California Department of Transportation

DISTRICT 4
OFFICE OF REGIONAL AND COMMUNITY PLANNING
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www.dot.ca.gov

October 31, 2022

Governor's Office of Planning & Research

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STATE CLEARINGHOUSE

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GTS #: 04-CC-2022-00526
GTS ID: 25371
Co/Rt/Pm: CC/24/2.49

Winnie Mui, Associate Planner
City of Orinda
22 Orinda Way
Orinda, CA 94563

Re: Plan Orinda Draft Environmental Impact Report (DEIR)

Dear Winnie Mui:

Thank you for your response to our Caltrans Notice of Preparation (NOP) comment letter dated February 23, 2022. As noted in our NOP comment letter, we are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. Caltrans is also committed to supporting access to affordable housing and working with our partners to ensure that environmental justice concerns, including potential impacts related to air and noise near the State Transportation System, are addressed in an equitable manner. The following comments are based on our review of the September 2022 DEIR.

As indicated in the DEIR, the draft Housing Element Update identifies several housing sites to meet the City's Regional Housing Needs Allocation (RHNA). The alternatives presented in the DEIR include two properties owned by Caltrans, one of which is Site HE-5 located at the State Route (SR)-24 Wilder Road exit where up to 408 units are proposed, and the other are the two Orinda BART parking lots where up to 1,089 units are proposed.

Site HE-5
Please note that this site contains aerially deposited lead (ADL), along with other potential contaminants of concern, in the soil adjacent to the existing roadway. This soil was moved from the SR-13/24 interchange to this location when the interchange was upgraded in the 1990s. The visible concrete ditch that surrounds the site is necessary to control on-site storm water runoff along this 1.5:1 slope and to decease

the likelihood of ADL containing runoff water and solids migrating off State property. As such, this ditch cannot be removed while the contaminated soil is present.

BART Parking Lots
The western BART parking lot (BART B) sits at the base of a large, repaired landslide that is currently dormant. The repairs were completed through the installation of drainage and regrading. While the slide has been dormant for several years, and there are no signs of distress to SR-24, consideration of this dormant land slide must be recognized. Please refer to Attachment A, Orinda Landslide Correction As Built Drawing.

Separately, both BART parking lots (BART A and BART B) are encumbered and have existing joint use agreements and consent to common use agreements with Caltrans. BART has easements on these lots for their station, parking and tracks. The City would need to approach BART to request that it quitclaim its rights to these lots for development.

Additionally, the parcel in the southwestern corner of BART B lot is currently used by Caltrans. Operations and storage of equipment related to roadway safety at this location required approval by the California Department of Public Health. As such, Caltrans' continued access to, and security/safety of this site, is required.

Site HE-5 and the BART parking lots are not currently deemed excess to Caltrans' needs. Use of those parcels by the City for housing would require decertification. Caltrans cannot consider decertification of these parcels until an assessment has conducted of their utility for Caltrans' needs. For more information, including references to the decertification process, please refer to Chapter 26 of the Caltrans Project Development Procedures Manual - Disposal of Rights-of-Way for Public or Private Road Connections.

Classified Landscape Freeway
Under section 4.1.2 of the DEIR, please note that SR-24 from postmile 1.82 through 2.85 is a classified landscape freeway. This classification limits and controls the installation of outdoor advertising along a freeway. Attention to preserving, replacing or enhancing the landscape aesthetic beauty of the area must be given a high priority.

Encroachment Permit
Please be advised that any permanent work or temporary traffic control that encroaches onto Caltrans' right of way (ROW) requires a Caltrans-issued encroachment permit. As part of the encroachment permit submittal process, the applicant may be asked by the Office of Encroachment Permits to submit a completed encroachment permit application package, digital set of plans clearly delineating Caltrans' ROW, digital copy of signed, dated and stamped (include stamp expiration date) traffic control plans, this comment letter, the City's response to the

comment letter, and where applicable, the following items: new or amended Maintenance Agreement (MA), approved Design Standard Decision Document (DSDD), approved encroachment exception request, and/or airspace lease agreement. The applicant's application package may be emailed to D4Permits@dot.ca.gov.

Please note that Caltrans is in the process of implementing an online, automated, and milestone-based Caltrans Encroachment Permit System (CEPS) to replace the current permit application submittal process with a fully electronic system, including online payments. The new system is expected to be available during 2022. To obtain information about the most current encroachment permit process and to download the permit application, please visit https://dot.ca.gov/programs/traffic-operations/ep/applications.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, or for future notifications and requests for review of new projects, please email LDR-D4@dot.ca.gov.

Sincerely,

MARK LEONG
District Branch Chief
Local Development Review

c: State Clearinghouse

Attachment A

ORINDA LANDSLIDE CORRECTION
AS BUILT DRAWING
SUB-SURFACE DRAINAGE

(Horizontal Drains, Vertical Wells
and Subdrains)

04 - CC - 24   PM 2.1   04209 - 382571

Scale 1" = 50'   Contour Interval = 2'
2/80
Revised 10/24/80
Revised 12/11/80
Revised 10/71/81
Revised 11/30/81

NOTES

i. Refer to Summary of Horizontal
Drains for date completed, station/offset,
elevation at outlet, azimuth, inclination,
depth & initial flow.

EXPLANATION

——————— Pipe CSP

======= Denotes Subdrain w/flow Line Elev indicated

Horizontal drain
(Length & declination indicated)

Vertical well tapped by horizontal drain

Vertical well 24"Ø

Exploratory Boring (SI indicates that
slope indicator casing was installed.
Ground water level monitor.)

Survey monument

Arrow indicates slot bearing

COORDINATE SYSTEM CLB ZONE 3
NATIONAL GEODETIC VERTICAL
DATUM OF 1929

Saturated Zone (EL 754-770)
Saturated Zone (EL 754-675)
Saturated Zone (EL 659-687)

CSP w/Permeable Backfill

Old Horizontal Drains
Slide Correction (Rip Rap)

Subdrain #1
Subdrain #2
Subdrain #3

STATE OF CALIFORNIA	HC ASC 8001-46	SHEET 1 OF 1
DEPARTMENT OF TRANSPORTATION	Photography Dated 1-18-80 ASC 13-8007-34	
04-CC-24 PM 2.1	Compiled by	
SCALE 1"=50' CONTOUR INTERVAL=2'	Office of Geomatronics	Completed 3-4-80