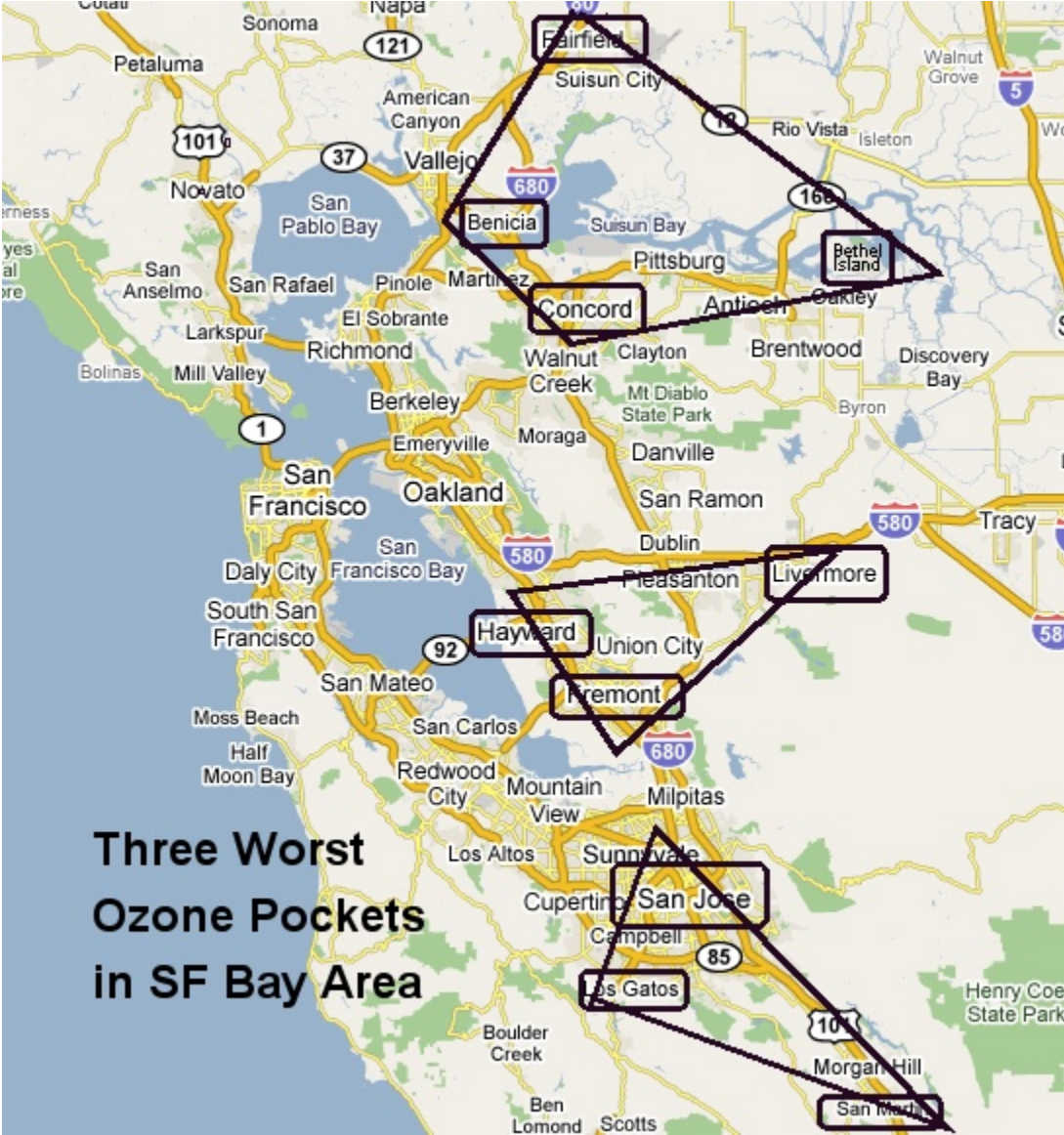
| Station: | Year: 2008, Month | | | | | | | | | | | | Yearly | | |
|-------------------------------|-------------------|----|----|----|-----|-----|-----|-----|----|----|----|----|--------|-----|----|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | Max | AVG | |
| Benicia | 45 | 50 | 51 | 87 | 65 | 81 | 123 | 87 | 94 | | | | | 123 | 32 |
| Berkeley | 42 | 40 | 42 | 53 | 47 | 46 | 43 | 35 | 50 | | | | | 53 | 21 |
| Bethel Island | 14 | 17 | 22 | 29 | 28 | 22 | 19 | 15 | 24 | | | | | 109 | 31 |
| Concord | 43 | 49 | 56 | 79 | 103 | 96 | 109 | 88 | 86 | | | | | 119 | 30 |
| Fairfield | 18 | 22 | 30 | 38 | 36 | 38 | 31 | 29 | 37 | | | | | 116 | 32 |
| Fremont | 51 | 47 | 57 | 94 | 73 | 102 | 119 | 84 | 97 | | | | | 112 | 24 |
| Gilroy | 20 | 20 | 29 | 38 | 35 | 36 | 30 | 27 | 35 | | | | | 103 | 31 |
| Hayward | | | | 81 | 63 | 77 | 116 | 95 | 85 | | | | | 114 | 32 |
| Livermore | | | | 37 | 34 | 33 | 28 | 25 | 34 | | | | | 141 | 28 |
| Los Gatos | 52 | 45 | 55 | 90 | 58 | 76 | 112 | 79 | 89 | | | | | 122 | 26 |
| Napa | 17 | 18 | 24 | 34 | 31 | 27 | 22 | 18 | 25 | | | | | 107 | 25 |
| Oakland | | | | 70 | 74 | 91 | 103 | 84 | 86 | | | | | 86 | 23 |
| Pittsburg | | | | 36 | 34 | 33 | 26 | 23 | 31 | | | | | 106 | 29 |
| Redwood City | | | | 85 | 55 | 74 | 114 | 83 | 88 | | | | | 82 | 23 |
| San Francisco | | | | 40 | 35 | 33 | 27 | 24 | 36 | | | | | 118 | 23 |
| San Jose | 51 | 44 | 54 | 91 | 87 | 91 | 141 | 117 | 97 | | | | | 118 | 23 |
| San Leandro | 20 | 19 | 26 | 35 | 33 | 34 | 29 | 25 | 31 | | | | | 123 | 31 |
| San Martin | 53 | 46 | 56 | 88 | 79 | 80 | 122 | 81 | 92 | | | | | 84 | 25 |
| San Pablo | 19 | 19 | 24 | 32 | 29 | 29 | 26 | 23 | 32 | | | | | 85 | 23 |
| San Rafael | 44 | 44 | 50 | 89 | 60 | 73 | 107 | 74 | 88 | | | | | 76 | 24 |
| Santavale | 17 | 18 | 24 | 32 | 31 | 29 | 25 | 22 | 29 | | | | | 93 | 27 |
| Vallejo | 50 | 43 | 53 | 83 | 51 | 80 | 86 | 58 | 83 | | | | | 109 | 27 |
| | 16 | 17 | 23 | 31 | 30 | 24 | 21 | 17 | 25 | | | | | | |
| | 47 | 45 | 49 | 80 | 77 | 78 | 106 | 80 | 78 | | | | | | |
| | 19 | 20 | 28 | 35 | 34 | 35 | 30 | 26 | 33 | | | | | | |
| | 50 | 44 | 53 | 81 | 62 | 82 | 54 | 57 | 78 | | | | | | |
| | 14 | 16 | 24 | 34 | 30 | 26 | 20 | 17 | 25 | | | | | | |
| | 51 | 44 | 42 | 73 | 50 | 82 | 51 | 44 | 66 | | | | | | |
| | 15 | 18 | 25 | 33 | 31 | 26 | 23 | 19 | 26 | | | | | | |
| | 50 | 43 | 54 | 94 | 64 | 83 | 118 | 83 | 85 | | | | | | |
| | 13 | 16 | 23 | 32 | 30 | 28 | 23 | 20 | 27 | | | | | | |
| | | | | 82 | 51 | 84 | 96 | 66 | 81 | | | | | | |
| | | | | 36 | 31 | 26 | 23 | 19 | 29 | | | | | | |
| | | | | 78 | 91 | 86 | 123 | 95 | 91 | | | | | | |
| | | | | 34 | 34 | 33 | 27 | 24 | 31 | | | | | | |
| | 50 | 43 | 50 | 74 | 57 | 84 | 53 | 50 | 83 | | | | | | |
| | 18 | 19 | 28 | 36 | 31 | 27 | 23 | 19 | 29 | | | | | | |
| | 52 | 46 | 50 | 79 | 53 | 74 | 62 | 51 | 85 | | | | | | |
| | 16 | 18 | 25 | 33 | 29 | 27 | 21 | 18 | 25 | | | | | | |
| | 48 | 46 | 49 | 76 | 58 | 67 | 75 | 52 | 69 | | | | | | |
| | 16 | 17 | 22 | 31 | 30 | 29 | 23 | 19 | 28 | | | | | | |
| | | | | 90 | 67 | 76 | 93 | 68 | 84 | | | | | | |
| | | | | 34 | 31 | 28 | 23 | 20 | 28 | | | | | | |
| | 45 | 46 | 51 | 93 | 63 | 88 | 109 | 68 | 91 | | | | | | |
| | 17 | 20 | 29 | 37 | 35 | 31 | 25 | 22 | 32 | | | | | | |
| Day: | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | Max | AVG | |

Ozone in Benicia Ground-Level Ozone Map August 28, 2008 5:00 PM

Source is an animated map:
<http://www.epa.gov/airnow/2008/20080828/8a-sfba.gif>



Ozone In and From Benicia
The Bay Area's
Three Worst Ozone Pockets



Bay Area OZONE levels August 28, 2008

(Same day as Benicia Traffic Count)

Regardless of the traffic count, Benicia already has plenty of reason to worry about ozone! A large increase in tailpipe emissions will only make our dangerous ozone levels much worse.

| Station: | | Thursday, August 28, 2008, Ending Hour (PST) | | | | | | | | | | | | | | | | | | | | | | | | Daily Max* | |
|---------------------------------|--|--|----|-----|----|----|----|----|----|----|-----|-----|-----|-----|----|----|----|-----|----|----|----|----|-----|-----|----|------------|-----|
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 1Hr | 8Hr |
| North Counties: | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <u>Napa</u> | | 11 | 9 | 7 | 3 | 2 | 3 | 9 | 19 | 31 | 47 | 54 | 61 | 63 | 68 | 64 | 54 | 42 | 29 | 15 | 4 | 2 | 3 | 6 | 68 | 56 | |
| <u>San Rafael</u> | | 7 | 8 | 3 | 1 | 1 | 2 | 5 | 9 | 18 | 26 | 31 | 41 | 46 | 41 | 47 | 42 | 28 | 26 | 15 | 7 | 3 | 4 | 2 | 47 | 37 | |
| <u>Santa Rosa</u> | | 11 | 6 | 15 | 5 | 1 | 3 | 8 | 9 | 26 | 41 | 50 | 43 | 40 | 40 | 46 | 43 | 35 | 27 | 14 | 15 | 19 | 16 | 12 | 50 | 42 | |
| <u>Vallejo</u> | | 14 | 12 | 9 | 1 | 1 | 2 | | 17 | 28 | 33 | 48 | 63 | 63 | 58 | 44 | 53 | 49 | 35 | 26 | 24 | 21 | 11 | 4 | 63 | 51 | |
| Coast & Central Bay: | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <u>Berkeley</u> | | 11 | 10 | 11 | 3 | 0 | 1 | 4 | 4 | 5 | 12 | 18 | 28 | 26 | 26 | 23 | 24 | 24 | 18 | 14 | 10 | 8 | 8 | 9 | 28 | 23 | |
| <u>Oakland</u> | | 1 | 1 | 2 | 4 | 1 | 2 | 3 | 6 | 7 | 8 | 19 | 29 | 34 | 38 | 58 | 53 | 45 | 37 | 25 | 12 | 11 | 8 | 3 | 58 | 39 | |
| <u>San Francisco</u> | | 13 | 11 | 13 | 1 | 2 | 3 | 5 | 6 | 7 | 13 | 26 | 35 | 44 | 43 | 36 | 28 | 31 | 22 | 10 | 9 | 9 | 6 | 6 | 44 | 33 | |
| <u>San Pablo</u> | | 11 | 12 | 15 | 3 | 1 | 2 | 6 | | 24 | 31 | 26 | 31 | 39 | 33 | 30 | 24 | 23 | 17 | 11 | 9 | 3 | 3 | 13 | 39 | 30 | |
| Eastern District: | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <u>Benicia</u> | | 24 | 22 | 24 | 22 | 20 | 19 | 23 | 21 | 21 | 37 | 54 | 67 | 77 | 87 | 67 | 60 | 58 | 48 | 37 | 30 | 28 | 28 | 29 | 87 | 64 | |
| <u>Bethel Island</u> | | 24 | 22 | 19 | 15 | 15 | 13 | 22 | 27 | 33 | 40 | 43 | 46 | 48 | 49 | 51 | 58 | 65 | 59 | 44 | 32 | 31 | 28 | 28 | 65 | 52 | |
| <u>Concord</u> | | 20 | 17 | 15 | 5 | 2 | 2 | 4 | 22 | 33 | 38 | 46 | 53 | 60 | 64 | 69 | 74 | 72 | 54 | 44 | 32 | 30 | 30 | 27 | 74 | 61 | |
| <u>Fairfield</u> | | 24 | 17 | 16 | 1 | 2 | 3 | 8 | 23 | 34 | 43 | 58 | 68 | 73 | 89 | 95 | 67 | 52 | 40 | 28 | 27 | 24 | 21 | 22 | 95 | 68 | |
| <u>Livermore</u> | | 1 | 2 | 1 | 1 | 1 | 5 | 29 | 32 | 37 | 42 | 44 | 47 | 54 | 67 | 86 | 87 | 69 | 42 | 29 | 15 | 9 | 8 | 87 | 62 | | |
| <u>Pittsburg</u> | | 19 | 17 | 11 | 11 | 10 | 10 | 22 | 27 | 31 | 37 | 44 | 50 | 51 | 55 | 58 | 79 | 66 | 46 | 34 | 31 | 30 | 32 | 34 | 79 | 56 | |
| South Central Bay: | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <u>Fremont</u> | | 0 | 0 | 0 | 0 | 0 | 1 | 3 | 8 | 15 | 22 | 34 | 48 | 59 | 69 | 79 | 68 | 47 | 32 | 17 | 3 | 1 | 0 | 0 | 79 | 54 | |
| <u>Hayward</u> | | 38 | 43 | 37 | 41 | 36 | 32 | 27 | 31 | 22 | 31 | 39 | 47 | 65 | 81 | 83 | 74 | 59 | 51 | 47 | 47 | 45 | 43 | 43 | 83 | 63 | |
| <u>Redwood City</u> | | 0 | 1 | 1 | 1 | 1 | 2 | 4 | 7 | 9 | 11 | 18 | 28 | 45 | 49 | 52 | 40 | 37 | 25 | 28 | 24 | 10 | 3 | 1 | 52 | 38 | |
| <u>San Leandro</u> | | 13 | 7 | 1 | 15 | 12 | 3 | 3 | 7 | 11 | 14 | 18 | 41 | 66 | 58 | 57 | 64 | 52 | 43 | 39 | 28 | 18 | 9 | 24 | 66 | 52 | |
| Santa Clara Valley: | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <u>Gilroy</u> | | 12 | 17 | 17 | 14 | 14 | 12 | 17 | 23 | 29 | 48 | 60 | 77 | 84 | 84 | 83 | 60 | 42 | 35 | 30 | 27 | 12 | 5 | 10 | 84 | 67 | |
| <u>Los Gatos</u> | | 38 | 35 | 20 | 23 | 14 | 8 | 7 | 25 | 33 | 41 | 49 | 58 | 64 | 70 | 78 | 81 | 77 | 51 | 31 | 19 | 26 | 34 | 34 | 81 | 66 | |
| <u>San Jose Central</u> | | 40 | 37 | 21 | 2 | 0 | 2 | 5 | 8 | 13 | 22 | 37 | 53 | 69 | 80 | 83 | 77 | 71 | 46 | 26 | 12 | 3 | 4 | 1 | 83 | 64 | |
| <u>San Martin</u> | | 4 | 5 | 3 | 1 | 1 | 1 | 7 | 18 | 28 | 43 | 54 | 70 | 82 | 95 | 91 | 62 | 51 | 45 | 43 | 43 | 36 | 27 | 7 | 95 | 68 | |
| <u>Sunnyvale</u> | | 8 | 2 | 1 | 1 | 1 | 1 | 4 | 11 | 27 | 40 | 49 | 57 | 65 | 67 | 61 | 53 | 39 | 28 | 19 | 14 | 9 | 6 | 67 | 57 | | |
| | | -7 | -9 | -13 | -6 | +0 | -1 | -2 | -2 | +9 | +14 | +17 | +13 | +20 | +1 | +7 | +9 | +14 | +9 | +5 | +4 | -1 | -17 | -13 | | | |
| Hour: | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 1Hr | 8Hr |

* Note: Daily Max 1HR column is for State standard and 8HR is for National 8-Hour standard. Ozone values exceeding the standards are displayed in red in their respective columns.

Bay Area OZONE levels August 28, 2008

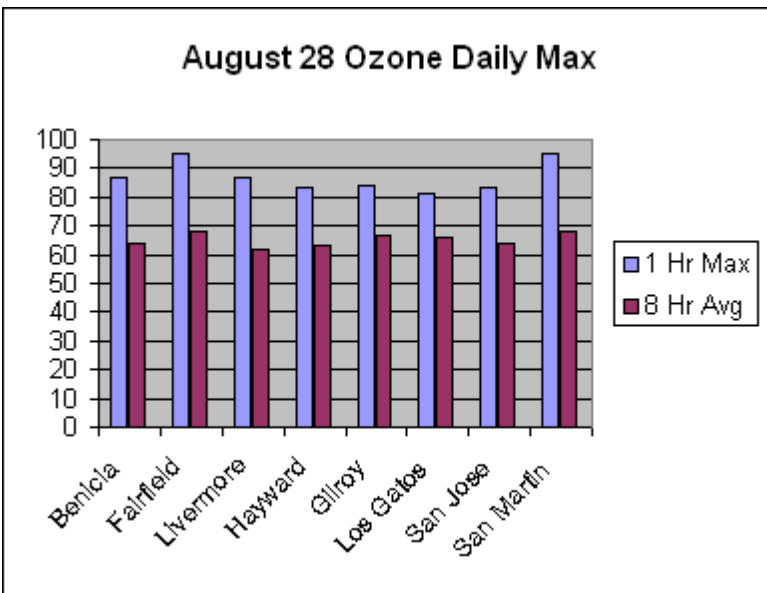
(Same day as Benicia Traffic Count)

This chart summarizes the previous page.

Regardless of the traffic count, Benicia already has plenty of reason to worry about ozone! A large increase in tailpipe emissions will only make our dangerous ozone levels much worse.

Below are the 8 (out of 23) stations with highest Ozone 1-Hr & 8-Hr daily Max

| | Aug. 28 Ozone Daily Max | |
|------------|-------------------------|------|
| | 1 Hr | 8 Hr |
| Benicia | 87 | 64 |
| Fairfield | 95 | 68 |
| Livermore | 87 | 62 |
| Hayward | 83 | 63 |
| Gilroy | 84 | 67 |
| Los Gatos | 81 | 66 |
| San Jose | 83 | 64 |
| San Martin | 95 | 68 |



The City of Benicia Citizen Survey

Benicians want the City to IMPROVE our air quality, NOT make it worse! Following are excerpts from Benicia's Aug. 2006 National Citizen Survey.

~~~~~  
 Respondents were asked to rate the importance of a number of items.

**How important is it for the City to allocate additional resources to each of the following:**

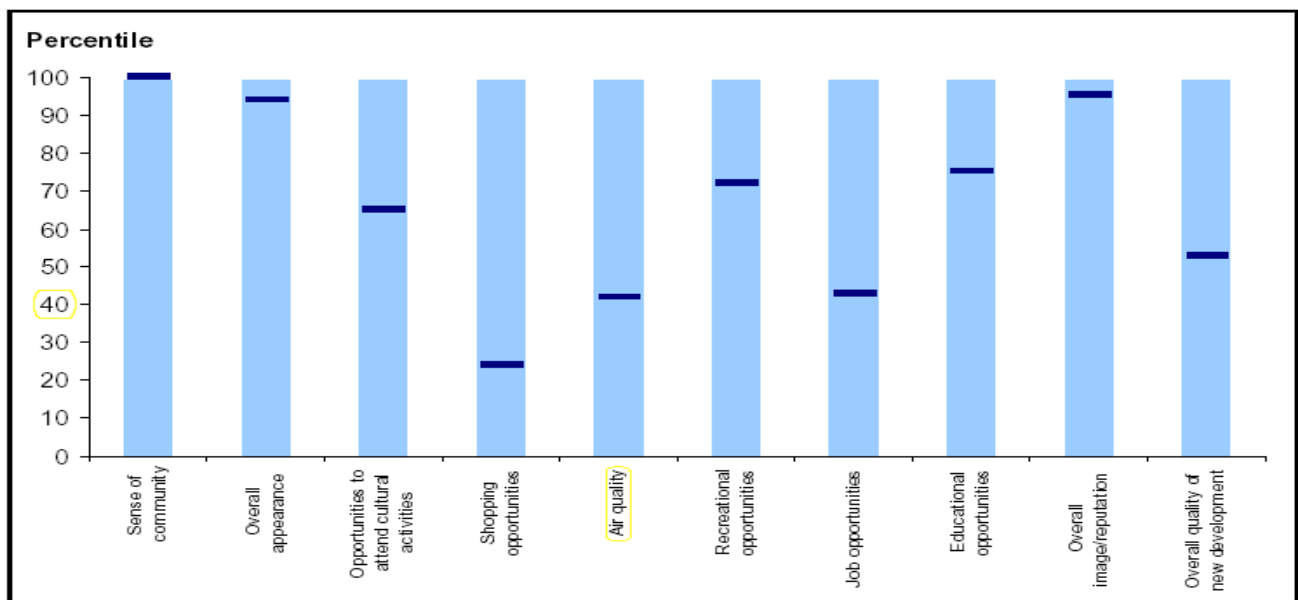
- Protecting the environment (such as air and water quality) -- 84%
- Open space -- 62%
- Streets -- 60%
- Recreation programs and services -- 59%
- Affordable housing -- 56%
- Downtown -- 56%
- Preservation and restoration of public historical structures -- 53%
- Community appearance and beautification -- 50%
- Local access to ferry service -- 49%
- Local access to rail service -- 45%
- Resources and facilities for the arts -- 44%
- New or expanded police station -- 37%

When asked about **potential problems in Benicia**, the three concerns rated by the highest proportion of respondents as a "major problem" were drugs (13% of respondents), toxic waste or other **environmental hazards** (12%), and too much growth (10%).

## Ratings of Community Characteristics

Air quality was ranked at 40%. Only one other category ranked lower.

**Ratings of Community Characteristics**



# Health Effects of Ozone

(from BAAQMD, [http://www.sparetheair.org/about/ozone\\_effects.htm](http://www.sparetheair.org/about/ozone_effects.htm) )

Ground-level ozone can cause several types of short-term health effects:

Ozone can irritate the respiratory system. Ozone can cause coughing, irritate your throat, eyes, or nose, and/or cause headaches. These symptoms can last for a few hours after ozone exposure and may even become painful.

Ozone can reduce lung function. "Lung function" refers to the amount of air that you draw in when you take a full breath and the speed at which you are able to blow it out. Ozone can make it more difficult for you to breathe as deeply and quickly as you normally would.

Ozone can aggravate asthma. When ozone levels are high, more asthmatics have asthma attacks that require a doctor's attention or the use of additional medication. Ozone makes people more sensitive to allergens (such as dust mites, pets, and pollen) which are the most common triggers for asthma attacks.

Ozone can inflame and damage the lining of the lung. Ozone's effect on the lining of the lung is comparable to the effect of sunburn on the skin. Ozone damages the cells that line the air spaces in the lung. Within a few days, the damaged cells are repaired, just as our skin recovers from sunburn naturally.

Scientists suspect that ozone may have other effects on people's health, as well. Ozone may aggravate chronic lung diseases, such as emphysema and bronchitis. Also, studies in animals suggest that ozone may reduce the immune system's ability to fight off bacterial infections in the respiratory system.

Most of these effects are considered short-term because they eventually cease once ozone levels subside. However, there is concern that repeated short-term damage from ozone exposure may permanently injure the lung. For example, repeated ozone impacts on the developing lungs of children may lead to reduced lung function as adults.

## Who is most at risk?

**Children.** Children are more sensitive to pollution than adults. Children typically spend more time and are more active outdoors. Pound for pound, they breathe more than adults. They breathe, drink, and eat to grow, not just to maintain themselves. Their air passages are also narrower than adults, so it takes less inflammation or irritation to obstruct a child's airways. Children are also more likely to have asthma or other respiratory illnesses.

**Adults who are active outdoors.** Healthy adults of all ages who exercise or work vigorously outdoors are considered a "sensitive group" because they have a higher level of exposure to ozone than people who are less active outdoors. Ozone is typically a problem in the afternoon due to pollution generated in the morning. People with respiratory diseases, such as asthma. There is no evidence that ozone causes asthma or other chronic respiratory disease, but these diseases do make the lungs more vulnerable to the effects of ozone.

**People with unusual susceptibility to ozone.** Scientists don't yet know why, but some healthy people are simply more sensitive to ozone than others.



## Health effects of ozone



- **Increased risk of early death**
- **Lung inflammation**
- **Reduced lung function**
- **Increased asthma attacks**
- **Increased risk of infection**
  - *Bell et al. 2005; Levy et al, 2005; Ito et al, 2005; US EPA, 2006*



The plant on the left is stunted due to smog exposure. The plant on the right grew in healthy air. Children's lungs respond to smog in a similar way.

# Consistency Analysis

## Benicia's General Plan and Seeno's 2008 Revised Project

City staff has proposed and Seeno has accepted over 200 conditions for project approval that render binding mitigations for some of the General Plan inconsistencies disclosed in the public record. However, the California Environmental Quality Act (CEQA) does not acknowledge conditions of approval as binding mitigation measures. Any condition of approval that is proposed as a mitigation measure must be included and acknowledged in the Final EIR as a mitigation measure and must be part of the EIR's Mitigation Monitoring and Reporting Program. THE FOLLOWING INCONSISTENCIES WITH BENICIA'S GENERAL PLAN THEREFORE REMAIN UNMITIGATED IN SEENO'S FINAL EIR, AND ARE NOT MITIGATED IN THE EIR ADDENDUM.

Note that many of these inconsistencies have been presented to Council previously by Benicia citizen Steven L. Goetz, AICP, and others, and are part of the hearing record. Additional **inconsistencies not previously entered in the hearing record are shown below in boldface type**. And all **inconsistencies specifically relating to traffic and its associated environmental effects are presented with highlighted font**.

Reducing trip generation and its associated effects is a central aim of Benicia's General Plan. Note the following language from Part I, Chapter 2, on page 59: "...policies in this General plan...call for promoting alternative commute methods and a better jobs/housing balance to minimize freeway travel demand....The intent of the General plan is not to create greater traffic congestion by rejecting all freeway widening, but to address the realities of growing travel demand through site-specific improvements, land use policies that minimize travel demand, and high occupancy vehicle (HOV) travel."

| Goal Policy or Program Language (Bold=new, Highlight=traffic)                                                                                                                                                          | Conclusions based on the Addendum                                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| Policy 2.14.1 Give priority to pedestrian safety, access, and transit over automobile speed and volume.                                                                                                                | Addendum justifies finding of inconsistency with this General Plan policy. (Previously noted in hearing record.)                           |
| Goal 2.15 Provide a comprehensive system of pedestrian and bicycle routes which link the various components of the community: employment centers, residential areas, commercial areas, schools, parks, and open space. | Addendum justifies finding of inconsistency with this General Plan goal. (Previously noted in hearing record.)                             |
| Policy 2.15.2 Encourage the development of pedestrian paths in hill areas as a way to link neighborhoods to schools, parks, employment centers, and convenience commercial destinations.                               | Addendum assumes this outcome is possible but such features are not proposed as part of the project. (Previously noted in hearing record.) |
| Goal 2.20 Provide a balanced street system to serve automobiles, pedestrians, bicycles and transit, balancing vehicle flow improvements with multi-modal considerations.                                               | The Addendum fails to evaluate this goal. The EIR referred to Policy 2.14.1. (Previously noted in hearing record.)                         |
| <b>Policy 2.20.3 Maintain Lake Herman Road as a rural, two-lane, curving scenic route.</b>                                                                                                                             | <b>The current Seeno proposal includes lane widening at three intersections along Lake Herman Rd.</b>                                      |

| Goal Policy or Program Language ( <b>Bold</b> =new, <b>Highlight</b> =traffic)                                                                                                       | Conclusions based on the Addendum                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Goal 2.21 Encourage Benicia residents and employees to use alternatives to the single occupant automobile.                                                                           | Addendum justifies finding of inconsistency with this General Plan goal. (Previously noted in hearing record.)                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Policy 2.21.1 Provide and promote a range of travel alternatives to the use of the private automobile.                                                                               | Addendum justifies finding of inconsistency with this General Plan policy. (Previously noted in hearing record.)                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>GOAL 2.22 Alleviate traffic congestion near school sites.</b>                                                                                                                     | <b>The current Seeno project proposal would create serious traffic congestion by Semple school on E. 2nd St.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>POLICY 2.22.1 Work closely with the School District in addressing traffic congestion near schools.</b>                                                                            | <b>The current Seeno project proposal would create serious traffic congestion by Semple school on E. 2nd St.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Program 2.22.A Develop a plan jointly with the School District for reducing traffic congestion at and near school sites.</b>                                                      | <b>The current Seeno project proposal would create serious traffic congestion by Semple school on E. 2nd St.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Policy 2.23.2 Reduce the visibility of parking lots.                                                                                                                                 | Addendum assumes adherence to non-binding design guidelines. (Previously noted in hearing record.)                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Program 2.23.D Update parking requirements based on actual local parking generation studies wherever appropriate, and consider parking proximity to transit corridors.               | No data provided by Mitigated Project to evaluate its consistency. (Previously noted in hearing record.)                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Program 2.23.E Allow future parking to be divided into smaller lots with generous internal and perimeter landscaping.                                                                | Addendum assumes adherence to non-binding parking plans. (Previously noted in hearing record.)                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Program 2.23.F Recommend parking to be located behind or alongside (but not in front of) buildings, where possible.                                                                  | No data provided by Mitigated Project to evaluate its consistency. (Previously noted in hearing record.)                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Program 2.24.A Investigate establishment of Industrial Park bus service.                                                                                                             | Addendum justifies finding of inconsistency with this General Plan program. (Previously noted in hearing record.)                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Goal 2.3 Ensure orderly and sensitive site planning and design for large undeveloped areas of the city, consistent with land use designation and other policies of the General Plan. | The Addendum fails to evaluate this goal. The EIR found the 2007 project would be consistent with the land use designations for the site, but would be inconsistent with “numerous” other General Plan goals, policies or programs. This table is provided to show that the Addendum fails to adequately demonstrate the Mitigated Project to be consistent with 28 out of 72 goals, policies and programs included in the General Plan for the purpose of environmental protection (nearly 40% of the total). (Previously noted in hearing record.) |

| Goal Policy or Program Language ( <b>Bold</b> =new, <b>Highlight</b> =traffic)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Conclusions based on the Addendum                                                                                                                                                                                                                                                                                                                                                                                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Policy 2.38.1 Continue to require the use of feasible and practical Best Management Practices to protect receiving waters from adverse effects of construction and urban runoff.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Addendum assumes adherence to non-binding design guidelines. (Previously noted in hearing record.)                                                                                                                                                                                                                                                                                                               |
| Program 2.36.C Continue to implement City-adopted water conservation Best Management Practices (BMP).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Addendum assumes adherence to non-binding design guidelines. (Previously noted in hearing record.)                                                                                                                                                                                                                                                                                                               |
| <p><b>GOAL 2.5: Facilitate and encourage new uses and development which provide substantial and sustainable fiscal and economic benefits to the City and the community while maintaining health, safety, and quality of life.</b></p> <p><b>Sustainable development maintains or enhances economic opportunity and community well-being while protecting and restoring the natural environment upon which people and economies depend. Sustainable development meets the needs of the present without compromising the ability of future generations to meet their own needs.</b></p> <p><b><i>This goal is the heart of the entire General plan. [emph. added] It is a citywide expression of urban development policy. Nearly every policy and program in the General plan, in some manner, serves to implement this goal.</i></b></p> | <p><b>The Seeno project's proposed uses detract from Benicia's air quality and the health, safety and quality of life.</b></p> <p><b>The project as currently proposed suffers from lack of a current economic analysis, and is predicated on needs, uses and expectations of citizens from a previous generation.</b></p> <p><b>The project fails to adequately protect the environment AND the people.</b></p> |
| Program 2.5.B: Target business attraction efforts toward firms that pay high wages and with jobs that relate to the skills and education levels of Benicia residents.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | The Seeno project's proposed uses do not conform to our employment demographic and 75% would be filled by out-of-town low wage commuters.                                                                                                                                                                                                                                                                        |
| Program 2.5.C Evaluate future uses on a cost/revenue basis, taking into account economic diversity for the long term and environmental and community costs and benefits.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | The EIR failed to evaluate this program. The Addendum does not estimate the cost/revenue for the Mitigated Project, and does not evaluate economic diversity or environmental and community costs and benefits. (Previously noted in hearing record.)                                                                                                                                                            |
| Program 2.5.D: Continue to offer incentives for locating in Benicia to businesses that maximize jobs or long-term net revenues to the City of Benicia, or both.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>Without adequate economic analysis, the current project cannot show that it maximizes jobs or long-term net revenues to the City of Benicia.</b>                                                                                                                                                                                                                                                              |
| GOAL 2.7: Attract and retain industrial facilities that provide fiscal and economic benefits to—and meet the present and future needs of—Benicia.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | The Seeno project's proposed uses do not comply with this goal and policy for our industrial areas regarding high wage, high revenue, high tech jobs.                                                                                                                                                                                                                                                            |

| Goal Policy or Program Language ( <b>Bold</b> =new, <b>Highlight</b> =traffic)                                                                                                                                                                                                                                                                                                                                                                                                                               | Conclusions based on the Addendum                                                                                                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>POLICY 2.7.1: Attempt to attract high-wage and high-revenue producing companies to Benicia. This policy applies to emerging occupations such as secondary materials industry, wine industry, alternative transportation, environmental technology, fitness, and tourism. The intent of this policy is to encourage Benicia's participation in studies by the Solano Economic Development Corporation (SEDCORP) related to attracting high-tech jobs and marketing efforts targeted to Benicia.</b></p> | <p><b>The Seeno project's proposed uses do not comply with this goal and policy for our industrial areas regarding high wage, high revenue, high tech jobs.</b></p> |
| <p>Goal 3.9.1 Preserve vistas along I-780 and I-680.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p>Mitigated Project's inconsistency with this goal would be reduced compared to the 2007 project. (Previously noted in hearing record.)</p>                        |
| <p>Policy 3.15.2 Preserve public views of open space and maintain existing vistas (including the Northern Area vistas) wherever possible.</p>                                                                                                                                                                                                                                                                                                                                                                | <p>Mitigated Project's inconsistency with this policy would be reduced compared to the 2007 project. (Previously noted in hearing record.)</p>                      |
| <p>Policy 3.15.D Where applicable, require that new developments include view corridors that allow viewing open space from public roadways and public use areas.</p>                                                                                                                                                                                                                                                                                                                                         | <p>Mitigated Project's inconsistency with this policy would be reduced compared to the 2007 project. (Previously noted in hearing record.)</p>                      |
| <p>Policy 3.15.6 Restore and maintain natural landscapes in a natural manner.</p>                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>Mitigated Project's inconsistency with this policy would be reduced compared to the 2007 project. (Previously noted in record.)</p>                              |
| <p>Goal 3.17 Link regional and local open spaces.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>Addendum justifies finding of inconsistency with this General Plan goal. (Previously noted in hearing record.)</p>                                               |
| <p>Policy 3.17.1 Attempt to link existing regional and local open spaces using trails and open space corridors.</p>                                                                                                                                                                                                                                                                                                                                                                                          | <p>See Goal 3.17 (Previously noted in hearing record.)</p>                                                                                                          |
| <p>Program 3.17.B Construct trails in open space corridors that link existing regional and local open spaces, where feasible.</p>                                                                                                                                                                                                                                                                                                                                                                            | <p>See Goal 3.17 (Previously noted in hearing record.)</p>                                                                                                          |
| <p>Policy 3.19.1 Protect essential habitat of special-status plant and animal species.</p>                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>Addendum assumes this outcome is possible but such features are not proposed as part of the project. (Previously noted in hearing record.)</p>                   |
| <p>Policy 3.20.2 Restore native vegetation, such as birch grasses and oaks, wherever possible for open spaces of existing developed areas.</p>                                                                                                                                                                                                                                                                                                                                                               | <p>Addendum assumes this outcome is possible but such features are not proposed as part of the project. (Previously noted in hearing record.)</p>                   |

| Goal Policy or Program Language ( <b>Bold</b> =new, <b>Highlight</b> =traffic)                                                                                                                  | Conclusions based on the Addendum                                                                                                                                                                                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Policy 3.20.4 Require protection of movement corridors.                                                                                                                                         | No data provided by Mitigated Project to evaluate its consistency. (Previously noted in hearing record.)                                                                                                                                                                                |
| Policy 3.22.1 Avoid development that will degrade existing lakes and streams.                                                                                                                   | Addendum assumes adherence to non-binding design guidelines. (Previously noted in hearing record.)                                                                                                                                                                                      |
| Program 3.22.A Require that all development in watersheds flowing into lakes and unchannelized streams include features to preserve run-off water quality.                                      | Addendum assumes adherence to non-binding design guidelines. (Previously noted in hearing record.)                                                                                                                                                                                      |
| <b>Program 4.10.B: Require that projects with identified significant air quality impacts include all feasible mitigation measures needed to reduce impacts to less than significant levels.</b> | <b>The developer has not been required to include all feasible mitigation measures, for example, provision of free convenient shuttle bus service to main bus stops throughout town. And use of parking fees, minimal parking lots, and other disincentives to discourage auto use.</b> |
| Policy 4.10.2 Encourage designs and land use strategies that reduce automobile use and promote mixed use, jobs/housing balance, telecommuting, bicycle and pedestrian facilities, and transit.  | Addendum assumes this outcome is possible but such features are not proposed as part of the project. (Previously noted in hearing record.)                                                                                                                                              |

# Benicia's New Greenhouse Gas Reduction Targets

Meeting on September 16, 2008, our City Council adopted a resolution accepting a carefully prepared Greenhouse Gas Emissions Inventory Report and approved Greenhouse Gas Reduction Targets, laying out goals for years 2010 and 2020. The inventory was funded by the Bay Area Air Quality Management District's Climate Protection Grant Program, and conducted by City staff, using Clean Air Climate Protection (CACP) software provided by ICLEI-Local Governments for Sustainability.

The inventory and reduction targets cover wastes and energy usages and resulting emissions related to all city services as well as community-wide wastes and emissions.

According to our new standards, the City and Community hope to meet and/or exceed strict new challenges of the California Global Warming Solutions Act, AB32.

Quoting the City Manager's Executive Summary of September 9, 2008:

Benicia's communitywide greenhouse gas emissions in 2000 were about four million metric tonnes, of which just .2% was attributable to the City's municipal operations. While the community emissions grew to 4.2 million tonnes in 2005, the City's declined almost 20%, to 7400 tonnes. Under a business as usual scenario, the community's emissions in 2010 will increase by 9% from 2005 (to 4.6 million tonnes), and in 2020, the forecasted increase is 21% (to 5.1 million tonnes). To prevent this growth, the recommended reduction targets are:

- 25% below 2000 level in 2010 for City Operations;
- Maintain 2005 level in 2010 for the Community;
- 33% below 2000 level in 2020 for City Operations;
- 10% below 2000 levels by 2020 for the Community.

Benicia has been acclaimed as a leader in Solano County and the Bay Area for moving so quickly to inventory its emissions and to adopt target goals for significant reductions.

**Simply put, and not to labor the point, Green Gateway Group believes the current Seeno proposal will significantly detract from Benicia's achieving these new greenhouse gas reduction targets, and is not in keeping with Benicia's emerging leadership in greenhouse gas reduction efforts in the Bay Area.**

# Appendix A

## Seeno Project Timeline

(Jan. 2007 - June 2008)

Jan. 15, 2007 Seeno/LSA publish DEIR.

Public Comment period begins on DEIR....

Feb. 24, 2007 Council votes to extend public comment period on DEIR.

May 7, 2007 DEIR Hearing. Council frustrated (esp. Patterson, Schwartzman) that Seeno had not provided sufficient info to questions relating to environmental and GP issues. Council refused to vote on the DEIR, instead they vote to "continue" the hearing until such time as Seeno can come back with more info and answers to their concerns about GP and environmental issues, and a modified project that dispels those concerns.

July 2007 – Seeno/LSA publish Response to Comments document

Aug. 7, 2007 Seeno comes to Council with a slick Powerpoint presentation and hardcopy version of the presentation, but no written report addressing the previous concerns and questions, and with essentially the same project as before.

Nevertheless, the Council votes 3-2 to approve DEIR. (Whitney, Hughes, Messina, vs Patterson, Schwartzman)

Dec. 2007 (12/12?) – Seeno/LSA publish Final EIR and Supplemental Response to Comments. Public Comment period begins on FEIR...(Jan. 2008)

Feb. 19, 2008 – FEIR Public Hearing. Patterson & Campbell vote yea on Option 2: to defer action on FEIR until the actual final project is brought forward for consideration. Defeated due to lack of 3rd vote.

Schwartzman proposes amendments to Option 1 – directing Seeno to come forward with a CEQA Initial Study based on Hillside Upland alternative project, and adding some additional (nonbinding) environmental conditions and mitigations. Patterson joined him in adding more specific conditions and mitigations.

Option 1 passes (Campbell voting no), Council votes to certify the EIR as complete but noting that the current project as proposed cannot be approved due to numerous conflicts with GP policies.

March 20, 2008 – Seeno submits a project description document briefly outlining revisions to project. This is all the documentation the Planning Commission is provided.

April 10, 2008 – Planning Commission. Seeno gives Powerpoint presentation, and a brief written description of the revised project, but no detailed documentation. Planning Commission votes to deny the project due to lack of information regarding GP inconsistencies, environmental and health and safety impacts, and due to lack of time to review documentation, and Seeno's unwillingness to extend time. They also recommend that Seeno begin work with city staff to refine the project into a more acceptable form and enter into a Development Agreement (contract) with the city.



City staff begins working with Seeno to add over 200 (non binding) "Conditions of Approval" to the project (Seeno declines to enter into Development Agreement).

April 29, 2008 – Seeno/LSA publish Draft EIR Addendum which presents a drastically revised version of the project, partially based on Hillside Uplands alternative, with 50% less industrial, reduced grading, etc. It is essentially a new project, but they claim it is just a mitigated version of same project, so it doesn't need a new EIR.

May 6, 2008 – City Council Initial Public Hearing on revised project Draft EIR Addendum. (By law, Council must vote on project approval by June 3.) City Manager gives update on 216 (?) Conditions of Approval, praises the revised project, and recommends approval. Seeno gives Powerpoint presentation. Public comments. Council discussion.

May 20, 2008 – City Council Hearing on revised Seeno project. BeniciaFirst! gives Powerpoint presentation. Public comments. Mayor asks Seeno for more time to review documents and opportunity to have the Planning Commission review the Conditions of Approval. Seeno declined sending back to PC, or time extension. Council discussion.

June 3, 2008 – City Council Hearing on revised Seeno project. Staff discussion. Public comments. Hearing closed. Council discussion. Patterson proposed a resolution to deny the project (read by Campbell) but no vote was taken.. At 2 AM Seeno agrees to a time extension to Oct. 7 City Council meeting in order to do an additional traffic study in August. Meanwhile, Council noted that they can use the additional time to look at some of their other concerns, and can send the project back to Planning Commission for review. Seeno rejects suggestion of Development Agreement, Specific Plan, or urban decay study. Seeno agrees that at Oct. 7 meeting, Council can discuss all aspects of project, but public can only comment on the traffic study.