

**BENICIA HISTORIC PRESERVATION REVIEW COMMISSION**

**JOINT MEETING WITH  
THE BENICIA CITY COUNCIL AND THE BENICIA PLANNING COMMISSION  
CITY HALL COUNCIL CHAMBERS  
REGULAR MEETING AGENDA**

**Thursday, January 24, 2008**

**6:30 P.M.**

**I. CALL TO ORDER – JOINT MEETING OF CITY COUNCIL, PLANNING COMMISSION AND HISTORIC PRESERVATION REVIEW COMMISSION**

**A. Pledge of Allegiance**

**B. Roll Call of City Council and Commissioners**

**C. Reference to Fundamental Rights of Public** - A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to this meeting room per Section 4.04.030 of the City of Benicia's Open Government Ordinance.

**II. OPPORTUNITY FOR PUBLIC COMMENT**

**A. WRITTEN**

**1. GREEN BUILDING INFORMATION**

Planning Commissioner Ernst submitted information regarding green building practices.

**B. PUBLIC COMMENT**

**III. PRESENTATION – State Office of Historic Preservation**

**A. THE MILLS ACT PROGRAM**

Guest Speaker: Shannon Lauchner, State Historian I – Mills Act Coordinator, Office of Historic Preservation

The Mills Act program is a State of California authorized program that allows owners of "Qualified Historical Properties" to receive a reduction of their property taxes if they maintain and/or rehabilitate their property.

**B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES AND HISTORICAL RESOURCES**

Guest Speaker: Michelle Messinger, State Historian II - CEQA Coordinator, Office of Historic Preservation

The CEQA environmental review process insures that the City is well informed about the potential environmental impacts of any proposed project, that the public is given an opportunity to comment on the potential environmental impacts of applicable projects, that all relevant information regarding environmental impacts is considered, and that decisions are made to avoid or reduce any potential harm to the environment, when possible.

The information provided will be beneficial to all owners of historic properties as well as any interested parties. The City encourages everyone to attend. Please note that the question and answer portion of the presentation is to address general issues, not specific City of Benicia project related issues.

**IV. ADJOURNMENT OF JOINT MEETING WITH CITY COUNCIL AND PLANNING COMMISSION; CONTINUATION OF REGULAR MEETING OF HISTORIC PRESERVATION REVIEW COMMISSION**

**V. CONSENT CALENDAR**

Consent Calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the Historic Preservation Review Commission or a member of the public by submitting a speaker slip for that item.

\*Any Item identified as a Public Hearing has been placed on the Consent Calendar because it has not generated any public interest or dissent. However, if any member of the public wishes to comment on a Public Hearing item, or would like the item placed on the regular agenda, please notify the Community Development Staff either prior to, or at the Historic Preservation Review Commission meeting, prior to the reading of the Consent Calendar.

**A. Approval of Agenda**

**[B. Approval of Minutes of October 25, 2007](#)**

**[C. Approval of Minutes of November 15, 2007](#)**

**VI. REGULAR AGENDA ITEMS**

**[A.](#)**

**[126 EAST E STREET - DEMOLITION PERMIT](#)**

06PLN-52 Design Review

126 East E Street, APN: 89-372-050

**PROPOSAL:**

This is a demolition permit request involving a structure designated as a potential contributor to the Downtown Historic District. The HPRC denied the request on October 25, 2007 and the applicant appealed the decision to the Planning Commission. On December 13, 2007, the Planning Commission remanded the request to the HPRC because the applicant submitted plans to build a new single-family home as a replacement structure.

Recommendation:

Approve a permit for demolition of a structure at 126 East E Street because it no longer retains substantial historical, architectural or cultural interest or value; and adopt the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project, based on the findings, and subject to the conditions listed in the attached resolution.

## **VII. COMMUNICATIONS FROM COMMISSIONERS**

### **VIII. COMMUNICATIONS FROM STAFF**

#### **A. HISTORIC SURVEY AD HOC COMMITTEE UPDATE**

#### **B. MILLS ACT COMPLIANCE UPDATE**

#### **C. GREEN BUILDING PROGRAM UPDATE**

Staff has provided a memorandum summarizing initial recommendations for implementation of a green building program.

#### **D. NOTICE OF PREPARATION – HYDROGEN PIPELINE ACROSS CARQUINEZ STRAIT**

### **IX. ADJOURNMENT**

## **Public Participation**

The Benicia Historic Preservation Review Commission welcomes public participation.

Pursuant to the Brown Act, each public agency must provide the public with an opportunity to speak on any matter within the subject matter jurisdiction of the agency and which is not on the agency's agenda for that meeting. The Historic Preservation Review Commission allows speakers to speak on agenda and non-agenda matters under public comment. Comments are limited to no more than 5 minutes per speaker. By law, no action may be taken on any item raised during the public comment period although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the Historic Preservation Review Commission.

Should you have material you wish to enter into the record, please submit it to the Commission Secretary.

Disabled Access

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the ADA Coordinator, at (707) 746-4211. Notification 48

hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

#### Meeting Procedures

All items listed on this agenda are for Commission discussion and/or action. In accordance with the Brown Act, each item is listed and includes, where appropriate, further description of the item and/or a recommended action. The posting of a recommended action does not limit, or necessarily indicate, what action the Commission may take.

The Historic Preservation Review Commission may not begin new public hearing items after 11 p.m. Public hearing items, which remain on the agenda, may be continued to the next regular meeting of the Commission, or to a special meeting.

Pursuant to Government Code Section 65009; if you challenge a decision of the Historic Preservation Review Commission in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Historic Preservation Review Commission at, or prior to, the Public Hearing. You may also be limited by the ninety (90) day statute of limitations in which to file and serve a petition for administrative writ of mandate challenging any final City decisions regarding planning or zoning.

Appeals of Historic Preservation Review Commission decisions that are final actions, not recommendations, are considered by the Planning Commission. Appeals must be filed in the Community Development Department in writing, stating the basis of appeal with the appeal fee within 10 business days of the date of action.



Community Development Department  
**MEMORANDUM**

**Date:** January 17, 2008  
**To:** City Council, Planning Commission, and Historic Preservation Review Commission  
**From:** Gina Eleccion, Management Analyst  
**Re:** Green Building Practices (submitted by Commissioner Ernst)

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Attached is information submitted by Planning Commissioner Ernst regarding green building practices. This is in addition to green building information submitted under "Communications from Staff".

Attachments:

- City of Watsonville article (submitted via email)
- Post Carbon Cities article

**CITY OF WATSONVILLE ARTICLE**

## Gina Eleccion - Going Green

---

**From:** <Jfernst@aol.com>  
**To:** Damon Golubics <Damon.Golubics@ci.benicia.ca.us>  
**Date:** 12/30/2007 6:43 PM  
**Subject:** Going Green

---

Damon,

Would you pass along to the other Commissioners, please?

Hope you and yours have a great New Year!

Thanks,

Rick Ernst

---The Benicia Planning Commission has discussed developing a "green building" ordinance. There are an increasing number of examples of such ordinances that could be used. The City of Watsonville approach is interesting in that it provides an incentive to builders to go beyond the mandated standards of the new ordinance. The incentive is that if the design incorporates several "green" approaches, the applicant gets extra points. The higher the points the faster an application can be processed. In other words, the applicant moves to the head of the line for city processing. In planning for the New Year, we should set a goal for fast tracking an ordinance that fits Benicia, but without spending months and months of development. Thus, this example and others should be studied for the best ideas.  
Watsonville builders going green

Posted: Wednesday, Dec 5th, 2007  
BY: TODD GUILD

New building codes soon to be adopted by the Watsonville City Council will encourage builders to follow green regulations by requiring them to meet certain criteria before being issued building permits, according to Watsonville city planners.

The system mirrors a similar one already in place in the city of Santa Cruz that was adopted from a system used in Alameda County.

For new projects and remodels over a certain size, builders earn points by adding environmentally friendly elements to their projects. These include eliminating wood-burning fireplaces and using sustainable wood substitutes like bamboo, among other things. In addition, building designs that utilize water efficiency and use recycled materials are awarded extra points.

Before being considered for a permit, builders must earn a certain number of points. Any points achieved after that would speed up the permitting process. Builders incorporating enough green elements into their projects can earn a Green Building Award.

"It really doesn't take a great deal to do it," said Community Development Director John Doughty. "It just takes some forethought."

The Community Development department will present a list of elements builders can adopt to earn points at the next City Council meeting Dec. 11. Doughty expects the green building ordinances to become effective early next year.

"It forces people to start thinking through these issues," he said. "It's a start. We believe it's the right thing to do."

Green building practices have been mandatory in the city of Santa Cruz for about two years, but they have been common practice in the building industry for at least 10 years, according to Jared Bogaard, vice president of Santa Cruz-based Bogard Construction.

"Green building is kind of the wave of the future," he said. "Many of the new developments have been incorporating green elements anyway. Making it a code requirement is great. It makes those of us who already do it more competitive, because the extra cost is no longer an issue."

Making the transition to mandatory green building codes has been easy, because most builders agree with them, said Bogaard.

"Everybody is on board," he said. "If we have to pay a little extra, that's OK, because it's helping the environment. It's a good process."

"We saw this coming for a long time," said Keith Severson, marketing

services manager for Graniterock in Watsonville. The idea is that you build it once, you build it right and it lasts a long time.”

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(Published in 12/5/07 edition)

To view this article, click or copy and paste the following link into your web browser

[http://www.register-pajaronian.com/fe\\_view\\_article.php?story\\_id=2534&page\\_id=72&heading=0](http://www.register-pajaronian.com/fe_view_article.php?story_id=2534&page_id=72&heading=0)

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See AOL's [top rated recipes](#) and [easy ways to stay in shape](#) for winter.

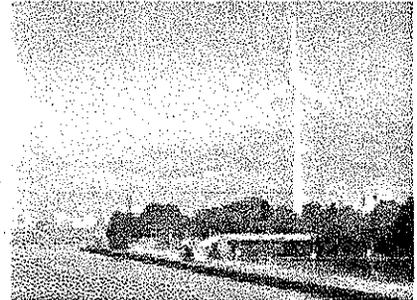
# **POST CARBON CITIES ARTICLE**

## Post Carbon Cities: Fall 2007 Tour (1 of 3): New York, Philadelphia, Toronto

Submitted by [Daniel Lerch](#) on November 30, 2007 - 12:00am.

By Daniel Lerch, Post Carbon Cities program manager

(16 November 2007, Toronto, Ontario) It's rather fitting to end the *Post Carbon Cities* book tour here in Toronto, home of the big urban windmill that graces the cover of the book. Throughout the tour people have been asking me if that photo is a montage, and I've always been pleased to say, No, the folks up in Toronto actually figured out how to get one built right there within the city! It was no small treat to drive right by the turbine on the bus coming in from the airport, and see it churning away in the November wind.



But first, let's rewind two weeks. I arrived in New York City on Monday November 5th for three days chock full of events: a morning meeting with a City Councilor's staff, private presentations at the Institute of Sustainable Cities, Columbia University and the Regional Plan Association; and public presentations at New York University and the historic John Street Church in Lower Manhattan.



The big topic on everyone's minds during my New York visit was PlanNYC 2030, Mayor Bloomberg's big urban/sustainability vision initiative (the six-month update report was released 22 October). I was somewhat surprised to hear people saying positive, even hopeful things about it – surprised because these Big Plan efforts are all too often big on rhetoric but short on substance. Indicative of both the seriousness and quality of the PlanNYC effort was a presentation Tuesday night by famed Danish urbanist Jan Gehl. Gehl, who is now a consultant on PlanNYC, described how turning targeted streets partially or even entirely over to pedestrians, bicyclists and transit can –if done well and done seriously– create enormous benefits for the local economy and quality of life.

Later that week I took a train to Philadelphia, arriving in one of the most beautiful train stations in the United States (Washington D.C. probably holds the top title). That Thursday was an event I'd been looking forward to a while: I did a presentation and a workshop for a "Planning at the Edge" event hosted by the Delaware Valley Regional Planning Commission, the MPO for much of southeastern Pennsylvania and southern New Jersey. The event drew over 40 elected officials and government staff from throughout the region, and also included a presentation by Katy Hatcher of US EPA's Energy Star program for buildings.

For the afternoon workshop I split participants into groups of seven and asked them to discuss these things:

- How will energy and climate uncertainty impact the role you, personally, play in your jurisdiction?
- Based on the experience of the people in your group, what do you think the most important short-term and long-term implications of energy and climate uncertainty will be for the Delaware Valley?
- Make three short-term recommendations and three long-term recommendations for what DVRPC and/or its member jurisdictions should do in response.

The discussions that followed in this room full of hands-on experts were, predictably, very interesting and quite valuable. Here's a quick look at some of the recommendations that the groups came up with made:

### SHORT-TERM RECOMMENDATIONS

- Educate elected officials, businesses and households about the coming changes and needed solutions. Focus particularly on industrial areas and local/regional economies.
- Adopt methods of calculating lifecycle costs for new buildings, so that the economic argument for energy efficiency can be made directly to developers.
- Identify "baselines" so we can track how costs related to energy and climate uncertainty are changing over time.
- Immediately identify and examine policies that directly or indirectly promote sprawl and/or limit energy savings.
- Provide guidelines and step-by-step programs for both households and businesses. (As one group said, "Tell people what to do!")

### LONG-TERM RECOMMENDATIONS

- Funding, funding, funding: Need much more for public transit, less for private automobile-oriented infrastructure.
- Assess the true carbon impact of big projects – we need to do more than just Environmental Impact Statements.
- Encourage investment of existing decentralized energy technologies through both regulation and subsidy. "Use now what we have now."
- Encourage and pursue bottom-up approaches, not top-down approaches. e.g., Look at local ways to create an economy for local products.
- Adopt LEED / EnergyStar standards for all new buildings; develop incentives for retrofitting existing buildings to LEED / Energy Star standards.

And now we come to this past week. My first day in the Toronto region was actually spent in Hamilton, an industrial city about an hour's drive to the South, and focus of one of the three case studies in *Post Carbon Cities*. After a presentation to Hamilton's City Council (known there as the "Committee of the Whole") I had the pleasure of making my first presentation of this tour to a school group at Assumption Catholic High School in Burlington. That evening I was honored to be the guest speaker for Hamilton's annual "Spirit of Red Hill Valley" lecture, followed by a response panel led by Hamilton Mayor Fred Eisenberger and including former Toronto City Councilor Richard Gilbert (author of the *Post Carbon Cities* foreword) on the ramifications of peak oil, as well as the forthcoming book *Transition: Design for the 21st Century*. I've wrapped up the last few days with various meetings and presentations to small groups, including a presentation to Post Carbon Toronto, a member of our *Post Carbon Cities* Network.

That about wraps up my three-part summary of the Fall 2007 Post Carbon Cities tour. Unfortunately I haven't had time to write about all the inspiring people and organizations I met with, let alone all the individuals who gave much of their own time to organize and promote most of these events. A big **Thank You!** to everyone who helped make this tour happen!

Watch our website for news about our next set of tours in 2008. Already I have plans to tour in the Pacific Northwest in February, California in April, and possibly Ireland and the UK in April as well. We also have plans underway to sponsor or co-sponsor targeted seminars and conferences for local leaders in both the U.S. and Canada, including a gathering of local leaders in New England to follow up on all the peak oil interest I encountered there during the tour. Stay tuned, and be sure to subscribe to our monthly newsletter to stay up to date on all the exciting developments here at Post Carbon!

*[Previous blog posts on Daniel's Fall 2007 book tour:*

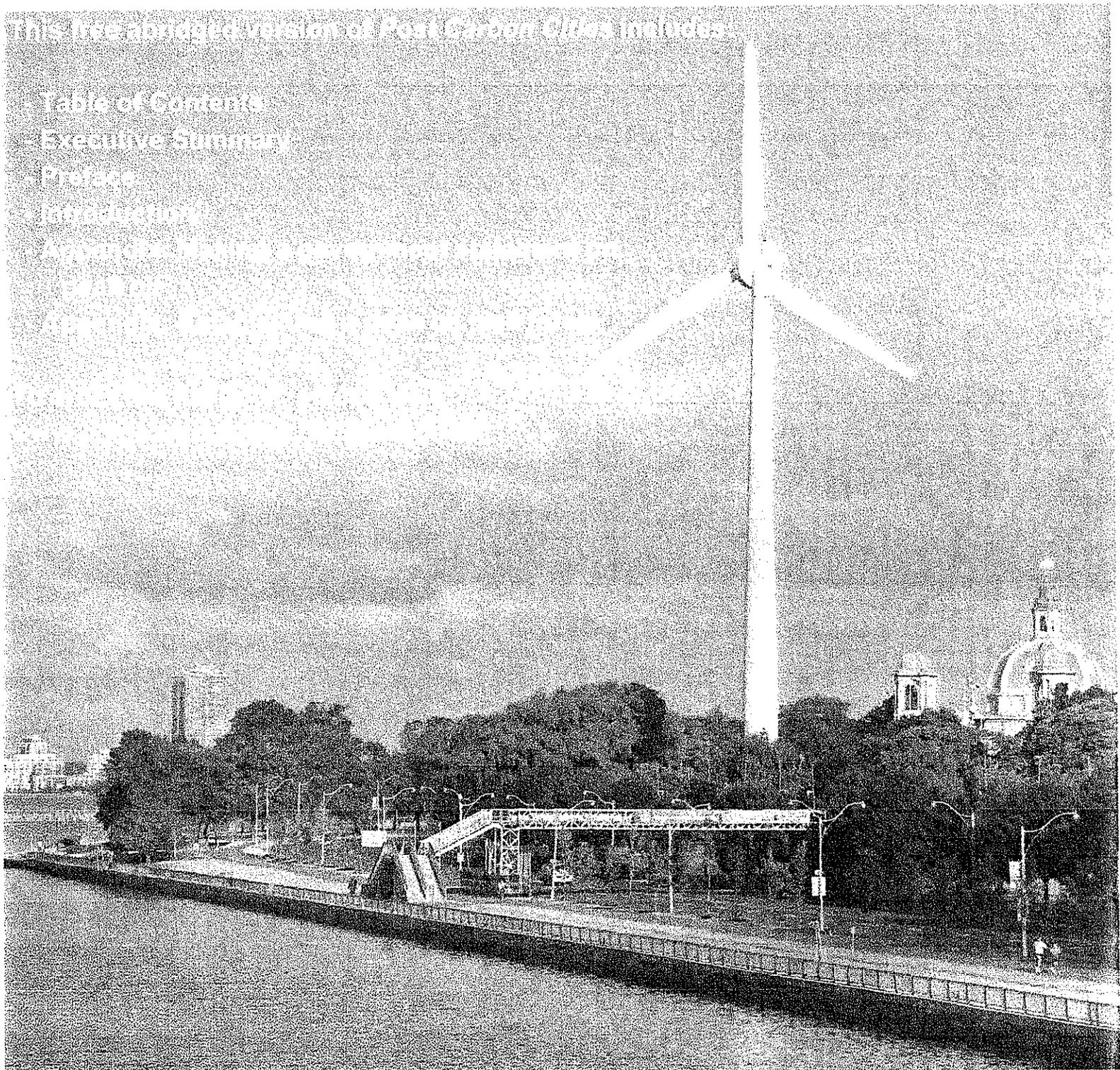
*Post Carbon Cities Fall 2007 Tour (1 of 3): Blog and Tour Launch,*  
*Post Carbon Cities Fall 2007 Tour (2 of 3): New England leaders for peak oil.]*

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# Post Carbon Cities: Planning for Energy and Climate Uncertainty

A Guidebook on Peak Oil and Global Warming for Local Governments

DANIEL LERCH

Post Carbon Institute  
[www.postcarbon.org](http://www.postcarbon.org)

Published by Post Carbon Press  
[www.postcarbonpress.com](http://www.postcarbonpress.com)

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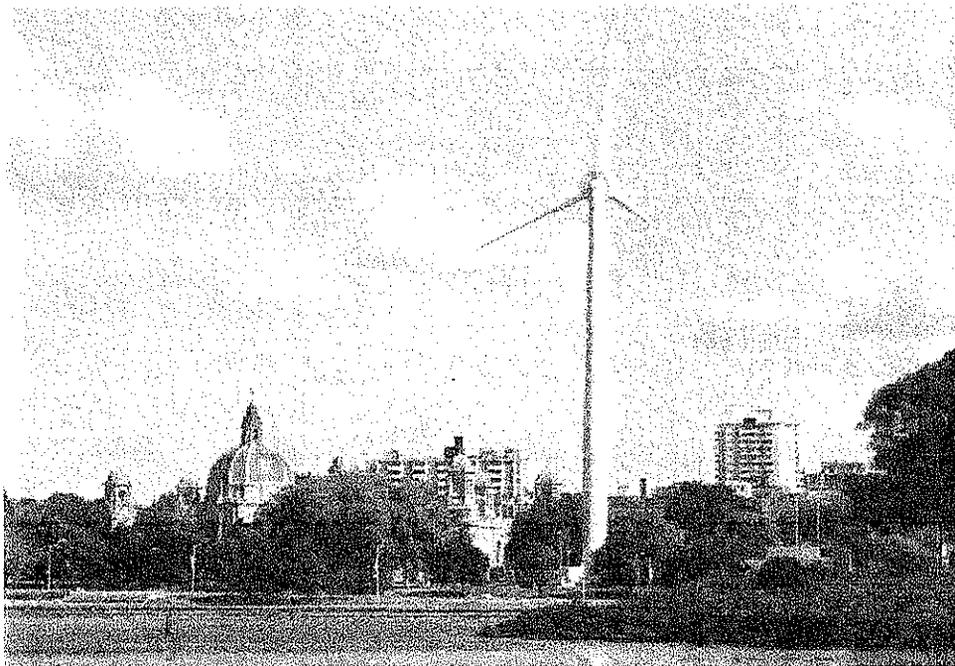
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# Executive Summary



***Post Carbon Cities: Planning for Energy and Climate Uncertainty* provides guidance and support to local government officials and staff for meeting three critical goals: breaking community dependence on oil, stopping community contributions to global warming, and preparing the community to thrive in a time of energy and climate uncertainty.**

The most direct strategy for achieving these goals is to *reduce consumption* and *produce locally*: reduce the community's overall resource consumption, and develop the capacity of local farmers and manufacturers to provide for the community's basic needs. The more your community can get its energy and basic goods from local sources, the less vulnerable it will be to rising and unstable oil prices, and the less it will contribute to climate change.

**Energy and climate uncertainty** Most credible observers now recognize that our global climate faces radical change in the coming decades if we do not take immediate and far-reaching action. Peak oil (the coming high point and subsequent decline of world oil production) is not as widely understood, but presents a similarly complex set of challenges.

Time is short to prepare for peak oil and global warming. At current rates of fossil fuel consumption we will most likely pass peak oil by 2010\*, and we seriously risk widespread, catastrophic climate change if we do not begin dramatically reducing global carbon emissions.†

The key problem posed by both peak oil and global warming is ultimately one of **uncertainty**: these phenomena are creating changes in economies and ecosystems at the global, regional and even local levels that we cannot easily predict. For local governments—responsible for managing local public services, planning for future land use and transportation, and protecting the community's economic and social health—this uncertainty creates a wide variety of risks and vulnerabilities. How will local economies be affected if the price of oil exceeds \$100 a barrel? How will regional climate shifts affect the local water supply? Local government decision makers need to understand and respond to these challenges.

## Executive Summary

**Incentives to act locally** As many southeastern U.S. municipalities discovered after Hurricane Katrina knocked out regional fuel pipelines in 2005, state/provincial and federal government agencies do not have the ability to meet every jurisdiction's resource needs in times of crisis. Local governments, however, have the flexibility, capacity and motivation to address risk management and emergency response needs in ways that higher-level government agencies cannot.

Local governments have strong financial incentives to address peak oil and climate change. Reducing local oil dependence and carbon emissions means pursuing energy-efficient buildings, locally-controlled energy sources, compact transit-oriented land uses, alternative transportation modes and other aims that are energy prudent, and thus ultimately fiscally conservative. When the challenges created by peak oil and climate change are not future risks but present problems, those communities that have prepared will have distinct advantages over those that haven't.

Local governments are well-positioned to address peak oil and climate change because they have influence over three key areas of urban spatial and economic development:

- **Building construction and energy efficiency.** Through zoning codes, building codes and the permitting process, municipalities can encourage building designs that save energy and resources.
- **Local land use and transportation patterns.** Municipal land use and transportation planning decisions directly influence whether people and businesses will have mobility choices that allow them to save energy and money.
- **Local economic activity.** Municipal economic development initiatives are opportunities to encourage development in low-energy, zero-carbon directions, by both incentive and example.

**Four Initial Steps** Over the last fifteen years, hundreds of local governments in the U.S. and Canada have begun systematically reducing their greenhouse gas emissions in response to global warming. And since 2004, when oil prices climbed beyond 15-year highs, a growing number of local and regional government agencies in both countries have begun responding to the threats posed by peak oil.

Drawing from the experiences of these local governments, here are four initial steps that your own city can take to address peak oil and global warming:

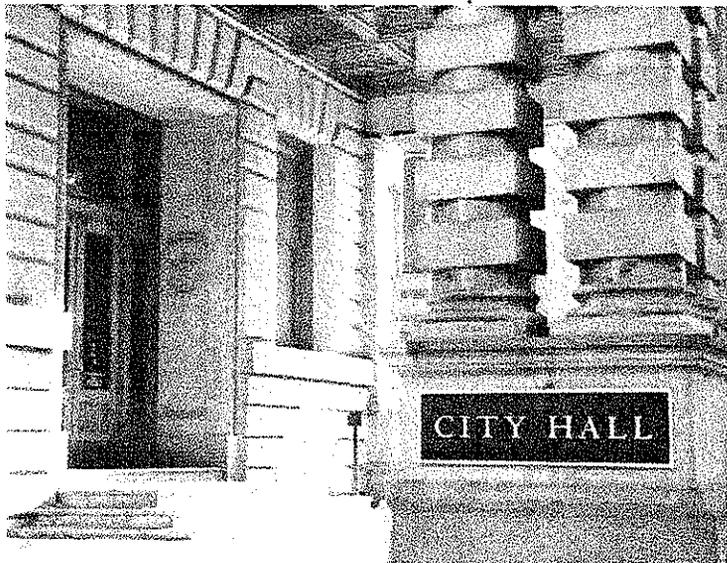
**1: Sign the Mayors Climate Protection Agreement (U.S.) / Endorse the World Mayors and Municipal Leaders Declaration on Climate Change.** For U.S. mayors, signing the Climate Protection Agreement commits your city to greenhouse gas reduction in the absence of federal leadership. Both U.S. and Canadian cities can also contribute to international carbon mitigation efforts by signing the Declaration on Climate Change. See [www.coolmayors.com](http://www.coolmayors.com) and [www.iclei.org/montrealsummit](http://www.iclei.org/montrealsummit).

**2: Join ICLEI's Cities for Climate Protection Campaign** to get your city started on reducing energy use and greenhouse gas emissions, and to connect to the resources and expertise of the leading global movement of local governments working on climate

change. See [www.iclei.org](http://www.iclei.org).

**3: Sign the Oil Depletion Protocol**, which sets a target for reducing oil consumption across your community. Signing the Protocol sends a signal to citizens, business leaders and municipal staff that your city is serious about reducing its energy vulnerability. See [www.oildepletionprotocol.org](http://www.oildepletionprotocol.org).

**4: Establish a Peak Oil Task Force** to quickly identify the challenges and vulnerabilities your community faces as a result of peak oil. A task force is also a valuable way to



introduce community stakeholders to the challenges of energy uncertainty, and engage them in developing a broad-based response. See *Appendix: Establishing a peak oil task force.*

**Five principles for the long term** Integrate these five principles into your local government's decision-making and planning processes to comprehensively address energy and climate uncertainty over the long term:

1. Deal with transportation and land use (or you may as well stop now). Fundamentally rethink your municipality's land use and transportation practices, from building and zoning codes to long-range planning. Make land use and transportation infrastructure decisions with 100-year timeframes. Organize with neighboring jurisdictions to address the land use and transportation challenges of energy and climate uncertainty at a regional level.

2. Tackle private energy consumption. Use the tools you already have to encourage serious energy conservation and efficiency in the private sector. Engage the business community aggressively, challenging your local business leaders to reinvent the local economy for the post-carbon world.

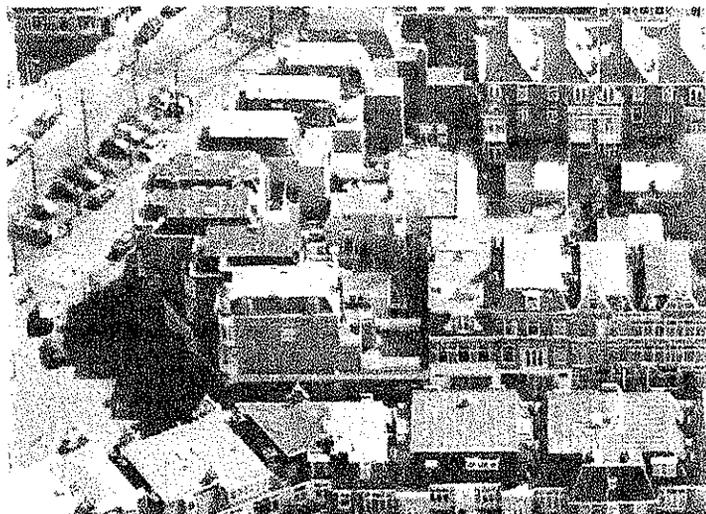
3. Attack the problems piece-by-piece and from many angles. Meet your energy and climate uncertainty response goals with multiple, proven solutions, pursuing many different kinds of solutions at different scales. Enlist the entire community, setting clear community goals and spurring action from all sides to meet them.

4. Plan for fundamental changes... and make fundamental changes happen. Educate and involve your fellow elected officials, staff and community stakeholders about energy and climate uncertainty, challenge them to come up with serious solutions. Lead your city's transition by integrating peak oil and climate change considerations in your own decisions.

5. Build a sense of community. In short, do anything you can to get people talking with each other, forming relationships, and investing themselves in the larger community.

**Join the conversation online** The Post Carbon Cities network is a resource for everyone who works with or for local governments. Our website at [www.postcarboncities.net](http://www.postcarboncities.net) provides news feeds and special features, resources for policymakers and planners, and a forum where elected officials, municipal staff and others can share and discuss their common problems, challenges, best practices and lessons learned.

We welcome your participation in this dialog; we can all learn much more, much faster, by sharing our successes and our failures, building an ever-richer knowledge base. Please visit us online and join the growing movement of municipal leaders who are preparing their communities for the challenges of energy and climate uncertainty.



\* According to an increasing number of petroleum analysts, we seem to be facing an undulating plateau of world oil production from 2007 onward, with permanent decline likely underway by 2010. See page 12.

† In 2006 James Hansen, director of NASA's Goddard Institute for Space Studies, publicly called for immediate, broad-based action to reduce carbon emissions, saying "we have a very brief window of opportunity to deal with climate change...no longer than a decade, at the most."

‡ The ICLEI (International Council for Local Environmental Initiatives) Cities for Climate Protection program works with cities around the world to track and reduce local greenhouse gas emissions. In Canada, this program is implemented for ICLEI by the Federation of Canadian Municipalities as "Partners for Climate Change"; see <http://www.iclei.org>.

# Preface

## What is this guidebook?

*Post Carbon Cities: Planning for Energy and Climate Uncertainty* is a guidebook for local governments on "peak oil" (the moment at which global oil production hits its highest point, followed by a permanent decline) and global warming. It provides a sober look at the challenges that peak oil and global warming are creating for local governments, and explains what local decision-makers can do to address these challenges.

The Guidebook is divided into six sections:

**Section 1 Introduction** describes how peak oil and global warming are creating a new problem of energy and climate uncertainty, and what this means for local governments.

**Section 2 The End of Cheap Oil and Natural Gas** describes the issues surrounding world oil and natural gas production decline, and their implications for both local economies and the global economic system.

**Section 3 Local Challenges, Local Advantages** explores why local governments should be concerned about energy and climate uncertainty, and identifies the advantages that local governments have for addressing the problem.

**Section 4 Responses to Energy and Climate Uncertainty** reviews the experiences of U.S. and Canadian municipalities that have already begun planning for energy and climate uncertainty, and derives "lessons learned" from these actions.

**Section 5 Transitioning to the Post Carbon World** proposes four initial steps that local governments should take to start addressing energy and climate uncertainty, and five principles to guide long-range planning.

The **Appendix** includes guidelines for starting a local task force on peak oil, a special section on systems thinking as a tool for municipalities, and other resources.

## Who should use this guidebook, and why?

*Post Carbon Cities: Planning for Energy and Climate Uncertainty* is written specifically for people who work with and for local governments in the U.S. and Canada: elected officials, managers, planners, engineers, policy analysts, program staff and others. Consultants and concerned citizens will also find this guidebook useful for understanding the issues and responsibilities that municipal leaders face in confronting peak oil and global warming.

This guidebook fills a gap in the resources currently available to local government decision-makers on planning for the changing global energy and climate situations of the 21st century. While many resources exist for community energy planning, energy efficiency and greenhouse gas mitigation, little has yet been written for local governments about the challenge of peak oil and the need to begin adapting to those effects of climate change that are now unavoidable.

## About the Author

Daniel Lerch is Program Manager of Post Carbon Institute's Post Carbon Cities program. He has worked with urban land use and transportation planning issues for over ten years in the public, private and non-profit sectors, and is a co-founder of The City Repair Project, an award-winning non-profit organization working on community public space issues. Mr. Lerch has a Bachelor of Arts in Urban Studies from Rutgers University in New Jersey and a Master of Urban Studies from Portland State University in Oregon.

## Post Carbon Cities program

Post Carbon Cities is a program of Post Carbon Institute. Post Carbon Cities helps local governments understand the challenges posed by peak oil and climate change, and provides resources for elected officials, planners, managers and others to develop plans and responses appropriate to their communities. The Post Carbon Cities website, [www.postcarboncities.net](http://www.postcarboncities.net), is a forum for news, discussion, policy tools and other resources related to local government actions on peak oil and global warming. Please visit us online and join this growing movement of cities developing effective local responses to energy and climate uncertainty.

# Preface

*Post Carbon Institute*

## About Post Carbon Institute

Post Carbon Institute ([www.postcarbon.org](http://www.postcarbon.org)) helps communities everywhere understand and respond to the challenges of fossil fuel depletion and climate change. We conduct research, develop resources and assist groups and individuals who are leading their communities in making a smooth transition to a world that is no longer dependent on hydrocarbon fuels nor emitting climate-changing levels of carbon: the post-carbon world.

Post Carbon Institute is headquartered in Sebastopol, California with offices in Washington, D.C.; Portland, Oregon; Vancouver, British Columbia; and Queensland in Australia. Our advisors and fellows include some of the world's foremost experts on energy resource depletion and sustainability.

### **Founder and President**

Julian Darley

### **Executive Director**

Celine Rich

### **Fellows and Advisors**

Jason Bradford, *Co-founder, Willits Economic Localization, Willits, California, USA*

Colin Campbell, *Founder, Association for the Study of Peak Oil and Natural Gas, Ballydehob, Ireland*

Julian Darley, *Author, High Noon for Natural Gas, Sebastopol, California, USA*

Richard Douthwaite, *Founder, Foundation for the Economics of Sustainability (FEASTA), Dublin, Ireland*

David Fridley, *Staff Scientist, Lawrence Berkeley National Laboratory, Berkeley, California, USA*

Richard Heinberg, *Author, Powerdown and The Party's Over, California, USA*

Dave Hughes, *Petroleum Geologist, Geological Survey of Canada, Calgary, Alberta, Canada*

James Kunstler, *Author, The Long Emergency and The Geography of Nowhere, New York, USA*

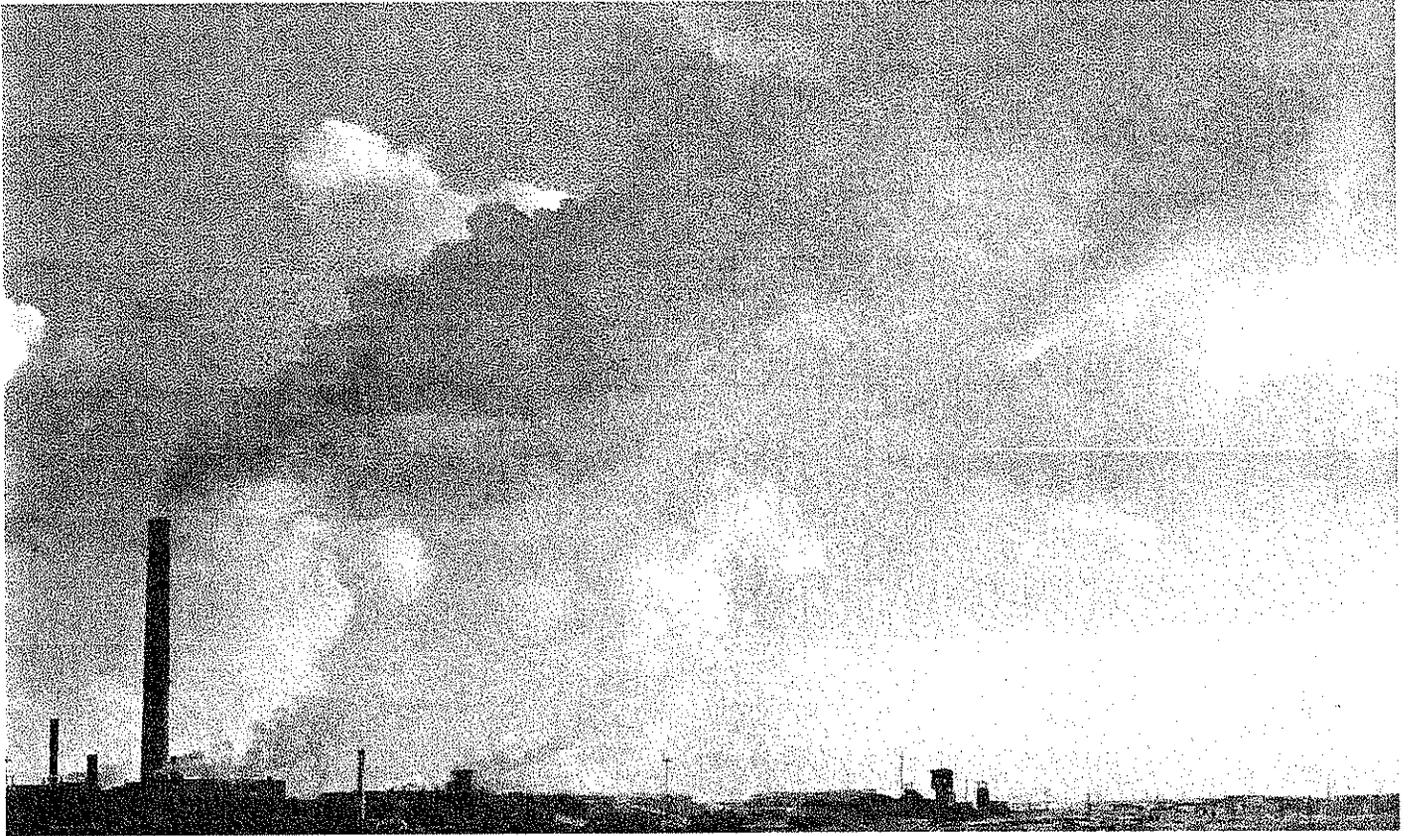
Jeremy Leggett, *CEO, Solarcentury, London, UK*

William Rees, *Professor, University of British Columbia, Vancouver, British Columbia, Canada*

Hermann Scheer, *Member of the German Bundestag and President, Eurosolar, Berlin, Germany*

Ed Schreyer, *former Governor General of Canada (1979-1984), Manitoba, Canada*

# 1. Introduction



 **The new challenge of uncertainty** Over just the last few years, major government, business and community leaders in the United States and Canada have been changing their expectations about the future of energy and the environment.

Most credible observers now recognize that our global energy supply and our global climate face radical change in the coming decades if we do not radically change the way our industrialized economies consume energy. Global warming is widely accepted as a serious problem needing immediate and far-reaching action. Peak oil—the coming decline of global oil production—is not as widely understood, but presents a similarly complex set of challenges.

The problem posed by peak oil and global warming is ultimately one of *uncertainty*: both phenomena are creating changes in economies and ecosystems at the global, regional and even local levels that we cannot easily predict. For local governments—responsible for managing local public services and planning for future land use and transportation—this new uncertainty creates a wide variety of risks and vulnerabilities. How will local jobs be affected if the price of oil hits \$100 a barrel? How will regional climate shifts affect the local water supply? Local governments need to understand and respond to these challenges.

This section will:

- introduce the issues of peak oil and global warming,
- describe how these phenomena are creating uncertainty about our energy supplies and climate, and
- explain the urgency for local governments to address this pressing problem.

**One thing is clear: the era of easy oil is over... [M]any of the world's oil and gas fields are maturing. And new energy discoveries are mainly occurring in places where resources are difficult to extract, physically, economically, and even politically.**

— From Chevron's "Will You Join Us?" advertising campaign, February 2006

**...[W]e have at most ten years – not ten years to decide upon action, but ten years to alter fundamentally the trajectory of global greenhouse emissions.**

— James Hansen, Director, NASA Goddard Institute for Space Studies, "The Threat to the Planet," New York Review of Books, 13 July 2006

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**The days of inexpensive, convenient, abundant energy resources are quickly drawing to a close.**

—Donald Fournier and Eileen Westervelt, US Army Corps of Engineers, “Energy Trends and Their Implications for U.S. Army Installations”, Sept. 2005

**...[E]nergy is the albatross of U.S. national security...[T]here is not a full appreciation of our economic vulnerability...**

—Sen. Richard G. Lugar (R-IN), address to the Brookings Institution, 13 March 2006



### Peak oil and energy uncertainty

#### A changing world

The fundamental factors of world oil supply and demand are changing. Global demand for oil is rising as the less-developed world—led by China and India—rapidly industrializes, and the developed world continues to grow. The giant oil fields of the 20th century are declining, however, and oil discoveries have been declining since the mid-1960s. Major oil companies like Chevron admit that much of the most-easily accessible oil has already been extracted, making oil production increasingly dependent on significant and expensive changes in production methods.<sup>1</sup>

World oil production is also becoming increasingly concentrated in countries at risk of instability and countries that are rivals to Western economic interests; Saudi Arabia, Russia, China, Iran and Venezuela together account for nearly 35% of world production. Oil and natural gas are powerful political tools that producer countries like Russia and Iran have increasingly proven willing to use, or threaten to use, to further their own interests.

The responses to these changes vary widely. Some scientists and advocates focus on an impending peak of world oil production when oil companies will no longer be able to increase production to meet demand. Some political leaders, especially in the U.S., take an “energy security” approach focusing on how foreign oil dependence creates worrisome economic and military vulnerabilities. Still others maintain that there is no near-term problem, and that we can rely on market forces to develop substitutes for oil, better oil production technology, and more oil-efficient products.

Experts may disagree on what these changes mean and how we should respond to them, but it’s important to note that nearly everyone agrees on at least two things: fundamental changes in global oil supply and demand are *real* and are happening *now*.

One of the main problems arising from these changes in global oil supply and demand is the potential for higher and more volatile oil prices. As a recent report for the U.S. Department of Energy noted,

*...a shortfall of oil supplies caused by world conventional oil production peaking will sharply increase oil prices and oil price volatility. As oil peaking is approached, relatively minor events will likely have more pronounced impacts on oil prices and futures markets.<sup>2</sup>*

“Oil peaking”—or “peak oil”—refers to the point at which total global oil production cannot grow any further and begins to decline, an event that an increasing number of petroleum analysts predict happening by 2010. Ultimately, knowing the exact date is not critical. What matters is that oil prices will become volatile and progressively higher when demand increases and supply can’t keep up.

#### A big problem

None of this would be a real concern if the commodity in question were soybeans or pork bellies: demand and supply would find a new equilibrium without fundamentally threatening the global economy. Oil, however, is unlike any other commodity in three important ways.

First, oil is absolutely essential to the most basic functions of the industrialized world. Oil is the key raw material for gasoline, diesel, jet fuel, home heating oil, industrial oils, many chemicals and most plastics. Many industries are extremely dependent on oil in multiple forms; for example, the modern global food production and distribution system uses oil as a fuel for farming and transporting, and as a raw material for agrichemicals and packaging plastics. Instability in oil supply and price has serious potential consequences for virtually all sectors of the global economy, particularly transportation, agriculture and manufacturing.

**The ready and cheap supply of oil and natural gas is currently as presupposed and essential to our economy as the supply of potable water is to our communities.**

Second, there are currently no viable substitutes for oil at current rates of consumption. Oil is unlike any other raw material on earth in its "embodied" energy and practical applications. Although alternatives to oil do exist for many of its uses, whether as a transportable fuel (biofuels, fuel cells) or as a raw material (cellulosic plastics, biopesticides), these are generally vastly inferior to oil as resources for these applications. The logistical difficulty of shifting to oil substitutes is so great that even the European Union, which has pursued alternatives to oil use far more aggressively than the U.S. and Canada, has been able to set only a modest goal of increasing the biofuel share of all its transport fuels to 5.75% by 2010.

Finally, and most importantly, our entire economic system is built on the assumption that oil will always be readily available at affordable prices. The modern world's complex inter-firm and inter-governmental economic relationships, made up of movements of raw materials and goods across the globe, very much depend on the price and availability of oil being relatively predictable. If the price of oil becomes very high or very volatile or both, the globalized economy as a whole will face fundamental challenges.

The threat of global oil supply not meeting demand (whether or not it's referred to as "peak oil") is already creating change and uncertainty in diverse sectors of the global economy—for example, meat prices are rising because corn crops are being diverted to ethanol production<sup>3</sup>. At a broader scale, the threat of serious oil price volatility means our past assumptions about energy supplies and prices no longer hold. Throughout this guidebook, we'll refer to these peak oil-induced uncertainties in the global economy as "energy uncertainty."

**Global warming and climate uncertainty** At the 1992 UN "Earth Summit" in Rio de Janeiro, most of the world's governments agreed that global warming was a real and serious problem for all of humanity. It took fifteen years of politically-charged debate and half-hearted measures, however, before a critical mass of trans-national corporations and Western government, business and media leaders finally accepted the need to take serious and immediate action against greenhouse gas emissions<sup>4</sup>.

Although there is agreement that global warming has serious environmental, economic and social ramifications, there is still disagreement on what exactly will happen, when it will happen and what the specific regional and local effects will be. How will global warming shift regional growing seasons and water supplies? How likely is that major climate functions like the Gulf Stream will be fundamentally altered, and what impact will that have on our cities and economies? Is there a tipping point of carbon dioxide levels that, once reached, will trigger "runaway" climate change?

Whereas peak oil and its effects have the potential to set off massive global economic disruption, global warming and its effects have the potential to set off massive global ecological disruption—which will then affect the global economy. Throughout this guidebook, we'll refer to these global warming-induced uncertainties about the environment and the economy as "climate uncertainty."

**A job for government** In the U.S. and Canada, it's generally accepted—at least in theory—that government should play a role where market forces cannot be expected (or trusted) to achieve fair and acceptable results for the common good. We expect our governments to ensure that basic services like utilities, schools and police protection are



**Oil (and natural gas) are the essential components in the fertilizer on which world agriculture depends; oil makes it possible to transport food to the totally non-self-sufficient megacities of the world. Oil also provides the plastics and chemicals that are the bricks and mortar of contemporary civilization...**

— Daniel Yergin, *The Prize: The Epic Quest for Oil, Money, and Power*. 1991

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**...[T]o ignore the fact of Peak Oil and 'let the markets decide' is naive at best and disastrous at worst. Human history is replete with examples of mismanagement of resources when left in the hands of the free markets.**

Eric Sprott & Sasha Solunac. Sprott Asset Management, National Post (Toronto), 2 Nov. 2005

available universally, and not just to the highest bidders. We also expect our governments to safeguard, to some extent, the environment and the economy: we regulate pollution and break up monopolies.

Global warming and peak oil are problems that market forces alone cannot solve in the most desirable ways for the common good. Markets respond to price signals—but mitigating the causes and preparing for the effects of global warming and peak oil takes years of broad, concerted effort. If we wait for price signals to start planning, it will be too late, and our economies and communities (and certainly the environment) will suffer.

Looking at the vulnerabilities created by peak oil and global warming, we must weigh the certain costs of acting against the potential costs of not acting. According to a growing number of analysts in both the public and private sectors, the risks of not addressing these vulnerabilities are economically and socially so great that it is in the interest of society that governments act now.

 **A job for municipalities** Kathleen Leotta, Lead Transportation Planner with the multinational planning and engineering firm Parsons Brinckerhoff, researches how oil supply disruptions affect transportation systems, and what transportation management strategies have worked best in such scenarios. In studying the shutdown of oil pipelines in North Carolina following Hurricane Katrina in 2005, she found that many municipalities were left to fend for themselves when their oil stopped flowing:

*A huge amount of their motor fuels was cut off; they didn't seem to quite realize how much of their finished fuels came through the pipelines. The state held the largest stockpiles of fuel, and when all the municipalities came to them to ask if they could give them some of their fuel, they said they couldn't because they didn't have enough for their own vehicles and fleets.*

*It's really the case that municipalities need to start thinking about some of these things on their own.<sup>6</sup>*

Natural disasters are unusual and extreme events, but this story nevertheless has a valuable lesson for local government leaders: Know your municipality's vulnerabilities, because there isn't necessarily anyone else thinking about them.

Identifying and mitigating community vulnerabilities is one of the more important—if often unwritten—expectations we have of our local governments. Unfortunately, as with many other undertakings that aren't immediate or regular priorities, local governments often don't have the resources to address such vulnerabilities except in times of crisis, when it's too late to prepare.

Preparing for energy and climate uncertainty is much different than preparing for a hurricane, of course. In 2006, many municipalities saw first-hand how spikes in global oil prices directly and immediately impacted their core responsibilities when quickly rising asphalt prices caused street maintenance costs in many municipalities to double or even triple over 2005 (see Box 5, page 26). Changes in a fundamental economic factor like the price of oil—or a fundamental environmental factor like average temperatures—can have unexpected system effects that are difficult to predict.

**Know your municipality's vulnerabilities, because there isn't necessarily anyone else thinking about them.**

**Identifying and mitigating community vulnerabilities is probably one of the more important—if often unwritten—expectations we have of our local governments.**

Oil and energy prices affect just about everything a local governments can do, from providing basic services like public works and emergency response to long-range land use and transportation planning. The local effects of climate change are more difficult to predict, but they generally threaten many of the basic "ecological goods and services" that cities depend on, such as water supplies and favorable agricultural conditions. Prudent governments will want to identify their local vulnerabilities as early as possible and address them carefully and comprehensively.

 **Planning for energy and climate uncertainty** We haven't really needed to think about fundamental energy issues since the oil crises of the 1970s because the global system of oil production and distribution has largely ensured the availability of oil at relatively affordable prices. As a municipal leader, this has meant that you could do everything you needed to do—from updating the annual operating budget to getting multi-million dollar transportation projects into the federal funding process—without needing to consider the price or availability of energy in your community as a significant variable.

**The challenge for municipalities is not to predict the future, but to approach the future with the right tools and the right information.**

How, then, do we plan municipal budgets and activities when nobody knows if the price of oil will steadily increase by 100% over the next five years, or spike next month for just a week, or stay right where it is for a decade? How do we plan for the local effects of climate change when they could very well range from relatively manageable to catastrophic? Any particular ten-year scenario of energy and climate trends will have unique implications for municipal responsibilities, and planning for the wrong scenario could be much more expensive than not planning at all.

As we'll explore throughout this Guidebook, the challenge for municipalities is not to predict the future, but to approach the future with the right tools and the right information. While most municipalities share some basic oil and gas vulnerabilities—such as in fuel for operating city vehicles and heating city buildings—the exact response that any one municipality undertakes will be unique because the context within which each municipality operates is unique. For this reason, we've focused the body of the Guidebook on general issues and process guidelines, instead of suggesting a one-size-fits-all response program or risk assessment template.

 **Urgency to act** Time is short to prepare for peak oil and global warming. At current rates of fossil fuel consumption we will likely pass the peak of global oil production by 2020 (some analysts believe we have passed it already), and we seriously risk triggering catastrophic climate change if we do not start significantly reducing carbon emissions in the next ten years<sup>7</sup>. Local governments around the world need to act quickly and decisively.

Planetizen.com, the largest online network of city planners in the United States, named "Peak Oil and Planning for Alternative Energy" one of the Top Ten Planning Issues of 2005. It's important for municipalities to address both peak oil and global warming, not only to prepare their communities for an uncertain future but also to stay competitive with other municipalities and regions competing for firms and households. Those communities that manage these challenges successfully will have an advantage over those that don't.

Dealing with local dependencies on oil and natural gas—two of the most important materials to modern society, and simultaneously the most damaging to the climate—can be an extremely challenging and at times overwhelming task for local government leaders, both as public servants and as private citizens. Local communities can be extremely resilient, however, and time and again prove they are able to manage disruptive change. It's our hope that this Guidebook will help your community navigate these challenges as smoothly as possible.

## Making a government statement on peak oil

*This section will help you (a municipal elected official or staff member) develop a way for your local government to make an official statement on peak oil that is appropriate to your local context.*

A good way for a community to start engaging the challenges of peak oil is for the local government to officially recognize the problem in some way. This may be as simple as an internal staff report, as public as a special Town Hall meeting, or as high-profile as a City Council establishing a study commission.

A municipal statement gives a sense of direction, legitimacy and momentum to what could otherwise be an unfocused and contentious policymaking process. Such a statement can serve two goals:

- **Raising awareness**

Most citizens and businesses are aware that there is some connection between world events and the prices they pay for energy, but few pay close attention to the details of global oil supply and demand. Official municipal recognition of peak oil and energy uncertainty alerts the community to the fact that the issues even exist. The more households and businesses know about their community's oil and natural gas vulnerabilities, the more they will understand local government efforts to address them, and the better they will be able to mitigate community vulnerabilities privately.

Local officials and staff in particular need to be made aware of energy uncertainty, and encouraged to think creatively about what it may mean for the municipal functions they are responsible for. You might consider holding a special staff presentation or workshop on the topic. The depth and success of the city's response to energy uncertainty will largely depend on the support the effort has from managers and staff.

- **Getting the ball rolling**

Having some official acknowledgement of peak oil gives it legitimacy as an issue requiring municipal attention. It also sends municipal officials, staff and community members an important signal of support, enabling them to confidently begin working on this potentially controversial issue. This signal is especially important for staff in smaller jurisdictions, as limited resources often mean that non-immediate needs like long-term planning, forecasting and risk management won't get much attention without a clear indication of support from officials.

Here are two examples of what some municipalities have done to make a statement on peak oil:

- **Resolution**

A resolution passed by the elected body sends a strong message to both staff and the community about the seriousness of the peak oil problem. A resolution can also formally set a direction for municipal response.

- On April 28, 2006, the City of San Francisco passed a resolution recognizing the "critical" importance of affordable petroleum to the economy. It explicitly acknowledged the "unprecedented challenges of Peak Oil," and supported a city-wide assessment "with the aim of developing a comprehensive plan of action and response to Peak Oil." It also urged the Mayor to fund and direct the plan's development. (See *Box 14*.)
- On July 20, 2006, the City of Bloomington (Indiana) passed a resolution recognizing the "severe impact" petroleum scarcity would have on the economy. Among its statements are that the City Council:
  - "acknowledges the unprecedented challenge of peak global petroleum production,"
  - "recognizes that the City of Bloomington must prepare for the inevitability of oil peak, and encourages the community to become better informed on energy-related matters."
  - "supports adoption of a global depletion protocol," and
  - "directs the City Clerk to distribute this Resolution to [Indiana's state and Federal elected officials], and urges them to take action on the impending peak in petroleum production and prepare for its consequences."

See [www.postcarboncities.net/node/180](http://www.postcarboncities.net/node/180).

- **Report or White Paper**

An internal report or policy paper can quickly establish a basis for addressing energy uncertainty, and open space for further and more in-depth study and assessment:

- At the City of Burnaby (British Columbia), a January 2006 report on energy supply has helped raise awareness about the issue internally and has been used to provide back-

**I would say that most city planners are aware of our energy predicament. The biggest hurdle facing the city planners is that they're so swamped with the day-to-day workload... it's really hard for them to put aside enough time to devote to thinking about how they're going to handle new trends in city design...**

**I'm in a really lucky position right now. Our city is progressive-thinking, and our City Council is very supportive; they've given me some support and direction to work on [energy independence]... We have a very limited budget so they can't commit huge amounts of time and money, but they're not afraid to take a position on it.**

– Alan Falleri, Director of Community Development, City of Willits, California

## APPENDIX

ground on certain City Council decisions, such as the promotion of bicycling infrastructure and opposition to freeway widening.  
Available at <http://www.postcarboncities.net/node/164>.

- The City of Hamilton (Ontario), commissioned a report to broadly consider how the municipality might approach future energy constraints. The April 2006 report proposed specific goals and opportunities for energy use and production, and has given city officials a useful framework for bringing together programs on energy, air quality and carbon mitigation initiatives.  
Available at <http://www.postcarboncities.net/node/267>.
- At Metro, the regional government of the Portland (Oregon) metropolitan area, an April 2006 policy white paper on future "oil supply uncertainty" related this issue to specific Metro responsibilities, establishing a basis for further assessment and future responses. Metro Council's acceptance of the white paper got the issue favorable coverage on the front page of the daily business newspaper.  
Available at <http://www.metro-region.org/article.cfm?ArticleID=18951>

See [www.postcarboncities.net/resources](http://www.postcarboncities.net/resources) for a regularly-updated collection of local government resolutions, ordinances and reports related to energy uncertainty.

## Establishing a peak oil task force

*This section will help you (a municipal elected official or staff member) develop a volunteer-based task force to inquire into the vulnerabilities your community faces in peak oil, and to develop recommendations for response actions.*

A peak oil task force investigates the ways in which your community is dependent on oil and natural gas.

Mapping this dependency can be surprisingly difficult task; it requires more than just a list of all the ways oil is used in the community (see *Systems Thinking: A Tool for Municipalities* on page 79 for an in-depth discussion of identifying vulnerabilities in complex systems). This process can be complicated if you don't have a clearly-defined structure, process and goal to guide your inquiry.

Below are some suggestions for organizing and running a peak oil task force, based on the experiences of the cities discussed in Section 4.1. The actual scope and structure of your inquiry, however, will depend on the size of your community, the available resources and your ultimate goals.

### Organizing the task force

#### **Recruit the right members and staff**

When the City of Portland set up its Peak Oil Task Force in 2006, the City's Office of Sustainable Development used an interview and referral process to ensure they were selecting people who knew their fields and knew how to work effectively in a collaborative group process. The Portland task force also benefited greatly from having a few City staff on hand to assist the process and assemble technical data, allowing members to concentrate on interviewing experts, researching impacts and digesting information.

There can be problems with volunteer task forces, however, including lack of clear direction, disruptive volunteers, and lack of time. While the organization and execution of any special inquiry must be done with care, municipalities should be especially mindful when undertaking volunteer-staffed inquiries to avoid wasting people's time.

#### **—TIP: Involve key staff and influential community members in discussions right from the start.**

Don't just rely on interested volunteers: recruit the editor of a local newspaper, the owner of an important local company, and the leader of a local religious or minority community. In addition to your own municipality's staff, consider involving key staff from neighboring or overlapping jurisdictions. The right mix of leaders, advocates and staff will add expertise, open doors and increase the credibility of your task force.

#### **Define the problem**

If you plan to launch a peak oil task force you will need a clear problem statement. Otherwise, it's easy for the people working on it to end up thinking about the problem in divergent ways, or to get too caught up in details.

Municipalities need to address peak oil and energy uncertainty in ways appropriate to unique local needs, resources and context. For example, one community may see peak oil as a threat to affordable gasoline; another may see it as a broad threat to their regional economic competitiveness; and yet another may need to focus all its attention on urgent electricity or heating and cooling needs. Whatever the objective, a clear, documented statement of the problem or objective will keep participants focused.

#### **Define the process and the goals**

Once you've defined the problem, you need to get everyone together on the process. Announcing the start of an organized process is an opportunity to tell staff and community members how they can contribute and toward what end. Are you undertaking a comprehensive, community-wide energy assessment, or developing an oil price shock contingency plan? Will your community want a long-term initiative to develop sustainability across all sectors, or is there only support for an ad hoc committee to find potential cost savings in energy diversification?

#### **Structuring the inquiry**

As mentioned above, the way you define the problem will help guide how the task force approaches it. In the same fashion, the way the task force structures its inquiry will define what kinds of information it will find and what conclusions it will reach. Thus it's very important to structure the inquiry with its end product in mind. For example:

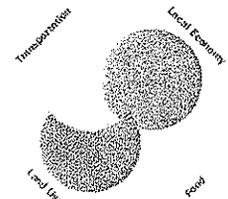
**The first thing is to take stock. What kind of dependency do we have on the importation of materials and energy for the community, and what can we do locally—what can we do to relocalize?**

- Councilmember Dave Rollo, City of Bloomington, Indiana

- **Departmental inquiry.** Are you only interested in identifying potential fiscal vulnerabilities of official municipal responsibilities? Then you may want to organize an internal assessment divided by department, with a focus on potential cost scenarios and clear roles for managers and staff to drive the process.



- **Sectoral inquiry.** Are you interested in general vulnerabilities of the entire community? Then you may want to establish a volunteer citizens commission and divide your assessment into broad areas like "Transportation," "Local Economy," and "Food." You'll need to carefully consider how to deal with challenges like overlapping data, and structure the inquiry in such a way that you don't get overwhelmed with information from the volunteer committees.



There are many different ways you can structure the inquiry. Risk analysts in the insurance industry use categorized checklists to identify vulnerabilities in well-understood conditions. On the other hand, a "blank slate" approach that uses brainstorming, expert interviews and multiple discussion rounds may be more appropriate for situations where there are more unknowns.

Identify crucial information needs early so you can structure your inquiry in the most useful way. If your community has one major employer, or is extremely dependent on one kind of trade or one mode of transportation, you will want to plan extra time for investigating the vulnerabilities that may affect such key points.

Be sure to enlist the help of the people who know your community and its economy intimately: agency managers and staff, business owners, community leaders, professors and researchers from a local college, etc. Whether as committee members or as interview subjects, nobody knows the specific challenges that volatile oil and gas prices may present to different sectors better than the people who work with them on a daily basis.

—**TIP: Have a clear structure for your assessment.**

Are you dividing up areas of inquiry into sectors like land use, food and economy, or by municipal responsibilities like emergency services, planning and public finance? How are you dealing with issues that fall into multiple categories? How are you differentiating between immediate needs and long-term needs?

—**TIP: Keep scoping, analysis, and solutions separate.**

It's easy to start talking about impacts, risks and potential responses all at the same time. Make sure you're not talking about possible responses until you've actually identified your community's most important vulnerabilities.

## Running the inquiry

### Start big

Before you begin asking detailed questions you should first collect basic supply and demand information from a "high altitude." You'll need this information to understand how the potential impacts of energy uncertainty will specifically affect your community. How are oil, motor fuels and natural gas delivered to your area? What agency or corporation operates the delivery infrastructure? If there is a shortage, who gets cut off first? What and who are the biggest users of oil and gas in your community?

Then move on to the most basic functions in your community: How does your food get there? Where is your main water supply? Where does your electricity come from and who controls the transmission infrastructure? What are the main industries in your community? As you collect information you may find you need to adjust the structure of your inquiry: for example, instead of one committee looking broadly at the local economy it may make more sense to split the effort between the traded sector (export-oriented) and non-traded sector (local market-oriented).

—**TIP: Identify key questions and information needs early.**

Is your local economy centered on a key industry? Talk to a representative business leader and learn what *their* vulnerabilities might be. Is your community expecting a lot of growth and new construction? Find out how current regulations are shaping the land use and transportation patterns that new development will produce.

## Be comprehensive

The more wide-ranging your inquiry is, the better chance you'll have of capturing all the possible vulnerabilities that may affect your community. Identify the main influences on local economic, land use and transportation patterns. Don't think immediately in terms of oil and natural gas—oil and gas affect just about everything, so if you focus too narrowly at the outset, you may well miss an important vulnerability later on that at first didn't seem to have anything to do with oil or gas. Look especially to basic systems like water, sewer and emergency services.

## Follow leads

As you develop a broad picture of your community's reliance on oil and natural gas, you can gradually determine where best to focus your assessment efforts. You may also come across intriguing information that points to unsuspected vulnerabilities. Take the time to look (if only briefly) into these tangents to see if they warrant further investigation: a key part of uncovering how a complex system works is following the leads that take us to something we didn't see before.

—**TIP: Avoid getting sidetracked.** Since oil and natural gas affect everything from the structure of the global economy to the way we go about our daily lives, it's easy to get sidetracked on details and "potluck conversation." Save discussions about the geopolitics of oil or the intricacies of plastics manufacturing for after the meeting, and keep your assessment focused on the impacts and vulnerabilities specific to your community.

## Analyzing vulnerabilities

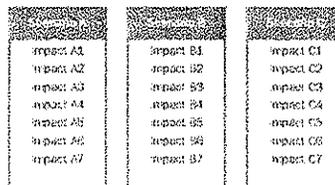
The goal of this step is to have the information from your inquiry digested and organized enough so that people can start making informed, grounded decisions about responses. In other words, you're not trying to uncover every vulnerability in your community, but rather you're trying to paint a clear enough picture of impacts and their potential ramifications so that leaders of agencies, departments, businesses, and neighborhoods have a basis for thinking through their own vulnerabilities and possible responses. Concentrate on the systems and the relationships.

To get the information to that useable point there are three kinds of analysis that are helpful: *digging in* to what you've collected so you can identify more specific vulnerabilities; *categorizing* vulnerabilities so that you can organize them in a way that is more in line with how you may actually respond to them; and *ranking* your vulnerabilities to indicate possible priorities for action. Again, depending on the structure and goals of your overall effort, there are different ways you might approach this step and different methods you may choose. The important thing is to process the information from your inquiry to make it as useful as possible and to ensure that it accurately and thoroughly describes your community's situation.

## Digging in

It's easy to predict that higher oil prices will impact people's ability to drive, or that higher natural gas prices will impact people's ability to heat their homes—but how do we dig deeper to be sure we're developing a comprehensive picture of our vulnerabilities? There are many methods available for assessing the implications of risk and uncertainty, and we can use different methods to learn different things. Let's look at two methods that will give us different but useful results: (1) thinking through general impacts of different scenarios, and (2) thinking through the different levels of impact on one sector:

- **Scenarios.** The problem at hand is oil and gas price volatility and increases, so to capture an appropriately wide range of possible impacts it can be helpful to imagine different scenarios of oil price and supply. "What challenges might the community face if the price of oil gradually rose to \$100 per barrel over the following year? How might those challenges be different if oil prices jumped erratically between \$50 and \$200 over the next ten years? What would happen if there was a natural gas shortage in February?" Then you can think about how the actors, functions and systems you identified in your inquiry might respond.



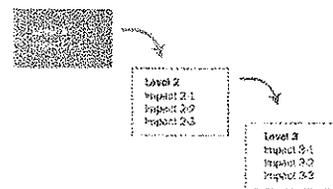
You can run a bowling ball across the entire city [of Canby], so there are no advantages of putting a big water tank up on a hill. To have pressure in that town you have to run pumps.

So even in a place where you'd think water is never going to be a problem, well guess what – even if we have water coming out of our ears I can't get it to anybody's house if I don't have electricity to pump it.

– Michael Jordan, COO, Metro regional government, Portland, Oregon (former City Manager, Canby, Oregon).

# APPENDIX

- **Levels of impact.** With this approach you focus on an issue, such as "emergency health care," and a general scenario, such as "significantly higher oil prices within the next few years." Then within that scenario, you list the things in your issue of focus that would be most immediately affected, and then think through how those first-level effects would cascade down to second, third and further levels.



For example, taking "emergency health care" as your topic, you might identify:

- First-level impacts on transportation costs, which then create...
- Second-level impacts on transport of patients, commuting costs of medical specialists, and delivery of materials, which then create...
- Third-level impacts on timely treatment of patients, ability to retain medical specialists at remote institutions, costs of providing care, and so on...

### **Categorizing**

Toward the end of your inquiry and initial analyses, you will have a big list of potential vulnerabilities covering many different kinds of issues and functions. Even if you had researched impacts by sector, department, or some other division, you may decide to categorize (or add a layer of categorization on to) these vulnerabilities for final analyses and later discussions for possible responses.

The right set of categories can be particularly useful for delineating who will be responsible for developing and implementing responses to these vulnerabilities. For example, you may combine vulnerabilities from "Transportation", "Food" and "Emergency Services" and recategorize them primarily as "local issues," "regional issues," and "national issues," or "short-term," "medium-term" and "long-term." A good practice from the risk assessment field is to categorize risks by the way in which they will ultimately be addressed (for example, by the responsible department).

### **Ranking**

As you develop the picture of potential impacts and vulnerabilities, you'll recognize that some are more probable than others, and some are potentially more serious than others. A common approach for ranking risks is to identify both the potential effect (magnitude) and likelihood (probability) of each risk.

The Portland Peak Oil Task Force sub-group on transportation and land use used this method, starting with a list of potential impacts:

- 1) There will be an increase in car sharing and carpooling.
  - 2) There will be a reduced demand for parking, freeing up land for other uses.
  - 3) There will be an increased demand for compressed work week, telecommuting, etc.
  - 4) There will be shorter, fewer car trips.
- etc.

They then ranked these potential impacts in a matrix by likelihood of occurrence and potential magnitude of effect:

LIKELIHOOD	EFFECT		
	Major	Significant	Minor
High	4, 5, 10	2, 14, 18, 20	1, 7
50-50	9, 19	16	3, 8, 17
Low	15	6, 13	11, 12

Thus the committee felt that impact #3, "There will be an increased demand for compressed work week, telecommuting, etc.," had a 50-50 chance of happening, but would have a minor impact on the city. In contrast they felt that impact #4, "There will be shorter, fewer car trips," both highly probably and would have a major impact on the city (i.e., in the local economy).

Ranking can be a useful way to sort through a large number of ideas from a brainstorm to pick out the most significant issues. It can also be helpful for identifying the kinds of impacts that may call for further inquiry, perhaps with a scenario approach or level-of-impact approach as above.

### Developing Conclusions

Once you've identified and ranked your community's vulnerabilities, develop responses to these vulnerabilities as action points for the community and the local government. Don't get sidetracked: refer back to the task force's initial charge, and develop your responses to address the original problem statement. Also, be sure to keep the big picture in mind. Don't develop a recommendation that makes sense for one particular sector or application, only to find that it would be premature, ineffective or even counterproductive from a broader system perspective.

Below are four guidelines for developing useful responses to you community's peak oil vulnerabilities. You will also find ideas in following the "five principles" for local government responses to energy and climate change listed in *Section 5.3 What your city can do*.

#### 1. Start simple

When the Willits (California) Energy Committee was discussing energy vulnerability responses for their first recommendations to City Council, they set a guideline to only consider options that were proven and immediately available: no relying on future technological developments, no complicated strategies, no overly expensive investments.

Energy consultants often advise clients to first find energy cost savings with the "low-hanging fruit." This often means doing relatively easy energy efficiency initiatives, but it can also mean looking through existing policies and programs for relatively easy adjustments that, collectively, will significantly reduce overall peak oil vulnerability. With creative approaches, such as allocating funds saved through new efficiencies to investments in more efficient technologies, easy initial steps can produce big returns over the long term.

#### 2. Keep it appropriate

The recommendations of your task force need to be appropriate for the people who will be acting on them. Focus on recommendations that move specific processes forward, rather than broad mandates that require significant organizational and political momentum.

For example, a recommendation like "Build an inter-city rail system for the region" is not very useful on its own, as such big decisions are made through complex processes of regional transportation planning and investment that take decades, and involve thousands of stakeholders across multiple jurisdictions. A more process-oriented recommendation like, "Study the feasibility of developing high-quality public transit service that connects cities in the region," would likely be more useful.

#### 3. Keep it broad

A short-term initiative that encourages people to drive less is a good, basic response to energy uncertainty: it spurs people to consciously reduce their dependence on oil. A long-term policy that encourages urban development in transit-friendly regional centers, and less development in outlying rural areas, is a better response: it creates land use patterns that make it easy for people to reduce their dependence on oil while also protecting regional farmland. Avoid "silo" and quick fix solutions, and instead develop broad responses that cross issues and share resources. Comprehensive sustainability planning frameworks like The Natural Step<sup>®</sup> are excellent tools for this.

You may also be able to achieve a broad effect by initiating a specific action that touches off a chain of events. For example, a new policy like, "The City requires all transportation planning activities to consider future oil/gasoline price volatility as a key factor" would effectively engage a whole set of professional managers, planners, and engineers on the problem, with results that will go far beyond anything a time-limited task force could do.

Finally, a broad response also plans for ongoing uncertainty and assumes that changes will occur over time, taking a page from "adaptive management" practices. Don't plan specifics too far ahead or make unfounded assumptions, otherwise the decisions you recommend this year may unwittingly constrain your options for dealing with next year's situation.

#### 4. Seek out examples and experts

There is no lack of examples throughout the world of communities that are thriving economically while minimizing their dependence on oil and natural gas. For example, hundreds of European cities of all sizes have implemented energy-smart policies and initiatives in the last fifty years, many of which are easily transferable to U.S. and Canadian cities.

**In many cases, just by asking questions and being curious, you force people to re-look at what they've done. With our senior staff sometimes when I probe on issues, they'll sort of shrug at the end of it and say 'You know, I don't know why we do it that way! We've always done it that way.'**

**You've got to go in and change the way your bureaucrats think. Once you've got them changing the way they're thinking, it becomes much easier for your whole municipality to respond positively to the challenges that we're going to be facing.**

- Mayor Derek Corrigan, City of Burnaby, British Columbia

## APPENDIX

Cities in other parts of the world are pursuing urban sustainability as well, and often in extremely creative and low-cost ways. For example, the modern commercial center of Curitiba, Brazil (pop. ~1.65 million) has been lauded as "the most innovative city in the world" thanks to its unconventional and highly successful public transit, pedestrian mall, recycling, small business incubation, and flood control projects.

### **Presenting your findings, and cycling back**

The way you present your task force findings will depend on the task force's charge, its audience, the urgency of its recommendations and other factors.

For example, the task forces in Portland and Sebastopol both developed sets of recommendations for their respective City Councils. The Portland task force identified eleven major recommendations (see *Box 7*, page 43), accompanied by recommended action items. In comparison, the Sebastopol task force (see *Box 8*, page 48) made 66 individual recommendations across nine different sectors (such as "Vehicles," "Water," and "City Revenues"), and then grouped them in summary as five "first steps," eight "implementation steps," and four steps for "making broader connections." Both task force reports described the vulnerabilities and impacts they identified.

As part of your task force recommendations you might include an item for reporting and follow-up, both to ensure that recommendations are acted upon and to adjust recommendations as needed. This is a good management practice for any program, but it's essential for dealing with energy uncertainty: if recommendations are not adjustable, then they may eventually be locked on to solutions for problems that have changed. Keep in mind that as the situation changes, the available options and the ability to forecast change as well.

# Post Carbon Cities: Planning for Energy and Climate Uncertainty

## A Guidebook on Peak Oil and Global Warming for Local Governments

**Post Carbon Cities: Planning for Energy and Climate Uncertainty** is a guidebook on peak oil and global warming for people who work with and for local governments in the United States and Canada. It provides a sober look at how these two phenomena are quickly creating new uncertainties and vulnerabilities for cities of all sizes, and explains what local decision-makers can do to address these challenges. **Post Carbon Cities** fills an important gap in the resources currently available to local government decision-makers on planning for the changing global energy and climate context of the 21st century.

*"Post Carbon Cities is an exceptionally clear and comprehensive call-to-action to those who actually work in the trenches of city governance. We don't have any more time to waste getting ready for an energy-scarcer future, and for those who remain dazed and confused, this book is an excellent place to start."*

– James Howard Kunstler, author of *The Long Emergency* and *The Geography of Nowhere*

*"How will we cope with a future of energy scarcity? As a policy maker I look to other communities for inspiration and ideas, but there's been a lack of information on what local governments are doing to adapt to Peak Oil. Post Carbon Cities fills this gap: herein lies the roadmap plotted by the cities that are leading the way. Enthusiastically recommended!"*

– Dave Rollo, City Council President, Bloomington, Indiana

*"Post Carbon Cities will be very helpful to people involved in transportation and land use planning as they attempt to re-think land use patterns and the movement of people and goods for the economic, environmental and social well being of the planet. The timing could not be more critical!"*

– Alan Falleri, Community Development Director, Willits, California

Post Carbon Cities is a program of Post Carbon Institute

Post Carbon Cities  
[www.postcarboncities.net](http://www.postcarboncities.net)

Post Carbon Institute  
[www.postcarbon.org](http://www.postcarbon.org)

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**BENICIA HISTORIC PRESERVATION REVIEW COMMISSION  
CITY HALL COMMISSION ROOM**

**REGULAR MEETING MINUTES**

**Thursday, October 25, 2007  
6:30 P.M.**

**I. CALL TO ORDER**

**A. Pledge of Allegiance**

**B. Roll Call of Commissioners**

Present: Commissioners Conlow, Donaghue, Haughey, Mang, Wilson and Chair Delgado

Absent: Commissioner White (excused)

Staff Present:

Damon Golubics, Acting Community Development Director

Mike Marcus, Assistant Planner

Amy Million, Consulting Planner

Gina Eleccion, Management Analyst

**C. Reference to Fundamental Rights of Public** - A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to this meeting room per Section 4.04.030 of the City of Benicia’s Open Government Ordinance.

**II. OPPORTUNITY FOR PUBLIC COMMENT**

**A. WRITTEN**

Comments were received and distributed to the Commissioners and public.

**B. PUBLIC COMMENT**

None.

**III. CONSENT CALENDAR**

Commissioner Conlow requested Item IVA – 126 East E Street be moved to the end of the agenda.

On motion of Commissioner Donaghue, seconded by Commissioner Mang, the Consent Calendar, as amended by Commissioner Conlow, was approved by the following vote:

- Ayes: Commissioners Conlow, Donaghue, Haughey, Mang, Wilson and Chair Delgado
- Noes: None
- Absent: Commissioner White
- Abstain: Commissioner Haughey (abstention on Item III-D); Chair Delgado (abstention on Item III-B)

- A. Approval of Agenda**
- B. Approval of Minutes of September 27, 2007**
- C. Approval of 2008 HPRC Meeting Schedule**
- D. PERROTIS APARTMENT BUILDING EXTERIOR RENOVATION**  
07PLN-70 Design Review  
1004-1016 West Third Street APN: 0087-162-180

**PROPOSAL:**

The applicant requests approval for the new construction of a sixty-nine foot and nine inch (69’9”) long, five foot (5’) wide balcony with three (3) partitions along the Southeast side of the apartment building; replacement of four (4) six foot (6’) windows with six foot (6’) sliding vinyl double pane doors white in color along the southeast side; new construction of a second-story six foot (6’) white, vinyl double pane window with grids on the northeast side of the building fronting the alley; and, replacement of four (4) single aluminum pane windows with white, vinyl double pane windows with grids on the Southeast side.

**Recommendation:** Approve design review request for a new rear balcony deck and window and door replacement, based on the findings and conditions in the proposed resolution.

**RESOLUTION NO. 07- 19 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA APPROVING A DESIGN REVIEW PERMIT FOR A BALCONY AND ANCILLARY EXTERIOR UPGRADES OF A 7-UNIT APARTMENT BUILDING AT 1004-1016 WEST 3<sup>RD</sup> STREET (07PLN-70)**

**IV. REGULAR AGENDA ITEMS**

- B. 224 WEST I STREET – DESIGN REVIEW AND MILLS ACT CONTRACT**  
07PLN-74 Design Review and 07PLN-69 Mills Act Contract  
224 West I Street, APN: 89-042-070

**PROPOSAL**

The applicant requests approval for exterior modifications to the existing single-family residence located at 224 West I Street within the Downtown Historic District. The modifications include removal of asbestos siding, restoration of deteriorated wood siding, replacement of gutters, restoration/reconstruction of architectural details around the bay windows, reconstruction of a rear-facing second story balcony, and placement of decorative medallions above windows. The applicant also requests approval of a Mills Act Contract with the City of Benicia for this property.

**Recommendation:** Approve design review for exterior alterations to the existing single-family residence, based on the findings, and subject to the conditions listed in the proposed resolution.

**Recommendation:** Approve Mills Act contract and recommend City Council approval.

Mike Marcus, Assistant Planner, gave an overview of the project. Commissioners discussed the alterations proposed.

The public hearing was opened.

Mr. Navas, Applicant – He commented on the work that has been done on his property. They are planning a small balcony that is primarily cosmetic. He is willing to make the project comply with the Commission's conditions.

Commissioners Haughey, Wilson and Donaghue stated that they had ex-parte communication with the property owners.

A recess was called at 6:46 p.m. The meeting was reconvened at 6:48 p.m. Commissioner Haughey recused herself due to property ownership within 500' of the project.

Commissioners discussed the history of the balcony and stairs. Mike Marcus commented that staff has visited the site multiple times, and it is obvious that there is a door, but no physical evidence of a porch. There was a question regarding the use of Sanborn maps.

Jon Van Landschoot, 175 West H Street – He stated his concern with the roof that was put on and wants staff to be more careful with that.

The public hearing was closed.

Commissioners discussed the proposal. Commissioners would like to see the final design of the balcony before it gets constructed. There was concern over the roofing material used. Commissioners would like to see the rosettes replicated to match the original.

Commissioner Wilson proposed the following amendments:

1. Balcony reviewed by Commission for final design;

- 2. Rosettes to be 5” diameter (B3102 from product guide)

**RESOLUTION NO. 07-20 (HPRC) A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA APPROVING DESIGN REVIEW PERMIT FOR THE EXTERIOR ALTERATIONS TO THE SINGLE-FAMILY RESIDENCE LOCATED AT 224 WEST I STREET (07PLN-74)**

On motion of Commissioner Wilson, seconded by Commissioner Conlow, the above Resolution, as amended, was approved by the following vote:

Ayes: Commissioners Conlow, Donaghue, Mang, Wilson and Chair Delgado  
Noes: None  
Absent: Commissioner White  
Abstain: Commissioner Haughey

**RESOLUTION NO. 07-21 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA RECOMMENDING CITY COUNCIL AUTHORIZE THE CITY MANAGER TO ENTER INTO A MILLS ACT CONTRACT FOR THE PROPERTY LOCATED AT 224 WEST I STREET**

On motion of Commissioner Wilson, seconded by Commissioner Conlow, the above Resolution was approved by the following vote:

Ayes: Commissioners Conlow, Donaghue, Mang, Wilson and Chair Delgado  
Noes: None  
Absent: Commissioner White  
Abstain: Commissioner Haughey

- C. **129 WEST I STREET – DESIGN REVIEW AND MILLS ACT CONTRACT**  
07PLN-63 Design Review and 07PLN-72 Mills Act Contract  
129 West I Street  
APN: 0089-043-160

**PROPOSAL:**

The applicant requests approval for exterior alterations to the existing single-family residence located at 129 West I Street within the Downtown Historic District. The modifications include a major historic rehabilitation of the front and west elevations. The applicant also requests approval of a Mills Act Contract with the City of Benicia for this property.

**Recommendation:** Approve design review for exterior alterations to the existing single-family residence, based on the findings, and subject to the conditions listed in the proposed resolution.

**Recommendation:** Approve Mills Act contract and recommend City Council approval.

Amy Million, Consulting Planner, gave an overview of the project. She noted that this project has been evaluated based on rehabilitation.

Commissioners commented on the lack of a DPR form for this property. Commissioner Haughey showed examples of similar properties that have added porches, and Carol Roland is recommending these properties be delisted.

Commissioners discussed the examples of the other properties with the porches shown.

The public hearing was opened.

Rod Sherry, Applicant – He noted that the home was uninhabitable when he purchased the home. Originally, he intended on redoing the house, however with the property recommended for delisting, he still needs design review approval for the modifications. The addition is proposed to make the house more livable. He would like the front porch, but would be open to removing the request for the wrap-around porch.

Donald Dean, 257 West I Street – He appreciates the foundation work that has been done. He commented that the Mills Act should be applied with some strictness. He would like to see the work done, but there should be balance with the historic integrity.

Mark Hajjar, 924 West 8<sup>th</sup> Street – He commented that this is a major project and the applicant should be encouraged to continue with his proposal with the guidance of the Commission.

Jon Van Landschoot, 175 West H Street – He does not think this project meets the Secretary of the Interior Standards. He appreciates the effort to have the house rehabilitated, but wants to make sure the standards are applied. The Mills Act should be seen as a benefit, not a right.

The public hearing was closed.

Rod Sherry, Applicant – He noted that there were multiple additions done on the house. There was a porch with a roof put on around 1940. He would like to extend the roofline to match the addition from the 1920's.

Commissioners discussed the project. Commissioners would like to see a DPR form on this property. The Commissioners stated concern with bringing the home back to retaining its historic integrity prior to being eligible for the Mills Act.

Commissioners discussed the specific design elements of the project. The porch is being reconstructed. There needs to be strong physical evidence of the previous porch, otherwise the new porch needs to be differentiated.

Rod Sherry, Applicant – He noted that the windows proposed are wood, not clad. In addition, the windows are not going to be moved. He supports replicating the porch in the 1969 photo. The Commission does not want to see divided lights in the windows.

Commissioners discussed the addition and the need for differentiation.

Rod Sherry, Applicant – He noted that his main goal is to get his family into the home.

Commissioner Donaghue proposed the following amendments:

1. Delete the reference to clad;
2. Windows shall maintain historic proportions and be non-divided;
3. West porch shall be moved forward and reconstructed per Standard 6 of the Secretary of the Interior Standards;
4. Add Condition #13 – This approval does not constitute approval of a Mills Act contract, and exterior changes suggested by the Historic Preservation Review Commission could disqualify the property from eligibility for a Mills Act contract. Prior to additional modifications, the property owner should consult an historic architect.
5. The front porch shall be designed based on the 1969 photograph and shall not extend beyond the width of the house.

**RESOLUTION NO. 07-22 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA APPROVING DESIGN REVIEW PERMIT FOR THE EXTERIOR ALTERATIONS TO THE SINGLE-FAMILY RESIDENCE LOCATED AT 129 WEST I STREET (07PLN-63)**

On motion of Commissioner Donaghue, seconded by Commissioner Haughey, the above Resolution was approved by the following vote:

Ayes: Commissioners Conlow, Donaghue, Haughey, Mang, Wilson and Chair Delgado  
Noes: None  
Absent: Commissioner White  
Abstain: None

**RESOLUTION NO. 07- (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA RECOMMENDING CITY COUNCIL AUTHORIZE THE CITY MANAGER TO ENTER INTO A MILLS ACT CONTRACT FOR THE PROPERTY LOCATED AT 129 WEST I STREET**

On motion of Commissioner Donaghue, seconded by Commissioner Delgado, approval of the above Resolution was continued, pending historic evaluation, by the following vote:

Ayes: Commissioners Conlow, Donaghue, Haughey, Mang, Wilson and Chair Delgado  
Noes: None

Absent: Commissioner White  
 Abstain: None

A. **126 EAST E STREET – DEMOLITION PERMIT**  
 126 East E Street, APN: 89-372-050 and 89-372-060

**PROPOSAL**

The proposed project consists of demolishing the existing building located on the northern side of the lot, which is currently used as an office. This building is designated as a potentially contributing structure in the Downtown Historic Conservation Plan.

**Recommendation:** Approve a permit for demolition of a structure at 126 East E Street because it no longer retains substantial historical, architectural or cultural interest or value; and adopt the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project, based on the findings, and subject to the conditions listed in the attached resolution.

Chair Delgado and Commissioner Donaghue recused themselves on this project.

A recess was called at 8:08 p.m. The meeting was reconvened at 8:15 p.m.

Gina Eleccion gave an overview of the project.

*She noted that the Commission previously recommended approval of a demolition permit with direction to staff to prepare an Initial Study identifying the impacts of the demolition only. However, the Downtown Historic Conservation Plan does not allow for demolition permits to be considered without concurrent design review. Based on the fact that the applicant does not have a current proposal of the site, staff cannot recommend approval at this time. She noted that staff should have advised the Commission that current regulations do not allow an Initial Study to address the demolition only without looking at the entire project. Damon Golubics stated that the Initial Study could be expanded to include the applicant's future design review proposal.*

The public hearing was opened.

Pat Donaghue, Applicant – He gave a history of the project. The project has been previously reviewed. Staff was directed to prepare an Initial Study identifying the impacts of the demolition only. The adequacy of the Initial Study/Mitigated Negative Declaration is the only issue at this point. Any future proposal will meet the criteria in the Downtown Mixed Use Master Plan.

*He stated that he lost the opportunity to move the Napa structure and he does not know what he is going to do.*

Ken Buske, 302 Marina Village Way – He supports demolition of the existing structure.

Donald Dean, 257 West I Street – He questioned if a new Initial Study will be prepared when a new design is submitted. The issue over the demolition is not a new issue.

Jon Van Landschoot, 175 West H Street – He agrees with staff that the entire project needs to be evaluated in the Initial Study. He would like to see this project move forward with a design that complies.

Steve Gizzi – He stated that he was one of the Council Members to vote to form this Commission. He commented that the intent of the Commission is to preserve and protect the valuable historic assets. He noted that not everything that is old, is historic. There are questions as to the historic integrity of the structure.

Gretchen Burgess, 28 Buena Vista – She commented that this building has no historic significance. She does not believe that demolition of this structure will impact Benicia. There are many buildings that have been neglected. All time delays cost the applicant money.

Pat Donaghue, Applicant – He commented on the amount of work that has been done already. He does not have a project proposal to submit at this point. He will design his project based on the Downtown Mixed Use Master Plan.

*He stated that Benicia Municipal Code Section 17.54 gives the Community Development Director the discretion to interpret the guidelines of the Downtown Historic Conservation Plan.*

The public hearing was closed.

Commissioners discussed the project and the demolition process. Damon Golubics noted that there is no excuse for staff's error regarding the demolition process.

Commissioner Conlow questioned if a variance can be granted regarding the process.

Commissioner Wilson commented that it is unfortunate, but there is a need to identify the impacts of the entire project.

Patrick Donaghue, Applicant – He questioned what the Commission wants in terms of design of the project. He requested a finding to provide guidance on his project. Staff suggested scheduling a workshop to discuss the design of the project.

**RESOLUTION NO. 07- (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA RECOMMENDING APPROVAL OF A DEMOLITION PERMIT AND ASSOCIATED INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION FOR A PROJECT LOCATED AT 126 EAST E STREET (06PLN-52)**

On motion of Commissioner Wilson, seconded by Commissioner Haughey, the above Resolution was denied by the following vote:

- Ayes: Commissioners Conlow, Haughey, Mang and Wilson
- Noes: None
- Absent: Commissioner White
- Abstain: Commissioner Donaghue and Chair Delgado

**V. COMMUNICATIONS FROM COMMISSIONERS**

None.

**VI. COMMUNICATIONS FROM STAFF**

**A. HISTORIC SURVEY AD HOC COMMITTEE UPDATE**

Gina Eleccion gave an update on the progress of the committee.

Damon Golubics, Acting Department Head, noted that an appeal was filed on 149 West F Street. This will be going to the Planning Commission on December 13<sup>th</sup>. In addition, Damon Golubics noted that Charlie Knox will be returning to the office on October 29<sup>th</sup>.

**VII. ADJOURNMENT**

Chair Delgado adjourned the meeting at 9:10 p.m.



**BENICIA HISTORIC PRESERVATION REVIEW COMMISSION  
CITY HALL COMMISSION ROOM**

**REGULAR MEETING MINUTES**

**Thursday, November 15, 2007  
6:30 P.M.**

**I. CALL TO ORDER**

**A. Pledge of Allegiance**

**B. Roll Call of Commissioners**

Present: Commissioners Conlow, Donaghue, Haughey, Mang and White  
Absent: Commissioner Wilson and Chair Delgado (both excused)

Staff Present:

Damon Golubics, Senior Planner  
Lisa Porras, Senior Planner  
Mike Marcus, Assistant Planner  
Gina Eleccion, Management Analyst

**C. Reference to Fundamental Rights of Public - A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to this meeting room per Section 4.04.030 of the City of Benicia's Open Government Ordinance.**

**II. OPPORTUNITY FOR PUBLIC COMMENT**

**A. WRITTEN**

None.

**B. PUBLIC COMMENT**

Jon Van Landschoot, 175 West H Street – Spoke regarding the Mills Act program. He is concerned about the City's follow-up. He is concerned with a double standard being applied with the Secretary of the Interior Standards for Rehabilitation.

**III. CONSENT CALENDAR**

Commissioner Donaghue pulled Item III-B for discussion. Commissioner Mang pulled Item III-E for discussion. Commissioner Haughey pulled Items III-C and III-D, and stated that she does not believe Mills Act contracts should be on the Consent Calendar.

On motion of Commissioner White, seconded by Commissioner Mang, the Consent Calendar, as amended, was approved by the following vote:

Ayes: Commissioners Conlow, Donaghue, Haughey, Mang and White  
 Noes: None  
 Absent: Commissioner Wilson and Chair Delgado  
 Abstain: Commissioner Donaghue (Item III-E); Commissioner Haughey (Item III-D)

**A. Approval of Agenda**

**B. Approval of Minutes of October 25, 2007**

Commissioner Donaghue requested a change to Page 6. Condition #1 should read “Delete the reference to clad”.

Commissioner Mang requested additional information on the recommendation on 126 East E Street. Gina Eleccion will revise the minutes and bring them back to the next meeting.

**C. 171 WEST H STREET – MILLS ACT CONTRACT – Public Hearing  
 07PLN-75 APN: 89-044-190**

**PROPOSAL:**

The applicant requests approval of a Mills Act Contract with the City of Benicia for this property.

**Recommendation:** Approve Mills Act contract and recommend City Council approval.

Commissioner Haughey commented that she does not want to see Mills Act contracts on the Consent Calendar.

Mike Marcus, Assistant Planner, gave a brief overview of the proposed Mills Act contract. He noted that refacing the garage and the windows are the most substantial items on the contract.

The public hearing was opened.

William Venturelli, Applicant – He spoke regarding the windows and would like to put a larger window. In addition, he commented that some of the previous improvements were poorly done.

Jon Van Landschoot, 175 West H Street – He supports approval of this contract. He suggested working with staff regarding the window size.

The public hearing was closed.

Commissioners discussed the proposal. Commissioners requested expert opinion regarding consistency with the Standards for Rehabilitation. The Commission suggested alternatives to the windows. Commissioner Haughey noted that the current DPR form deems the property historic.

White – approve as written, with changes of window and porch to come back for design review approval. Haughey – second. Commissioners would like an expert opinion. Haughey withdrew her second. Conlow – second. Commissioner Haughey commented that on previous applications, staff has been allowed to accept the design review changes.

Gina Eleccion reminded the Commission that it is their purview to make decisions on the consistency with the standards.

Mike Marcus clarified that the work program does not call out changes to the porch other than dry rot repair and porch repair.

Final conditions:

1. Approve Mills Act contract, as written, and recommended by staff, with any changes to existing structure brought back to HPRC with recommendation/evaluation of historic expert for approval.

**RESOLUTION NO. 07- 24 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA RECOMMENDING CITY COUNCIL AUTHORIZE THE CITY MANAGER TO ENTER INTO A MILLS ACT CONTRACT FOR THE PROPERTY LOCATED AT 171 WEST H STREET**

On motion of Commissioner White, seconded by Commissioner Conlow, the above Resolution, as amended, was approved by the following vote:

Ayes: Commissioners Conlow, Donaghue, Mang and White  
Noes: Commissioner Haughey  
Absent: Commissioner Wilson and Chair Delgado  
Abstain: None

**D. 270 WEST H STREET – MILLS ACT CONTRACT – Public Hearing**  
07PLN-77 APN: 89-111-020

**PROPOSAL:**

The applicant requests approval of a Mills Act Contract with the City of Benicia for this property.

**Recommendation:** Approve Mills Act contract and recommend City Council approval.

Commissioner Haughey stated that she had to recuse herself due to financial interest within the past 12 months.

The public hearing was opened.

Lisa Porras, Senior Planner, gave a brief overview of the proposal.

The public hearing was opened.

Leann Taagepera, Applicant – She commented that Lisa Porras made good suggestions regarding her work program. She asked for clarification if her lot is both 271 West G and 270 West H.

Jon Van Landschoot, 175 West H Street – He supports approval of the contract.

**RESOLUTION NO. 07-25- (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA RECOMMENDING CITY COUNCIL AUTHORIZE THE CITY MANAGER TO ENTER INTO A MILLS ACT CONTRACT FOR THE PROPERTY LOCATED AT 270 WEST H STREET**

On motion of Commissioner Conlow, seconded by Commissioner White, the above Resolution was approved by the following vote:

- Ayes: Commissioners Conlow, Donaghue, Mang and White
- Noes: None
- Absent: Commissioner Wilson and Chair Delgado
- Abstain: Commissioner Haughey

**E. 441 WEST J STREET – MILLS ACT CONTRACT – Public Hearing**  
07PLN-82 APN: 87-152-150

**PROPOSAL:**

The applicant requests approval of a Mills Act Contract with the City of Benicia for this property.

**Recommendation:** Approve Mills Act contract and recommend City Council approval.

Commissioner Donaghue stated he had a conflict of interest due to property ownership within 500’ of the project.

Lisa Porras, Senior Planner, gave a brief overview of the proposal. She noted items on the work program. New work will be differentiated from the existing.

Commissioners questioned how the siding will be done. Lisa Porras deferred this question to the applicant.

The public hearing was opened.

James Coleman, Applicant – He gave an overview of the property. There is an addition to the property. He would like to extend the look of the original siding, with demarcation, to continue the linear look of the property. He would like to put the tall, narrow windows in the back. He would like to put wood, divided 6 over 6 windows.

Jon Van Landschoot, 175 West H Street – He supports this and appreciates when property owners replace their aluminum windows with wood.

The public hearing was closed.

Commissioners discussed the windows on the back of the property. The applicant noted that it would be difficult to stay with the existing window openings. Commissioners questioned the use of 6 over 6 and would like to ensure consistency with the Greek Revival architecture. The applicant shall provide the appropriate documentation to staff prior to a building permit being issued.

Commissioners commented on the sequence of the work to be done. James Coleman noted that the aluminum door is deteriorated and the windows would be done at the same time. Commissioner Mang would like to switch items 2 and 3 in the work program.

Final conditions:

- 1. Replacement window style be verified by staff, prior to building permit issuance.
- 2. Reverse the order of items 2 and 3 in the work plan.

**RESOLUTION NO. 07-26 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA RECOMMENDING CITY COUNCIL AUTHORIZE THE CITY MANAGER TO ENTER INTO A MILLS ACT CONTRACT FOR THE PROPERTY LOCATED AT 441 WEST J STREET**

On motion of Commissioner Haughey, seconded by Commissioner Conlow, the above Resolution was approved by the following vote:

Ayes: Commissioners Conlow, Haughey, Mang and White  
Noes: None  
Absent: Commissioner Wilson and Chair Delgado  
Abstain: Commissioner Donaghue

**IV. REGULAR AGENDA ITEMS**

**A. 242 WEST I STREET – DESIGN REVIEW AND MILLS ACT CONTRACT**

07PLN-87 Design Review and 07PLN-81 Mills Act Contract  
242 West I Street, APN: 89-042-190

**PROPOSAL**

The applicant requests approval for exterior modifications to the existing single-family residence located at 242 West I Street within the Downtown Historic District. The modifications include foundation repair and leveling, front porch re-construction, shed conversion, rear deck construction, window treatments, and architectural detailing. The applicant also requests approval of a Mills Act Contract with the City of Benicia for this property.

**Recommendation:** Approve design review for exterior alterations to the existing single-family residence, based on the findings, and subject to the conditions listed in the proposed resolution.

**Recommendation:** Approve Mills Act contract and recommend City Council approval.

Commissioner Haughey stated that she had to recuse herself from this item due to property ownership within 500' of the project. Commissioner Donaghue rejoined the meeting

Mike Marcus, Associate Planner, gave a brief presentation. This project includes work that has been performed and work to be performed. He noted that the applicant submitted revised plans dated November 7, 2007.

The public hearing was opened.

Tom DiStefano, Applicant – He commented on the proposal. There is work underway that he would like included in the work program.

Gina Eleccion noted that to be consistent, existing work has not been included on the work programs.

Michael Navas, 224 West I Street – He commented on the effort put forth by this property owner. He supports the proposal.

Leann Taagepera, 270 West H Street – She thinks the property owners are doing a great job. She questioned the gutters and whether they need a permit.

The public hearing was closed.

Commissioners discussed the design review portion of the application. The siding was discussed, as well as the skylights. Mike Marcus clarified that there are two sets of skylights. The staff report reflected this design element.

Staff is recommending trim band to differentiate the construction.

Commissioners discussed the shed and supports that modification.

Commissioner would like design of skylight so that it vents without opening upward. Applicant noted that it is necessary for the skylight to open. He is willing to work with staff to install a skylight that vents without opening. Eyebrow vents were suggested, but the applicant does not think they are sufficient. The applicant would like to provide adequate ventilation without visibility from the street.

The skylight can be brought back to the Commission for approval. Commissioner Conlow commented on skylights.

Final conditions:

- 3. Condition #6 to reflect approval of 1x10 siding.
- 4. All other conditions per plans dated November 7<sup>th</sup>, unless otherwise noted.

**RESOLUTION NO. 07-27 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA APPROVING DESIGN REVIEW PERMIT FOR THE EXTERIOR ALTERATIONS TO THE SINGLE-FAMILY RESIDENCE LOCATED AT 242 WEST I STREET (07PLN-87)**

On motion of Commissioner White, seconded by Commissioner Conlow, the above Resolution was approved by the following vote:

Ayes: Commissioners Conlow, Donaghue, Mang and White  
Noes: None  
Absent: Commissioner Wilson and Chair Delgado  
Abstain: Commissioner Haughey

**RESOLUTION NO. 07-28 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA RECOMMENDING CITY COUNCIL AUTHORIZE THE CITY MANAGER TO ENTER INTO A MILLS ACT CONTRACT FOR THE PROPERTY LOCATED AT 242 WEST I STREET**

On motion of Commissioner Conlow, seconded by Commissioner White, the above Resolution was approved by the following vote:

Ayes: Commissioners Conlow, Donaghue, Mang and White  
Noes: None  
Absent: Commissioner Wilson and Chair Delgado  
Abstain: Commissioner Haughey

**V. COMMUNICATIONS FROM COMMISSIONERS**

Commissioner Mang stated that he would like additional discussion on the Mills Act program. Gina Eleccion noted that there will be discussion and training from the State Office of Historic Preservation in January or February.

Commissioner Conlow commented that it would be best to have a workshop without projects on the agenda. Gina Eleccion stated that it is staff's intention to do this, however, based on timing and the Permit Streamlining Act, that is not always possible.

Commissioner Haughey would not like to have a deadline placed on applications. She also commented on the lack of Mills Act inspections.

Commissioner Donaghue would like the meetings to be more formal. He would like copies of the DMUMP for each Commissioner. He is committed to "green-building".

**VI. COMMUNICATIONS FROM STAFF**

**A. HISTORIC SURVEY AD HOC COMMITTEE UPDATE**

Gina Eleccion stated that the committee is continuing to review the survey forms. She acknowledged Commissioner Haughey and the amount of time she has spent reviewing each individual DPR form.

Gina Eleccion clarified that the Consent Calendar is not intended to "rubber-stamp" projects. Staff is following direction from the City Council in placing routine items that may not require discussion on the Consent Calendar. This allows the Commission time to focus on the projects that require lengthy discussion.

**VII. ADJOURNMENT**

Commissioner Donaghue adjourned the meeting at 8:49 p.m.

**AGENDA ITEM**  
**HISTORIC PRESERVATION REVIEW COMMISSION**  
**JANUARY 24, 2008**  
**REGULAR AGENDA ITEMS**

**DATE** : January 8, 2008

**TO** : Historic Preservation Review Commission

**FROM** : Damon Golubics, Principal Planner

**SUBJECT** : **126 EAST E STREET – DEMOLITION PERMIT**

**PROJECT** : 126 East E Street  
06PLN-52  
APN 089-372-050, -060

**RECOMMENDATION:**

Approve a permit for demolition of a structure at 126 East E Street because it no longer retains substantial historical, architectural or cultural interest or value; and adopt the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project, based on the findings, and subject to the conditions listed in the attached resolution.

**EXECUTIVE SUMMARY:**

On October 25, 2007, the Historic Preservation Review Commission (HPRC) denied a request by Pat Donaghue to demolish a structure at 126 East E Street listed as a potential contributor to the Downtown Historic Overlay District. Upon appeal, the Planning Commission at its December 13, 2007 meeting remanded the matter to HPRC for further consideration since the applicant submitted plans for a new single family home. The Downtown Historic Conservation Plan (page 27) states that, “no application for demolition permit should be considered without concurrent design review of the structure or project which will replace it.” New single-family construction downtown currently does not require design review.

Two evaluations have concluded that the structure no longer retains substantial historical, architectural or cultural interest or value. One of these, conducted independently on behalf of the City as part of the ongoing update of downtown historic resources, finds that the structure “retains insufficient integrity to contribute to the Benicia Downtown Historic District” and recommends removal of the building from the City’s inventory of historic resources. This is likely the last listed structure for which HPRC will have the authority to grant a demolition permit as the Downtown Mixed Use Master Plan requires adoption of a demolition ordinance prior to consideration of any such future proposals.

## **BUDGET INFORMATION:**

No City budgetary impacts are anticipated.

## **ENVIRONMENTAL ANALYSIS:**

The proposed project is subject to the California Environmental Quality Act (CEQA). An Initial Study was prepared. The Initial Study identified air quality and cultural resources that could be potentially affected by the project. Based on the Initial Study, staff found there would not be a significant effect on the environment.

A Mitigated Negative Declaration was prepared and circulated for 30-day public review on September 12, 2007. No comments were received. A Mitigation Monitoring and Reporting Program was also prepared for the project.

A single-family residence in an urbanized area does not require CEQA review, and potential impacts of other uses allowed in the Neighborhood General-Open district were addressed in the Mitigated Negative Declaration for the Downtown Mixed Use Master Plan.

## **BACKGROUND:**

Applicant/Owner: Pat Donaghue

General Plan designation/Zoning: Downtown Mixed Use/ Downtown Commercial

Existing use: Mixed Use Commercial/Residential

Proposed use: Mixed Use Commercial/ Residential

Adjacent zoning and uses:

North: Town Core, Commercial Use and associated parking

East: Neighborhood General - Single Family Residential Use

South: Neighborhood General - Open, Kuhland Alley and Single Family Residential Use

West: Neighborhood General - Open, Single Family Residential Use

## **SUMMARY:**

### **A. Project Description**

The project site consists of two parcels (APN: 89-372-050 and 89-372-060), with a combined area of 8,250 square feet zoned Downtown Commercial and located in the Downtown Historic Overlay district. Three structures exist on Parcel 89-372-060: the first (the building requested to be demolished) is used as a construction office, the second (125 Kuhland Alley) is used as a bead shop, and the third (127 Kuhland Alley) is a residence. The two buildings on the alley are designated as contributing structures in the Downtown Historic Conservation Plan. The combined size of all existing structures is approximately 3,385 square feet. The structure that is being proposed for demolition is 1,450 square feet.

### **B. Project Analysis**

## 1. Historic Evaluation

An analysis conducted by Roland-Nawi Preservation Associates for the ongoing City update of downtown historic resources concludes that the structure should not be listed as a historic resource.

An evaluation prepared on behalf of the applicant by ARC Inc. states that the structure has had “several drastic remodeling and two additions, obliterating any obvious original detailing, porches, or fenestration on the exterior,” and that although some original architectural features have been retained, the alterations to the structure have “irreversibly compromised the historic integrity of the architectural design, and leave [the structure] a confusing assemblage of forms and materials.”

## 2. Zoning Ordinance

Chapter 17.54 establishes the specific purposes of the Historic Overlay District, to: implement the city’s general plan; deter demolition, destruction, alteration, misuses, or neglect of historic or architecturally significant buildings that form an important link to Benicia’s past; promote the conservation, preservation, protection, and enhancement of each historic district; stimulate the economic health and residential quality of the community and stabilize and enhance the value of property; and to encourage development tailored to the character and significance of each historic district through a conservation plan that includes goals, objectives, and design criteria.

According to Section 17.54.100 (Demolition and design review procedures), HPRC shall consider the proposed demolition in the context of the adopted Downtown Conservation Plan and the architectural or historical value and significance of the site and structure in relation to the overlay district. No demolition permit shall be issued for demolition of any historic structure within an H district without prior review and approval by the design review commission. If, after review of the request for demolition permit, the Commission determines that the structure itself has historical, architectural or cultural interest or value, the Commission may withhold approval for demolition. The demolition permit shall be issued if environmental review determines there will not be a significant impact on the environment and all requirements of this title are met or, if there may be substantial environmental damages, that specific economic, social or other considerations make infeasible the mitigation measures or alternatives identified during environmental review.

## 3. Findings

The following findings would need to be made prior to approval of the project:

- a) The Historic Preservation Review Commission reconsidered and approved the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

- b) The proposed project is consistent with the objectives and provision of Title 17 of the Benicia Municipal Code and the purpose of the Neighborhood General - Open zoning district.
- c) The proposed project with the recommended mitigation measures and conditions of approval will be consistent with the General Plan and will not be detrimental to public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of the proposed use, nor detrimental to properties or improvements in the vicinity or to the general welfare of the city.
- d) The structure located at 126 East E Street no longer retains substantial historical, architectural or cultural interest or value.
- e) Issuance of the demolition permit will not result in a significant impact on the environment because the structure retains insufficient integrity to contribute to the Downtown Historic Overlay District.

**FURTHER ACTION:**

Historic Preservation Review Commission action regarding the demolition permit will be final unless appealed to the Planning Commission within ten business days.

Attachments:

- Draft Resolution
- Initial Study/Mitigated Negative Declaration
- Mitigation Monitoring and Reporting Program
- Department of Parks and Recreation Forms A and B, prepared by Roland-Nawi
- Historic Review and Evaluation, prepared by Arc Inc.
- Correspondence from Sandra Shannonhouse

# **DRAFT RESOLUTION**

**RESOLUTION NO. 08- (HPRC)**

**A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA RECOMMENDING APPROVAL OF A DEMOLITION PERMIT AND ASSOCIATED INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION FOR A PROJECT LOCATED AT 126 EAST E STREET (06PLN-52)**

**WHEREAS**, property owner Patrick Donaghue requested approval of a demolition permit for a structure located at 126 East E Street listed as a potential contributor to the Downtown Historic Overlay District;

**WHEREAS**, the Historic Preservation Review Commission, at a regular meeting on October 25, 2007, conducted a public hearing and denied the request; and

**WHEREAS**, the Planning Commission, at a regular meeting on December 13, 2007, conducted a public hearing and remanded the matter to the Historic Preservation Review Commission for further review and consideration since the applicant submitted plans to build a new single-family residence; and

**WHEREAS**, the Historic Preservation Review Commission, at a regular meeting on January 24, 2008, conducted a public hearing and reconsidered the request; and

**WHEREAS**, in accordance with State and local regulations regarding the California Environmental Quality Act, the Community Development Department conducted an Initial Study (with the 30-day comment period ending on October 11, 2007) to determine whether the proposed project could have a significant adverse effect on the environment, and on the basis of that study, proposed adoption of a Mitigated Negative Declaration.

**NOW, THEREFORE BE IT RESOLVED THAT** the Historic Preservation Review Commission of the City of Benicia hereby approves the requested demolition permit and associated Initial Study/ Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program, and finds that:

- A. The proposed project is consistent with the objectives and provisions of Title 17 of the Benicia Municipal Code and the purpose of the Downtown Commercial zoning district.
- B. The proposed project with required mitigation measures and conditions of approval will be consistent with the General Plan and will not be detrimental to public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of the proposed use, nor detrimental to properties or improvements in the vicinity or to the general welfare of the city.
- C. The structure located at 126 East E Street no longer retains substantial historical, architectural or cultural interest or value.

D. Issuance of the demolition permit will not result in a significant impact on the environment because the structure retains insufficient integrity to contribute to the Downtown Historic Overlay District.

**BE IT FURTHER RESOLVED THAT** the Historic Preservation Review Commission of the City of Benicia hereby approves the demolition permit subject to the following conditions:

1. The project shall adhere to all applicable ordinances, standard plans, and specifications of the City of Benicia.
2. Demolition activities shall meet all municipal code requirements for hours of operation. Equipment shall be adequately muffled and controlled. These requirements shall be made a condition of all related contracts for the project.
3. The applicant shall abide by all mitigation measures as identified in the Mitigation Monitoring and Reporting Program.
4. The applicant or permittee shall defend, indemnify, and hold harmless the City of Benicia or its agents, officers, and employees from any claim, action, or proceeding against the City of Benicia or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission, City Council, Community Development Director's, Historic Preservation Review Commission or any other department, committee, or agency of the City concerning a development, variance, permit or land use approval which action is brought within the time period provided for in any applicable statute; provided, however, that the applicant's or permittee's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the applicant or permittee of any said claim, action, or proceeding and the City's full cooperation in the applicant's or permittee's defense of said claims, actions, or proceedings.

\* \* \* \* \*

On motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, the above Resolution was adopted at a regular meeting of the Historic Preservation Review Commission on January 24, 2008 by the following vote:

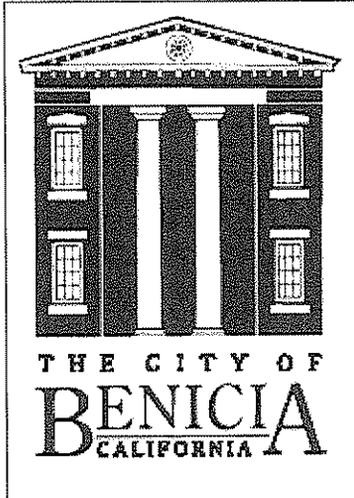
Ayes:  
Noes:  
Absent:  
Abstain:

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Gina Eleccion  
Historic Preservation Review Commission Secretary

**INITIAL STUDY/MITIGATED NEGATIVE  
DECLARATION**

## INITIAL STUDY/MITIGATED NEGATIVE DECLARATION



### INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Project Title: 126 East E Street Project

Lead Agency Name and Address: City of Benicia  
250 East L Street  
Benicia, CA 94510

Project Location: 126 East E Street  
Benicia, California

Project Sponsor's Name and Address: Patrick M. Donaghue  
390 West K Street  
Benicia, CA

General Plan Designation(s): Downtown Commercial

Zoning: Downtown Commercial

Assessor's Parcel No. 089-372-050 and 089-372-060

Contact Person: Damon Golubics, Senior Planner

Phone Number: 707-746-4280

Date Prepared: September 2007

## **INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

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### **PROJECT DESCRIPTION**

The project site consists of parcels 089-372-050 and 089-372-060. The property is zoned Downtown Commercial and is located within the Historic Overlay district of the city's downtown. Parcel 89-372-060 contains three structures.

The proposed project consists of demolishing the existing building located on the northern side of the lot, which is currently used as an office. This building is designated as a potentially contributing structure in the Downtown Historic Conservation Plan.

### **ENVIRONMENTAL SETTING AND SURROUNDING LAND USES**

North: Single-family residential

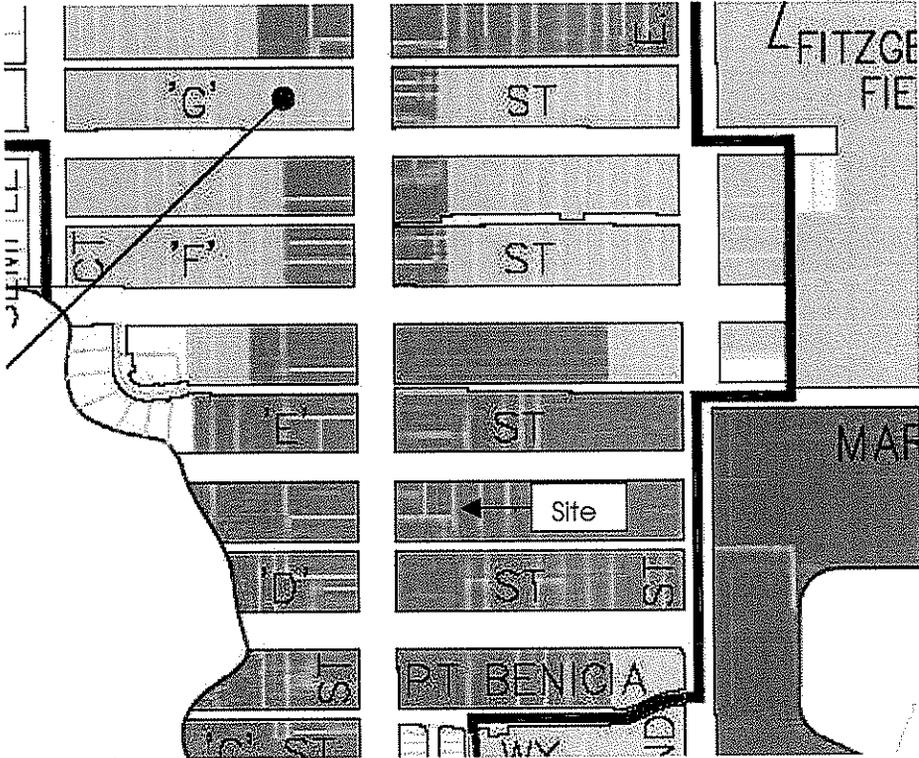
West: Single-family residential

South: Art studio/gallery, single-family residence

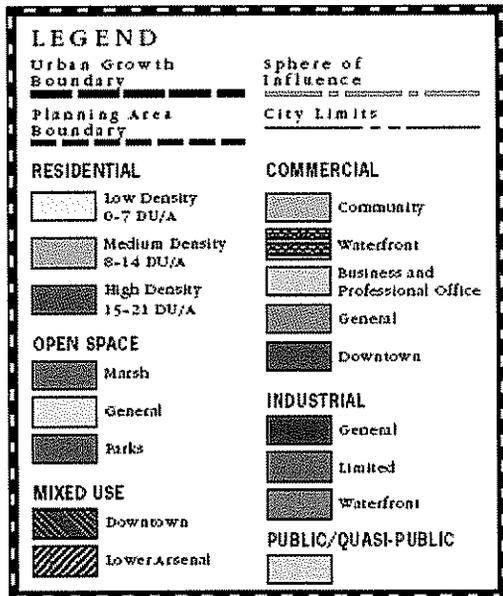
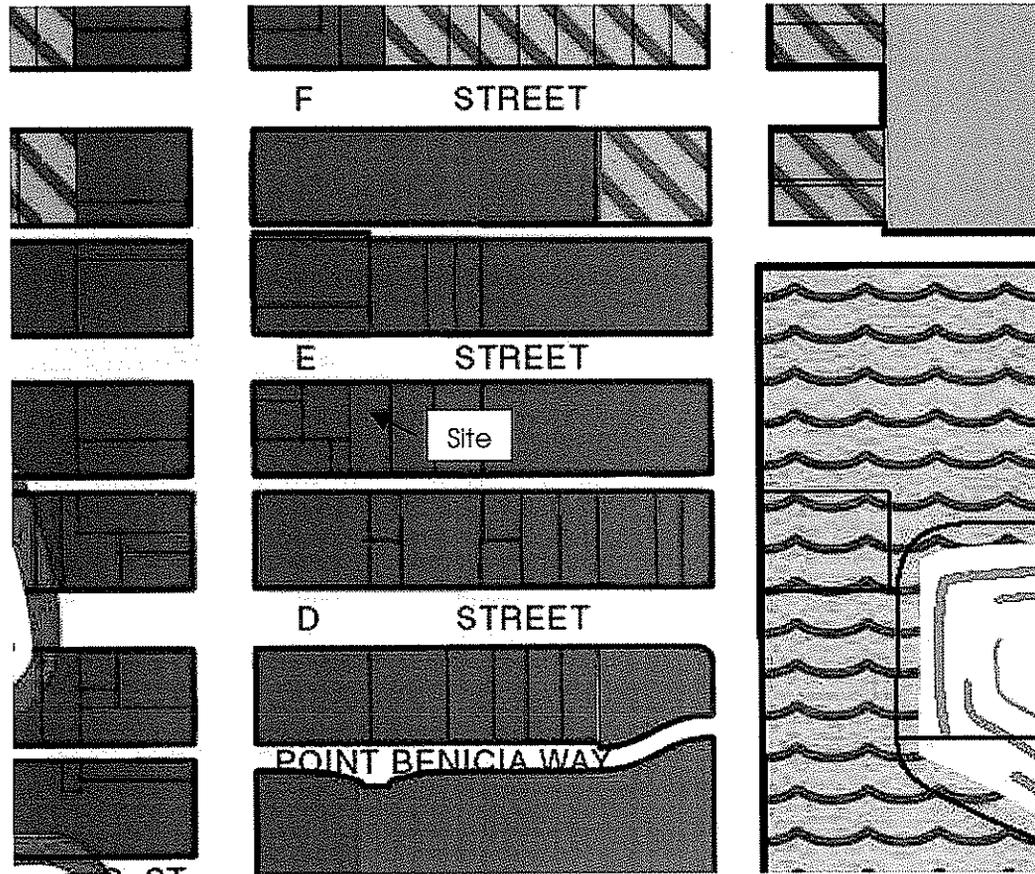
East: Single-family residential

No approval is required for the proposed demolition from other public agencies.

PROJECT VICINITY MAP



LAND USE MAP OF BENICIA



**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

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**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding discussion on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agricultural Resources             | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources          | <input checked="" type="checkbox"/> Cultural Resources      | <input type="checkbox"/> Geology/Soils          |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality            | <input type="checkbox"/> Land Use/Planning      |
| <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population/Housing     |
| <input type="checkbox"/> Public Services               | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems     | <input type="checkbox"/> Mandatory Findings of Significance |   |

DETERMINATION: The City of Benicia Planning Department

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Planner's Signature

Date

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Damon Golubics  
Senior Planner

### PURPOSE OF THIS INITIAL STUDY

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the project, as proposed, may have a significant effect upon the environment. Based upon the findings contained within this report, the Initial Study will be used in support of the preparation of a mitigated negative declaration.

### EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

- c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impacts to a less than significance.

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. AESTHETICS.</b> Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) The project is located in the Downtown Historic Overlay District. The General Plan and the Downtown Historic Conservation Plan contain detailed policies for new development in order to protect historic and harmonious appearance of the downtown. The Downtown Historic Conservation Plan also contains specific design guidelines for new construction within the Transitional Area, in which this project is located. The subject property is not directly part of any designated sight line or view corridor.
- b) The project site is located on a relatively level improved lot. No scenic resources on or near the site would be affected, and the site is not near or within view of a state highway.
- c) The structure has undergone remodels and additions that have irreversibly compromised its original architectural design.
- d) Demolition activities would occur during daylight hours.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><b>II. AGRICULTURAL RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997), prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:</p>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) The Farmland Mapping and Monitoring Program of the California Resources Agency has not designated the project area as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore no impact to farmland would occur.
- b) The proposed project site is zoned for commercial uses and is not covered by a Williamson Act contract. Furthermore, no Williamson Act Contracts are located in the immediate vicinity of the project site. Therefore, no impacts to Williamson Act Contracts would occur.
- c) The proposed project is designated for downtown commercial uses. Implementation of the proposed project would therefore not result in conversion of farmland to non-agricultural uses. No impacts to conversion of agricultural land would occur.

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>III. AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in significant construction-related air quality impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project site and the City of Benicia are located in the San Francisco Bay air basin and are within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). The 2004 Ozone Attainment Plan and the 2000 Bay Area Clean Air Plan contain District-wide control measures to reduce ozone precursor and carbon monoxide emissions.

The BAAQMD monitoring site in Benicia monitors SO<sub>2</sub> and gross hydrocarbons. The Inspection Program of the Compliance and Enforcement Division of BAAQMD routinely conducts inspections and audits of potential polluting sites to ensure compliance with applicable federal, State, and BAAQMD regulations.

a) Vehicle trips associated with the proposed project would result in the emission of ozone precursor and carbon monoxide. However, the *BAAQMD CEQA Guidelines* indicate that demolition of a commercial structure of the size proposed is below the established threshold for the generation of potentially significant emissions resulting from trip generation during project operation. Therefore, trips generated by the proposed project are not expected to result in a significant increase in ozone, carbon monoxide, or other pollutants associated with fuel combustion, or obstruct implementation of the Ozone Attainment Plan or the Clean Air Plan.

The City's *General Plan* is in conformance with the Clean Air Plan. The proposed project is consistent with the City's *General Plan*; as a result, the project would not conflict with implementation of the Clean Air Plan. The EIR for the Benicia General Plan found the City to be consistent with the regional Clean Air Plan. The project would not conflict with or obstruct implementation of the BAAQMD air quality plan, nor would it require a permit from BAAQMD.

b-d) The San Francisco Bay air basin is in non-attainment for ozone and particulate matter – 10 micron (PM10) per State standards. The air basin is preliminarily in non-attainment for particulate matter – fine (PM2.5) per State standards. The air basin is in marginal attainment for ozone at the federal level. As noted previously, the demolition proposed is below the established BAAQMD threshold for the generation of potentially significant emissions resulting from trip generation during project operation. Therefore, implementation of the proposed project would not generate sufficiently high amounts of ozone that would substantially contribute to the air basin's existing nonattainment status for ozone.

Activities associated with the project could result in the generation of emissions and dust that would contribute to the air basin's non-attainment status for particulate matter. BAAQMD has identified feasible control measures for pollutants from such construction activities. Grading and storm water management practices required by the City, plus the following mitigation measure identified by BAAQMD, would reduce air quality impacts to a less-than-significant level:

#### **Mitigation Measure - AIR QUALITY**

##### **MM AIR 1 During all phases of activity at the project site:**

- (1) Water all active lot areas at least twice daily during the dry season; a backflow device is required on all hoses used for watering.**
- (2) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard;**
- (3) Weather permitting, sweep twice daily (with regenerative air type sweepers) all paved access roads, parking areas and staging areas at the site; and**
- (4) Sweep streets twice daily (with regenerative air type sweepers) if visible soil material is carried onto adjacent public streets.**

e) No sensitive receptors are located in close proximity to the project site.

f) The proposed project would not generate objectionable odors affecting a substantial number of people.

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IV. BIOLOGICAL RESOURCES.</b> Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands, as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal wetlands, etc.), through direct removal, filling, hydrological interruption or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The General Plan does not indicate that there are any sensitive biological resources on this developed site. The proposed project would remove one moderately size tree, which may required a permit from the Parks and Community Services Department.

a) The project site, an improved infill lot, has low habitat value for wildlife. Wildlife species that do occupy the site are common species that easily adapt to disturbed, urban conditions. No protected species are known to exist within the project site. Therefore, implementation of the proposed project would not have a substantial direct or indirect effect on protected species.

b) No riparian habitat or wetlands are located within or in the immediate vicinity of the project site.

c) The proposed project would not have a substantially adverse effect on federally protected wetlands.

d) The project site is a developed infill site. The project site is not used by native resident or migratory fish or wildlife species. The project would not destroy, impede the use of, or otherwise modify native wildlife nursery sites. Therefore, implementation of the proposed project would not substantially interfere with the movement of native or migratory wildlife species, or adversely affect native resident or migratory wildlife corridors or native wildlife nursery sites.

e) The proposed project does not conflict with any local policies or ordinances protecting biological resources.

f) The project site is not located in any area subject to the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>V. CULTURAL RESOURCES.</b> Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those inferred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) The subject property is located in the Historic Overlay District. The building proposed for demolition is designated as a potentially contributing historic resource in the Downtown Historic Conservation Plan.

According to a Historic Review and Evaluation prepared by ARC Inc., date stamped January 9, 2007, the existing building located on the northern side of the lot facing East E Street proposed for demolition was constructed in the 1870's as a 1,200 square foot single-family residence but is currently used as an office. The building as it exists now is approximately 1,450 square feet with one story and basement/garage area below the main section. The evaluation concludes that the structure has undergone several major remodels and two additions that together have eliminated any obvious original detailing, porches, or fenestration on the exterior. Although some original wainscoting and interior doorframes remain, the remodeling has irreversibly compromised the historic integrity of the architectural design both inside and out, rendering it a confusing assemblage of forms and materials.

The architectural historian hired by the City to update the inventory of downtown historic resources also has concluded that the building does not retain substantial historical, architectural or cultural interest or value and is therefore not eligible for City historic resource designation.

Approximately 60 other structures currently designated as historic resources have likewise been determined to be ineligible for continued historic designation. The potential for these to be demolished could have a significant impact on the overall integrity of the downtown historic district. While still designated as historic resources, activities involving their exterior appearance will need to comply with the provisions of the Downtown Historic Conservation Plan.

**Mitigation Measures - CULTURAL RESOURCES:**

**MM CULT 1** The Downtown Historic Conservation Plan shall apply to all designated historic resources.

b,d) The General Plan does not identify the project site as containing any archaeological resources and is not considered likely to contain human remains. Demolition will involve only limited and very shallow ground disturbance

c) There are no known paleontological resources or unique geological features on the site.

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VI. GEOLOGY AND SOILS.</b> Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death, involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-d) The project site is not located in an Alquist-Priolo Special Studies Zone designated by the California Department of Conservation, Division of Mines and Geology. The Green Valley Fault is about 3.6 miles to the northeast of the site. While this area is subject to frequent seismic activity, fault rupture on the site is unlikely. The project site is located in an area shown in the *General Plan* as having the potential for liquefaction and other seismic-related ground failure. Standard construction safety practices are intended to protect site workers from hazards that include building failure during demolition. The site is not in a potential landslide or area expansive soils zone.

e) Not applicable.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VII. HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## **INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

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a,c-h) Demolition activities could involve transport of small volumes of commercially available hazardous materials, such as oil, gasoline, paint, and solvent; however use of any such materials would be governed by hazardous materials regulations and would not pose a substantial adverse threat to either on-site construction workers or the public. The proposed project would not result in the emission or handling of hazardous materials within the near vicinity of an existing or proposed school.

b) The Benicia General Plan (Appendix G) does not identify the project site as a Hazardous Materials Site.

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VIII. HYDROLOGY AND WATER QUALITY.</b> Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of a failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## **INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

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- a) The project would be required to conform to the City grading and storm water standards.
- b) The City does not use groundwater for water supply.
- c-f) Implementation of the proposed project would not result in the alteration of a stream or river. City regulations require post-project runoff to not exceed pre-project levels.
- g-i) The project is located outside the 100-year flood and hazard area and would not impede or redirect flood flows nor place persons in a flood or inundation hazard area.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IX. LAND USE AND PLANNING.</b> Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) The demolition of one building would not create a divisive land use pattern.
- b) A City-designated historic structure may be demolished if it no longer "has substantial historical, architectural or cultural value" (Downtown Historic Conservation Plan, pp. 26)
- c) The project site is not located in an area included in a habitat conservation plan or natural community conservation plan.

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

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	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>X. MINERAL RESOURCES.</b> Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a,b) The General Plan does not designate any mineral resources on the site.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XI. NOISE.</b> Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or of applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a,b,d) Noise levels on the project site and immediately adjacent properties would increase temporarily during demolition phases of the project. The project will be required to comply with the City noise ordinance.

c) The project will be of temporary duration.

e,f) The proposed project is not within an airport land use plan or located within two miles of a public or public use airport.

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XII. POPULATION AND HOUSING.</b> Would the project:				
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-c) The building proposed for demolition is used as an office.

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIII. PUBLIC SERVICES.</b> Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-e) The proposed demolition would not create demand for municipal services.

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIV. RECREATION.</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities, or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a,b) The proposed demolition would not create demand for park or recreational services or facilities.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XV. TRANSPORTATION/TRAFFIC.</b> Would the project:				
a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) Because the 100 block of East E Street functions as a cul-de-sac, all project-related traffic will affect the intersection of First and E Streets. However, the level of traffic generated by transport of workers, equipment, and material to/from the site will be well within the design capacity of that intersection and the city street system.

b) The Solano Transportation Agency operates as the Congestion Management Agency for Solano County, which sets a significance threshold for requiring an analysis of regional roadways at 100 PM peak hour trips, far above any level reasonable associated with the demolition project.

c) The project proposal is not expected to result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

d) East E Street is adequately designed to accommodate demolition-related vehicle trips. The project would not result in the creation of sharp curves, dangerous intersections, or other design hazards.

## **INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

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- e) The project site is served by East E Street and the public alley to the rear. East E Street is paved and readily accessible to emergency vehicles. The alley to the rear of the project site will require improvements to ensure access for emergency vehicles.
- f) No parking requirement is associated with the project.
- g) This project is not in conflict with adopted policies, plans or programs supporting alternative transportation.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVI. UTILITIES AND SERVICE SYSTEMS.</b> Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand, in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-e) The project will not result in new demand for water supply or wastewater treatment or require new sewer or storm water facilities.

f,g) Solid waste collected in the City is transported to Keller Canyon Landfill in Pittsburg for disposal. Keller Canyon Landfill is duly permitted and anticipated to have sufficient capacity to operate until 2037 and would accommodate solid waste generated by the proposed project.

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVII. MANDATORY FINDINGS OF SIGNIFICANCE</b> Does the Project:				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wild-life population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plants or animals, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) **Less than Significant Impact.** The proposed project would not degrade the quality of the environment; result in an adverse impact on fish, wildlife, or plant species including special status species, or prehistoric resources. The structure proposed for demolition has lost the attributes necessary for it to continue to qualify as a City-designated historic resource. Therefore the impact to cultural resources would less than significant.
- b) **Less than Significant Impact.** The requirement that this and any other City-designated historic resource proposed for demolition be evaluated independently on the basis of retention or loss of substantial historic, architectural, and cultural integrity remains in place in the Downtown Historic Conservation Plan and the City zoning ordinance (Section 17.54.100). All potential impacts would be reduced to less than significant levels by adhering to basic regulatory requirements and/or conditions of approval. Therefore the cumulative impact of future similar demolitions would be less than significant.
- c) **Less than Significant Impact.** Only adherence to City regulations governing demolition procedures is necessary to render potential impacts less than significant.

**REFERENCES:**

1. City of Benicia General Plan, 1999, Land Use Diagram
2. City of Benicia General Plan
3. City of Benicia Zoning Ordinance
4. City Staff
5. Project description
6. Downtown Historic Conservation Plan
7. Historic Review and Evaluation, prepared by ARC Inc., date stamped January 9, 2007
8. Final Report: Downtown Benicia Parking Study, June 2004
9. Bay Area Air Quality Management District Guidelines, 1999

**MITIGATION MONITORING  
AND REPORTING PROGRAM**

# MITIGATION MONITORING AND REPORTING PROGRAM

## FOR 126 EAST E STREET DEMOLITION APPLICATION

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### Introduction

This document describes the mitigation monitoring and reporting program (MMRP) for ensuring the effective implementation of the mitigation measures required for City of Benicia approval of the demolition of the structure at 126 East E Street.

### City of Benicia

When a lead agency approves findings pursuant to CEQA Guidelines §15074 upon completion of a Mitigated Negative Declaration, it is required to adopt a mitigation monitoring and reporting program. The purpose of the mitigation monitoring and reporting program is to ensure that measures adopted to mitigate or avoid significant environmental impacts are implemented. A mitigation monitoring and reporting program does not need to be included with the Mitigated Negative Declaration as at times the findings that trigger the program are made after considering the MND. Note that mitigation measures are enforced through permit conditions, agreements, or other measures. The reporting and monitoring program will not only direct the implementation of mitigation measures by the applicant, but also facilitate the monitoring, compliance and reporting activities of the City and any monitors it may designate.

### Project Background

The applicant is requesting approval for demolishing the existing building located on the northern side of the lot, which is currently used as an office. This building is designated as a potentially contributing structure in the Downtown Historic Conservation Plan.

The Mitigated Negative Declaration for the 126 East E Street Demolition Project found that the resulting actions would have potentially significant impacts in the areas of:

- Air Quality
- Cultural Resources

In addition, no mitigation measures were identified for the following areas as all potential project impacts were determined to be either no impact or less than significant:

- Aesthetics
- Agricultural Resource
- Biological Resources
- Hydrology and Water Quality
- Mineral Resources
- Noise
- Population/Housing

- Public Services
- Recreation
- Transportation/Traffic
- Geology and Soils
- Hazards & Hazardous Materials
- Land Use Planning
- Utilities/Service Systems

### **Roles and Responsibilities**

As the lead agency under CEQA, the City of Benicia will be responsible for ensuring full compliance with the provisions of this monitoring program and has primary responsibility for implementation of the monitoring program. The City of Benicia has the authority to halt any activity associated with the demolition if the activity is determined to be a deviation from the approved project or the adopted mitigation measures. The City of Benicia will act as the mitigation monitor and will designate to the applicant (Pat Donaghue) how to contact the monitor.

### **Mitigation Monitoring and Reporting Program**

The table attached presents a compilation of the mitigation measures in the Mitigated Negative Declaration together with the required monitoring and reporting actions, effectiveness criteria, and timing.

## Mitigation Monitoring Table

Impact	Mitigation Measure	Monitoring/Reporting Action	Effectiveness Criteria	Timing	Non-Compliance Sanction
<p><b>AIR QUALITY</b></p> <p>3c) Construction activities associated with the proposed project could result in the generation of emissions and dust that would contribute to the air basin's non-attainment status for particulate matter.</p>	<p>MM AIR 1 During all phases of activity at the project site:</p> <p>(1) Water all active lot areas at least twice daily during the dry season; a backflow device is required on all hoses used for watering.</p> <p>(2) Cover all trucks hauling soil, sand, and other loose materials <i>or</i> require all trucks to maintain at least 2 feet of freeboard;</p> <p>(3) Weather permitting, sweep twice daily (with regenerative air type sweepers) all paved access roads, parking areas and staging areas at the site; and Sweep streets twice daily (with regenerative air type sweepers) if visible soil material is carried onto adjacent public streets.</p>	<p>Reporting action: Builder shall specify air quality construction practices at time of grading plan submittal.</p> <p>Monitoring action: Field survey by mitigation monitor.</p> <p>Monitoring action: Complaints by neighbors.</p>	<p>Receipt by the mitigation monitor of the described documentation.</p> <p>If construction practices are not followed: Stop Work Order.</p>	<p>Prior to issuance of grading plan and continued during all phases of activity at the project site</p>	<p>Stop Work Order.</p>

Impact	Mitigation Measure	Monitoring/Reporting Action	Effectiveness Criteria	Timing	Non-Compliance Sanction
<p><b>CULTURAL RESOURCES</b></p> <p>5a) Structures currently designated as historic resources in the Downtown Historic Conservation Plan to be demolished could have a significant impact on the overall integrity of the downtown historic district. The structure has undergone several major remodels that have irreversibly compromised the historic integrity of the architectural design. The building does not retain substantial historical, architectural or cultural interest or value and is therefore not eligible for future City historic resource designation.</p>	<p>MM CULT 1 The Downtown Historic Conservation Plan shall apply to all designated historic resources.</p>	<p>Monitoring/Reporting action: The City shall monitor all work through building permit inspections to insure that no designated historic resources are affected other than the structure to be demolished.</p>	<p>If the project activity extends to any other designated historic resource, a Stop Work Order shall be placed.</p>	<p>During all activity phases of the project.</p>	<p>Stop Work Order.</p>

**DEPARTMENT OF PARKS AND RECREATION**  
**FORMS 523 A & B**  
**Prepared by Roland-Nawi**

State of California  The Resources Agency  
 DEPARTMENT OF PARKS AND RECREATION  
**PRIMARY RECORD**

Primary # \_\_\_\_\_

HRI #

Trinomial

NRHP Status Code

Other Listings  
 Review Code

Reviewer

Date

Page 1 of 3

Resource Name or #: 126 East E Street

P1. Other Identifier: None

\*P2. Location:

Not for Publication  Unrestricted

\*a. County: Solano

\*b. USGS 7.5' Quad Benicia

T 2N R 3W MDM

c. Address: 126 East E Street

City: Benicia

Zip: 94510

d. UTM:

e. Other Locational Data: APN 89-372-06

\*P3a. Description:

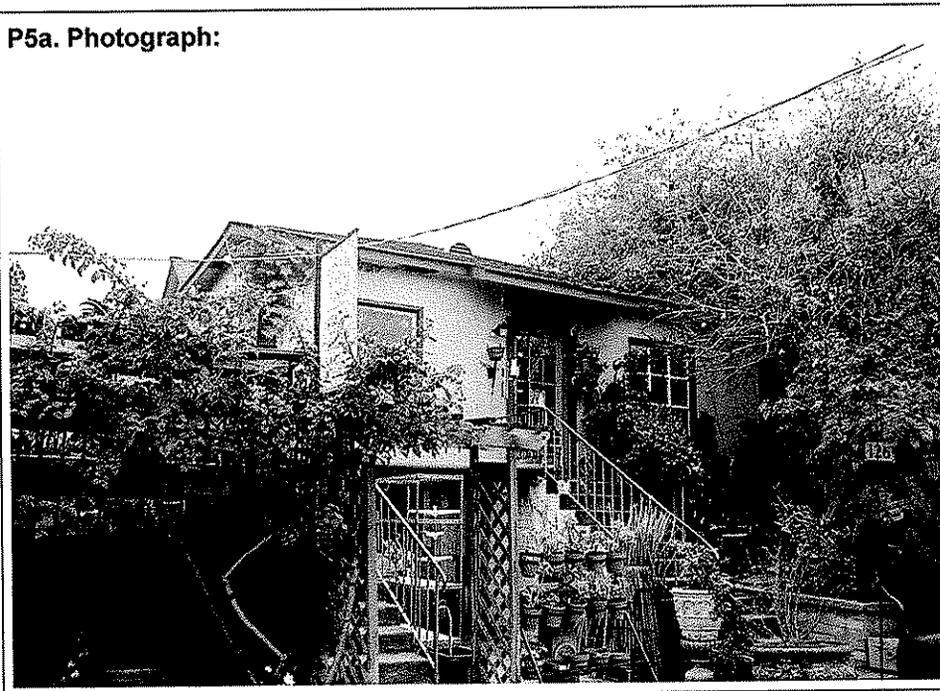
This residence is a one and one-half story building with a raised basement. It has a complex plan, but, from the street appears to be rectangular in form. The roof has a moderate slope and is covered with composition shingle. There is a small eave overhang. Fenestration consists of a mixture of window types, including symmetrically arranged windows on the front elevation, one of which is double hung, while the other is multi-light. Other windows are vinyl replacement, with plexiglas glazing in some places. The entry is centered on the front façade. The door is multi-light with a transom. A long concrete stair with a metal balustrade provides access to the concrete landing and front entry. A garage with a modern tilt-up door has been cut into the lower half-story. The entire building was clad with stucco circa 1950.

\*P3b. Resource Attributes: HP2

P4. Resources Present:  Building  Structure  Object  Site  District  Element of a District  Other

\*P5b. Description of Photo: Front elevation, view south

P5a. Photograph:



P6. Date Constructed/Age: circa 1886

Source: Sanborn Fire Insurance Map; Assessor Records

Historic  Prehistoric  
 Both

\*P7. Owner and address:

Patrick Donaghue  
 126 East E Street  
 Benicia, CA 94510

\*P8. Recorded by:

Carol Roland  
 Roland Nawi Associates  
 956 Fremont Way  
 Sacramento, CA 95818

\*P9. Date Recorded: January 7, 2008

\*P10. Survey Type: Intensive

\*P11. Report Citation: None

Attachments:  NONE

Location Map  Continuation Sheet  
 Building, Structure, and Object Record  Archaeological

Record  District Record  Linear Feature Record  Milling Station Record  Rock Art Record  Artifact Record  
 Photograph Record  Other

**BUILDING, STRUCTURE, AND OBJECT RECORD**

\*NRHP Status Code: 6Z

Page 2 of 3

\*Resource Name or #: 126 East E Street

B1. Historic Name: None

B2. Common Name: None

B3. Original Use: Residence

B4. Present Use: Residence

\*B5. Architectural Style: Pyramidal Roof Vernacular

\*B6. Construction History: The building was constructed in the late 19<sup>th</sup> century, possible as early as the 1880s. A building of similar size and form appears in its location on the 1886 Sanborn Fire Insurance map. A rear gable roof addition appears to have been constructed circa 1900. Extensive alterations, of unknown date, have been made to the building. These include extensive window replacement, front entry door replacement, porch and entry stair replacement, installation of a basement story garage, and recladding of the exterior with stucco.

\*B7. Moved?  No  Yes  Unknown Date: Original Location:

\*B8. Related Features: There are two detached rectangular structures on the rear of the lot that open onto Kuhland Alley.

B9a. Architect: None

b. Builder: Unknown

\*B10. Significance: Theme: City of Benicia Residential Development Area: Downtown Historic District

Period of Significance: 1847-1940 (Period of Significance of Downtown Historic District)

Property Type: Single Family residence Applicable Criteria: A and C

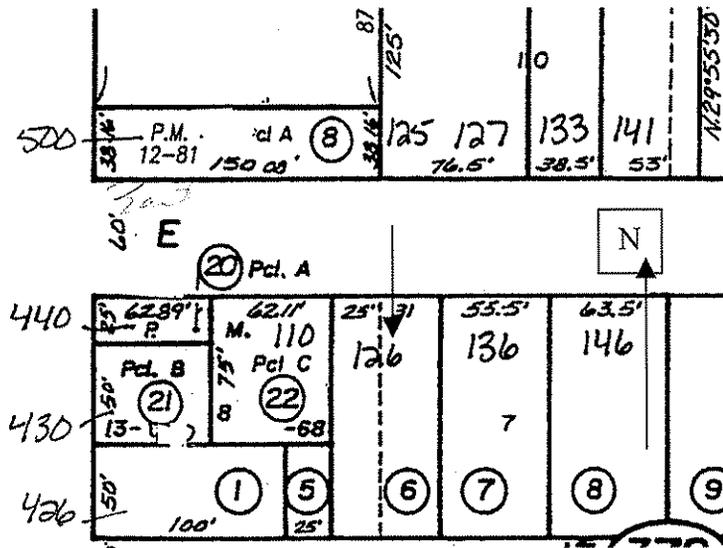
The building is located within the Downtown Historic District of the City of Benicia. In the 1986 survey it was designated as potentially eligible for listing as a contributor to the district. However, the property has been dramatically altered and retains no integrity from the period of significance of the local historic district. The building appears to have originally been constructed in a vernacular pyramidal style with a hip roof. The roof and the massing of the front portion of the house provide the only remaining clues to the original style and appearance of the building. Windows, doors, exterior cladding, roof cladding, porch and entry stair have all been replaced and now constitute an eclectic mix of elements from different time periods. A large opening has been cut in the front elevation of the basement story to create a built-in garage. The substantially impaired level of integrity of the house does not meet the standards for listing in the California Register of Historical Resources or the National Register of Historic Places. The house retains insufficient integrity to contribute to the Benicia Downtown Historic District and is recommended for removal from the City's list of contributing buildings in the unadopted historic district survey update, 2005.

B10. Additional Resource Attributes: None

\*B12. References: Bruegmann, Robert. *Portrait of an Early California Town: An Architectural History*. (New York: Scribner, 1980); Dillon, Richard. *Great Expectations: The Story of Benicia*. (Benicia Heritage Books, 1980); McAlester, Virginia. *A Field Guide to American Houses*. (New York: Alfred Knopf, 1986); Sanborn Fire Insurance Map, 1886; City of Benicia Building Valuation Appraisal Form, 1919; Benicia Historic District Survey, 1986; Benicia Historic District Survey Update, 2005; ARC.Inc. Architects. "Historic Review and Evaluation," unpublished cultural resource evaluation, 2007, in the files of the Benicia Community Development Department.

(This space reserved for official comments.)

Sketch Map:



B13. Remarks: None

\*B14. Evaluator: Carol Roland, Ph.D.

\*B15. Date of Evaluation: 1-7-08

**HISTORIC REVIEW AND EVALUATION**  
**Prepared by Arc Inc.**

**ARC Inc.**

**ARCHITECTS**

616 Marin Street  
Vallejo, CA 94590  
Tel: 707.745.0502  
Fax: 707.556.1121  
ARCIncArchitects.com

## **Historic Review and Evaluation**

126 East E Street, Benicia, CA 94510

### **Overview**

There are three distinct structures on this parcel (1996 Solano Assessors Parcel #89-372-06) with three different addresses. This report primarily addresses the structure at 126 East E Street that was constructed in 1900, according to records at the Solano County Assessor's records.

The Historic Resource Inventory of the area completed by City of Benicia in 1986 describes the structure as a remodel with an estimated construction date in the 1870s, and lists the property size as 56 feet of frontage and 125 feet deep. An attached 1919 assessment form describes the building as a residence with a foundation made of brick and wood, encompassing 1200 square feet.

### **Current Description**

The residence at 126 East E Street is currently a 1450 square-foot, single-story structure with a basement/garage area below the main section. The structure consists of an apparently original hipped-roof cottage structure circa 1900, a later single-gable addition on the rear, and a third, flat-roofed addition adjoining the gabled portion. The exterior of the original portion of the house has been altered drastically with no original doors, windows, or porches visible.

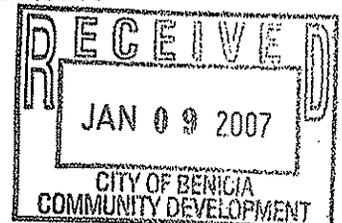
### **Historic Evaluation**

The structure has had several drastic remodelings and two additions, obliterating any obvious original detailing, porches, or fenestration on the exterior. Although some original wainscoting and door frames remain in the interior, such remodeling, both inside and out, have irreversibly compromised the historic integrity of the architectural design, and leave it a confusing assemblage of forms and materials. Several interior walls have been removed.

Although of different design and dates of construction, the other two structures on the site (125 and 127 Kuhland Alley) have undergone similar layered remodelings.

A review of the historic documentation of the city of Benicia (see Bibliography) has uncovered no social significance connected to any of these structures, or to any of its previous inhabitants or owners.

The structures fall within "The Benicia Downtown Historical District", but cannot be considered as contributing structures in their current state.



State of California The Resources Agency  
 DEPARTMENT OF PARKS AND RECREATION  
**PRIMARY RECORD**

Primary #  
 HRI #  
 Trinomial  
 NRHP Status Code

Other Listings  
 Review Code

Reviewer

Date

Page 1 of 2

\*Resource Name or #: - 126 East E St.

P1. Other Identifier: none

\*P2. Location: \_

\*a. County: Solano

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

\*b. USGS 7.5' Quad: Benicia T2N R3W MDM

c. Address: 126 East E Street

City: Benicia

Zip: 94510

d. UTM: N/A

e. Other Locational Data: APN# 89-372-06

\*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

The residence at 126 E. E St. is a 1450 sq. ft. irregular shaped single story structure with a small basement/garage below the main section. The building consists of an apparently original hipped-roof cottage structure circa 1900, a later single-gable addition on the rear, and a third, flat-roofed addition adjoining the gabled portion. It has stucco siding. It is unclear whether any original windows remain. On the front of the building there is a double hung window and a multi-paned picture window that may be original. The four remaining windows are vinyl replacements; one is aluminum, a sheet of Plexiglas has replaced one, and one has been reglazed with Plexiglas. Doors have also been replaced.

\*P3b. Resource Attributes: (List attributes and codes) single family structure

\*P4. Resources Present: X Building Structure Object Site District Element of District  
 Other (Isolates, etc.)

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)

P5b. Description of Photo: (View, date, accession #)  
 Front façade, view south

\*P6. Date Constructed/Age and Sources:  
 circa 1900, Solano County Assessor

\*P7. Owner and Address:  
 Patrick M. Donaghue  
 126 E. E St.  
 Benicia, CA 94510

\*P8. Recorded by: (Name, affiliation, and address) A. Kinane  
 Andy Kinane, Historic Evaluation. Benicia, CA

\*P9. Date Recorded: Dec. 22, 2006

\*P10. Survey Type: (Describe) General Reconnaissance

\*P11. Report Citation: (Cite survey report and other sources, or enter "none.")



\*Attachments: NONE Location Map Sketch Map Continuation Sheet X Building, Structure, and Object Record  
 Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record  
 Artifact Record Photograph Record X Other (List): Selected references (appendix)

State of California The Resources Agency  
 DEPARTMENT OF PARKS AND RECREATION  
**BUILDING, STRUCTURE, AND OBJECT RECORD**

Primary #  
 HRI#

Page 2 of 2

\*NRHP Status Code

\*Resource Name or # (Assigned by recorder) 126 E. E St.

B1. Historic Name: N/A

B2. Common Name: none

B3. Original Use: residential

B4. Present Use: residential

\*B5. Architectural Style: vernacular

\*B6. Construction History: (Construction date, alterations, and date of alterations) The house was built circa 1900. Retaining wall was added in 1966. Major repairs in 1983. 1980's to 1990's: extensive remodeling.

\*B7. Moved? X No Yes Unknown Date: Original Location: same

\*B8. Related Features: none

B9a. Architect: unknown

b. Builder: unknown

\*B10. Significance: Theme: N/A

Area: Benicia Downtown Historic District

Period of Significance: N/A

Property Type: Single Family

Applicable Criteria: N/A

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

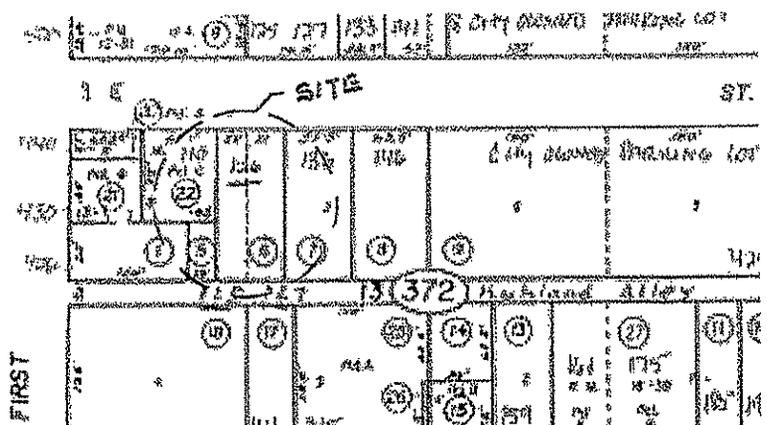
While the house has some elements of an early vernacular residential building associated with the establishment of the town of Benicia, it has been heavily modified. This includes additions. Extensive remodeling occurred in the 1980's and 1990's. Due to this drastic remodeling there appears to be little of the original structure in the current residence and little if any historic significance of this or either of the other two structures on the property. Additionally, as part of the review of the historic documents and books on the history and development of Benicia (see references) no significance was found related to any previous owners or of the structures themselves.

The site is in an established historic district. The other two structures on the property: 125 and 127 Kuhland Alley are also of little or no historic importance. The structure at 127 was heavily modified in the early 1990's with new siding, stucco, a new roof, and vinyl windows. 125 Kuhland was likely constructed at a similar time as 126 E. E St. but has been heavily modified as part of the remodeling done in the 1980's to 1990's period.

\*B12. References: Historic Resources Inventory (on State of California Form) prepared Mar. 1986 by City of Benicia volunteer; City of Benicia Building Valuation Appraisal Form for 126 E. E St., 1919 Assessment. Sanborn Insurance Atlas of Benicia, 1886, Sheet 4 showing E. E St. and Kuhland Alley between 1st and E. 2nd. 'Benicia, Portrait of an Early California Town', An Architectural History by Robert Brueggemann. Charles Scribner's Sons, New York. 1980 Great Expectations, The Story of Benicia, California, by Richard Dillon, Benicia Heritage Book, Inc. 1980. 'Images of America: Benicia', Julia Bussinger and Beverly Phelan, Arcadia Publishing, San Francisco, CA. 2004

\*B14. Evaluator: Andy Kinane in association with John Howland, architect, of ARC Inc. Benicia, CA

\*Date of Evaluation: Dec. 22, 2006



**Appendix** (Selected References)

Historic Resources Inventory (on State of California Form) prepared Mar. 1986 by  
City of Benicia volunteer?

City of Benicia Building Valuation Appraisal Form for 126 E. E St., 1919  
Assessment.

Photographs of buildings at 125 and 127 Kuhland Alley

Sanborn Insurance Atlas of Benicia, 1886, Sheet 4 showing a portion of E. E St. and  
Kuhland Alley between 1st and E. 2<sup>nd</sup>.

# HISTORIC RESOURCES INVENTORY

7-6

HABS \_\_\_\_\_ HAER \_\_\_\_\_ Loc \_\_\_\_\_ Ser. No. \_\_\_\_\_  
 UTM: A \_\_\_\_\_ SHL No. \_\_\_\_\_ NR Status \_\_\_\_\_  
 B \_\_\_\_\_ C \_\_\_\_\_  
 D \_\_\_\_\_

## IDENTIFICATION

1. Common name: \_\_\_\_\_
2. Historic name: \_\_\_\_\_
3. Street or rural address: 126 E. E St.  
 City \_\_\_\_\_ Zip \_\_\_\_\_ County \_\_\_\_\_
4. Parcel number: 89 - 072 - 6 B1K13 E 25' 08 + W 31' 07
5. Present Owner: L. Bordini Address: 401 C. St.  
 City Martinez Zip 94553 Ownership is: Public \_\_\_\_\_ Private \_\_\_\_\_
6. Present Use: \_\_\_\_\_ Original use: \_\_\_\_\_

## DESCRIPTION

- 7a. Architectural style: \_\_\_\_\_
- 7b. Briefly describe the present *physical appearance* of the site or structure and describe any major alterations from its original condition:

*Remodel*



8. Construction date: Estimated 1870s Actual \_\_\_\_\_
9. Architect \_\_\_\_\_
10. Builder \_\_\_\_\_
11. Approx. property size (in feet):  
 Frontage 56 Depth 125  
 or approx. acreage .10
12. Date(s) of enclosed photograph(s)  
3-28-86

*4:3*

126 E E

Mary Kuby 5  
1867

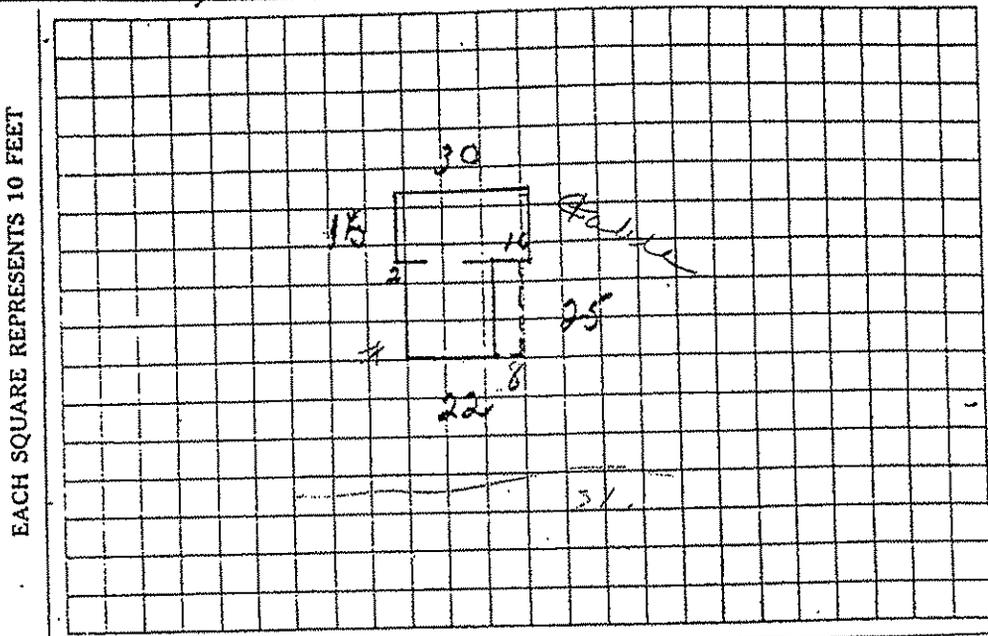
# BUILDING VALUATION APPRAISAL FORM

REVALUATION OF REAL ESTATE FOR THE 1919 ASSESSMENT  
CITY OF BENICIA, CALIFORNIA

J. C. McARAVY  
City Clerk

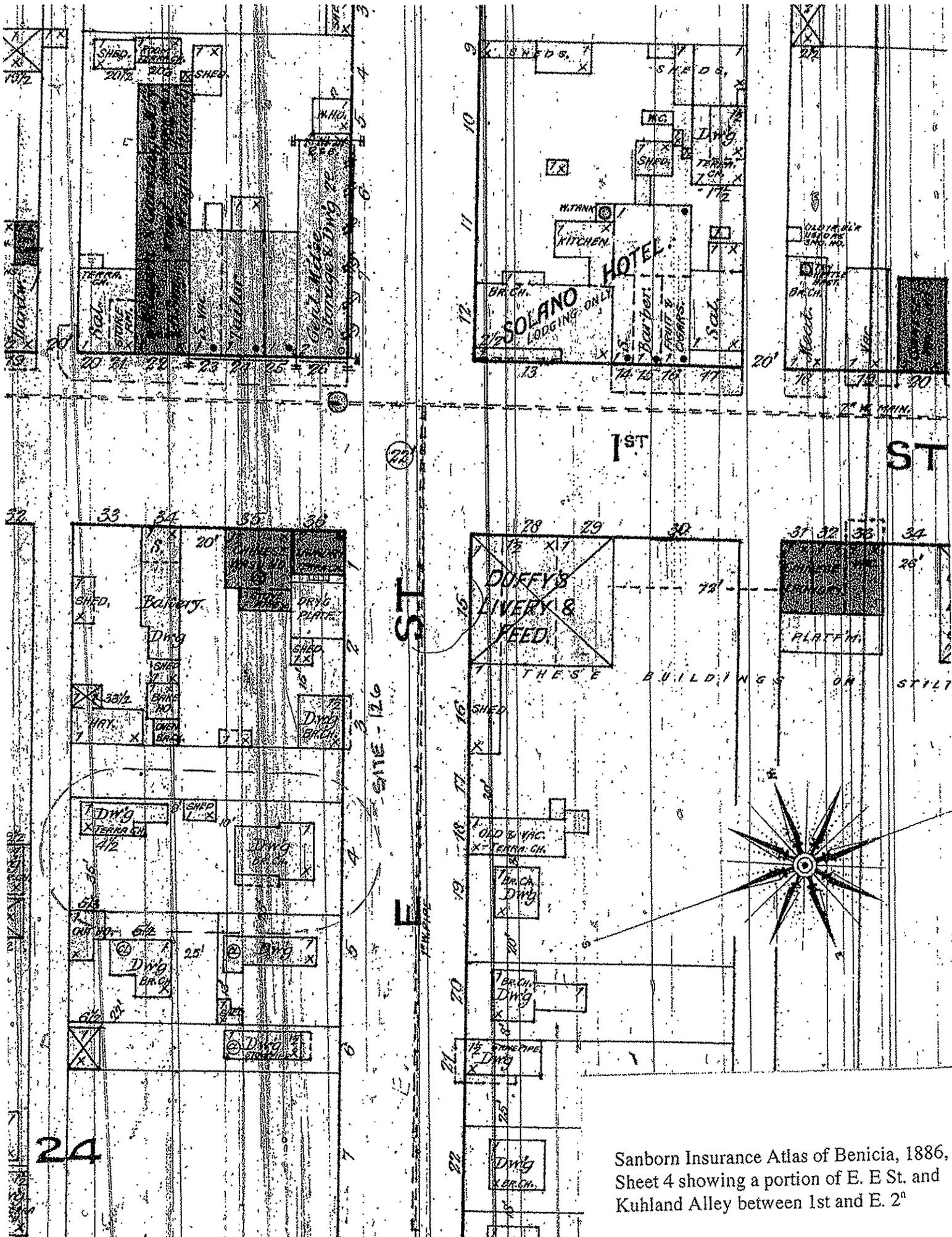
CHAS. M. PRINCE  
Deputy Assessor

NO. 12 Coast E ST. EXAMINED BY \_\_\_\_\_  
 OWNER C. Bergstrom DATE \_\_\_\_\_  
 LOT NO. W 37-8 BLOCK NO. 13 TRACT OR SUBDIVISION \_\_\_\_\_



BUILDING VALUES.	
Class	<u>4</u>
Total sq. ft.	<u>1320</u>
Price per sq. ft.	<u>1.10</u>
Building, \$	<u>1320</u>
Basement, \$	
Heat \$	
Out Buildings	
Total Cost, \$	<u>1320</u>
Per cent. Dep.	<u>45</u>
Dep. Value, \$	<u>594</u>
Per cent. Utility Dep.	
Present Value, \$	<u>725</u>

CLASS	Construction	ROOF	LIGHTING	OCCUPANCY—Owner, Rented, Vacant.				
				BASEMENT, ft. x	ft. x	ft. x	ft. x	ft. x
Hotels	Class A—	Flat, Hip	Gas, Electric	WALLS, <u>Wood</u> Lot Grade <u>2-6"</u>				
Loft Bldgs.	Structural Steel	Gables, Dormers	Good, Medium	CONDITION, Good, Medium, Poor. <u>BUILT 4</u>				
Warehouses	Terra cotta floors	Cut up Ordinary	Chap	ELEVATOR				
Stores & Offices	Rein. concrete "	Plain		Living Room				
" & Apts.	" " Frame	Tile, Shingle		Bed				
" & Theatres	Heavy	Tin, Gravel		Bath				
Offices	Medium	Composition	Sidewalk Elev.	Kitchen				
" & Theatres	Light		Freight	Hardwood Floor				
Hospitals	Class B—	Brick, Tile	Passenger	Hardwood Fin.				
Library	Class C—	Concrete	Electric	Storage				
California	Class D—	Plaster	Hydraulic	Store				
Residence	Good, Med.	Plin		Cement Floor				
Flat	Cheap	Ornamental		Unfinished				
Apartment	EXTERIOR	Stock		Lobby				
Garage	Bay Windows	Special		Offices				
Shed	Balconies, No. 1	Built-In Features	Plin	REMARKS: Enumerate Special Features:				
Barn	Enameled Dr.	Bufet, Pat. Beds	Ornamental	<u>Wood - 2 1/2" x 6" - 8" 3 1/2" in</u>				
Church	Pressed Brick	Refrigerator	Miscellaneous					
School	Blue Brick	Bookcases	Fire Escapes					
Shop	Terra Cotta	Plain, Ornament.	Metal Windows					
Garage	Art Stone	HEATING	Cornice					
FOUNDATION	Plaster, Met. Lath	Fire places, Stoves	Sprinkler					
Stone	" Wood Lath	Wood, Coal, Oil, & Gas Furnace	Marquise					
Concrete	Shakes, Rustic	Steam, hot Water	Ventilating					
Brick	Siding, Board and Batten	PLUMBING	Ceilings					
Wood	Corr. Iron	No. of Fixtures	Stairways					
Deep, Shallow	Store Front	Good, Medium	DECORATING					
	Plate in Copper	Cheap	Ornamental					
	" " Wood	Sewer	Medium					
	Sheet Glass	Cesspool	Cheap					



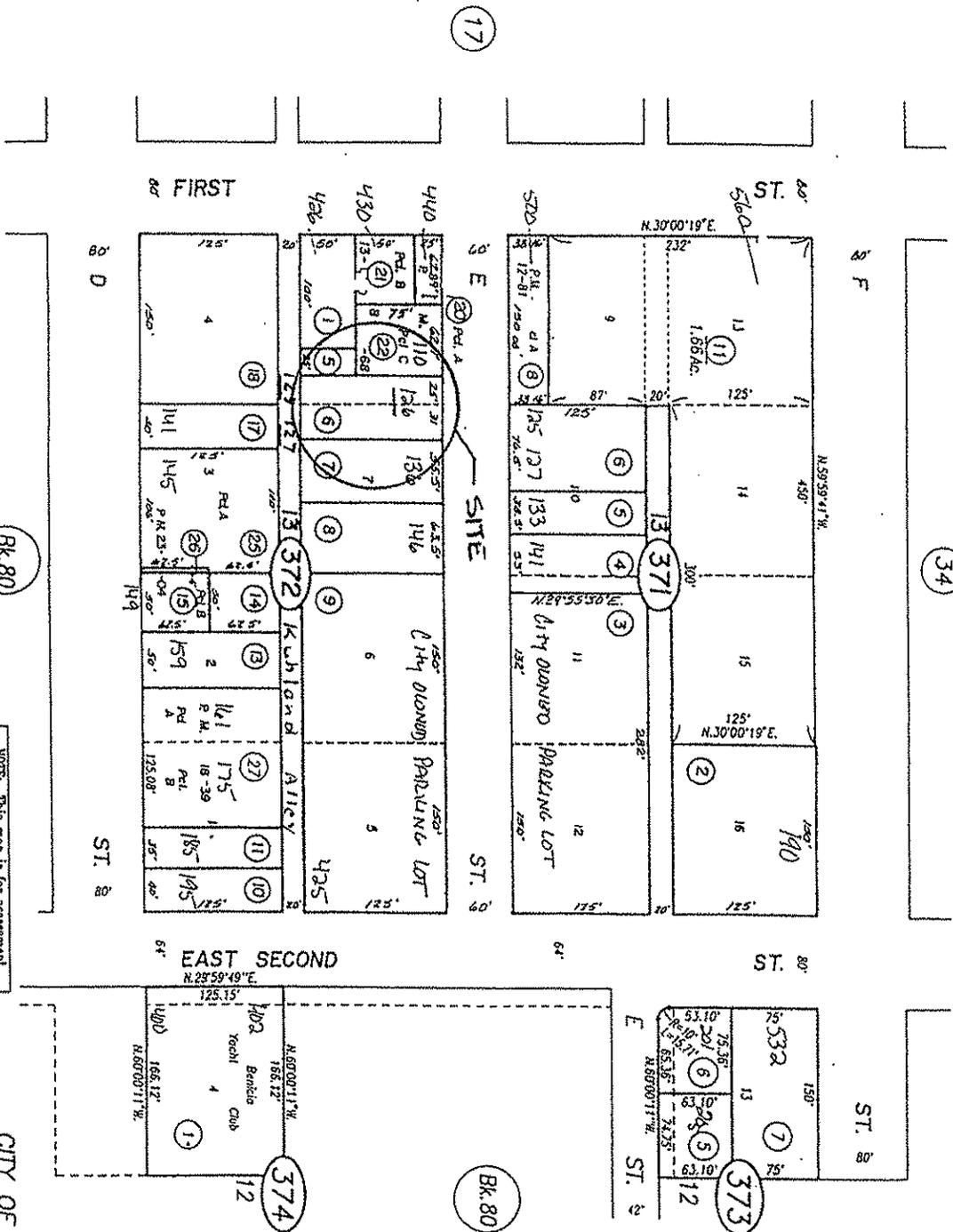
Sanborn Insurance Atlas of Benicia, 1886, Sheet 4 showing a portion of E. E St. and Kuhland Alley between 1st and E. 2nd

5089-372-060

POR. SEC. 2, T.2N., R.3W., M.D.B.& M.

Tax Area Code 1000

89-37



BK. 80

BK. 80

NOTE: This map is for assessment purposes only and is not for the intent of interpreting legal boundary rights, zoning regulations and/or legality of land division laws.

NOTE: Assessor's Block Numbers Shown in Ellipses Assessor's Parcel Numbers Shown in Circles

374-01 (Map Mark)	1-28-01	PA
373-07 (Old)	1-28-01	PA
373-05 & 06 (Old)	1-28-01	PA
172-27 PA	1-20-01	FC
REVISION	DATE	BY

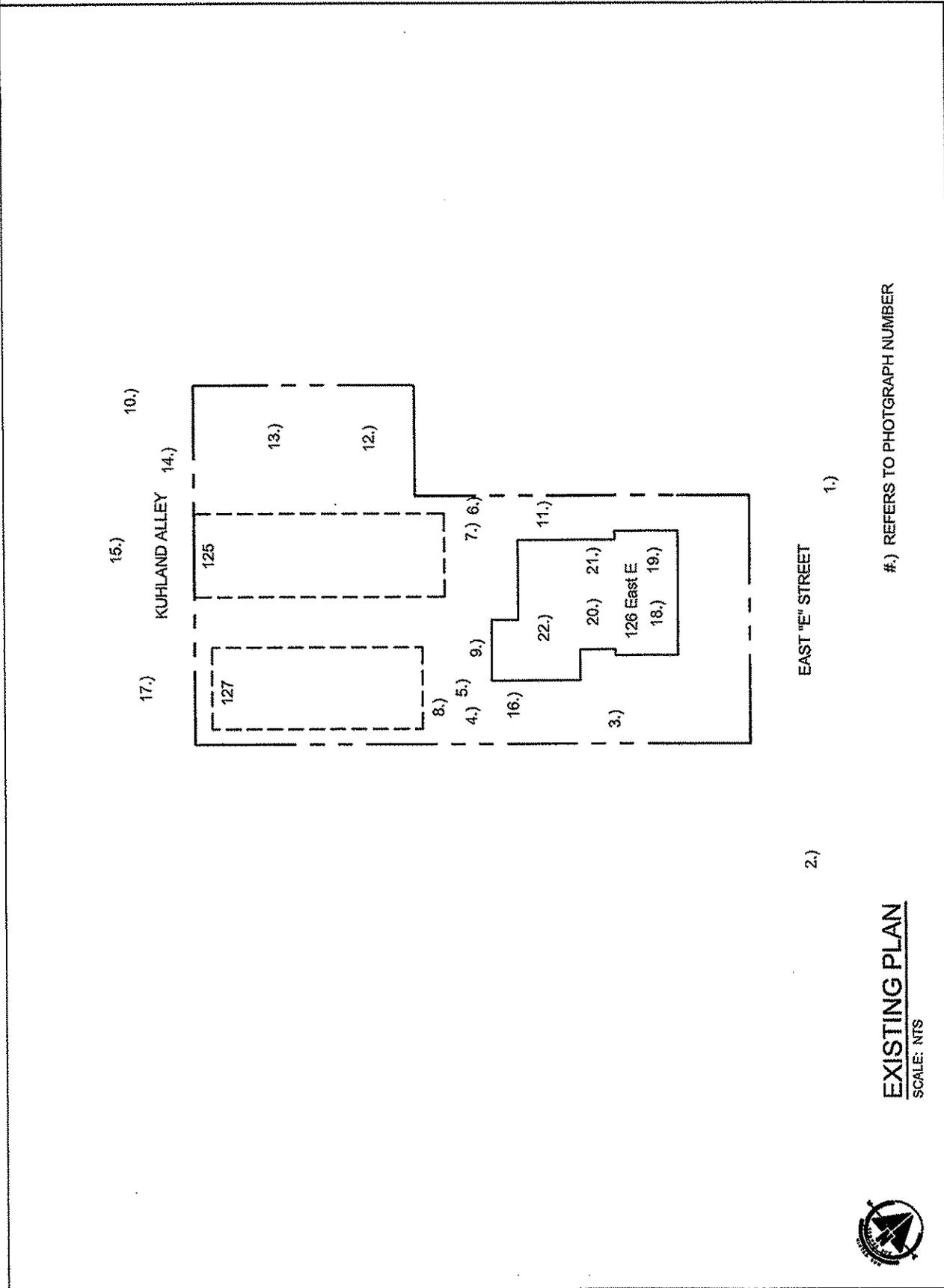
CITY OF BENICIA  
 Assessor's Map Bk. 89 Pg. 37  
 County of Solano, Calif.

02 03

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with Kin 1915 St. Dist. (Downtown)

Benicia, City of R.M. Bk. 04 Pg. 45



#.) REFERS TO PHOTOGRAPH NUMBER

**EXISTING PLAN**  
SCALE: NTS



Historic Review and Evaluation  
126 East E Street, Benicia, CA 94510  
1/5/2007



1.) 126 East E North Elevation.jpg

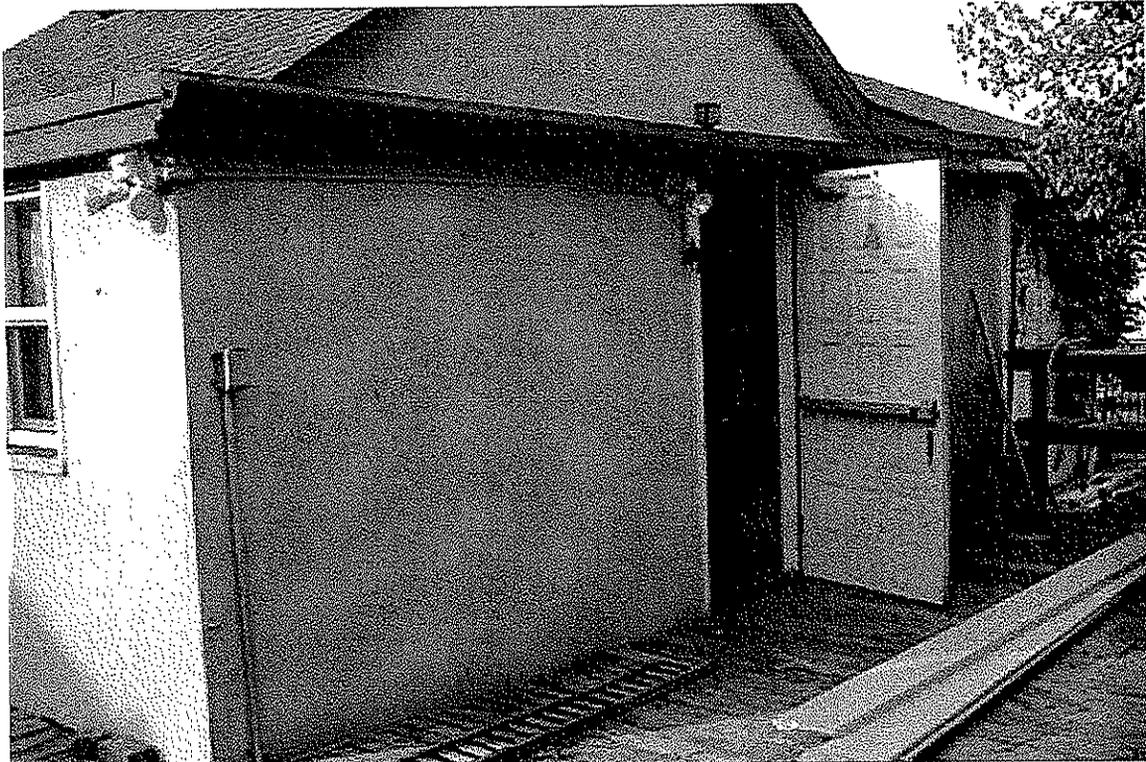


2.) 126 East E North Elevation.jpg

Historic Review and Evaluation  
126 East E Street, Benicia, CA 94510  
1/5/2007



3.) 126 East E East Elevation.jpg

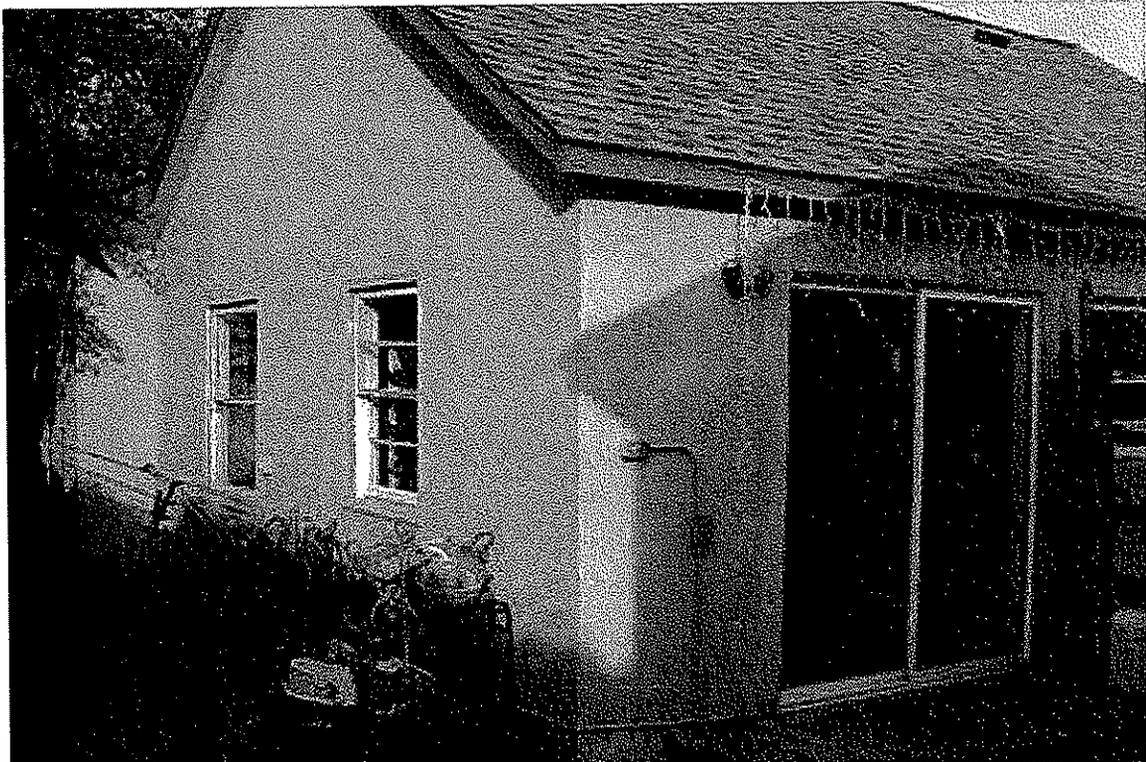


4.) 126 East E South Elevation.jpg

Historic Review and Evaluation  
126 East E Street, Benicia, CA 94510  
1/5/2007



5.) 126 East E West Elevation.jpg



6.) 126 East E West Elevation.jpg

Historic Review and Evaluation  
126 East E Street, Benicia, CA 94510  
1/5/2007



7.) 126 East E South Elevation.jpg

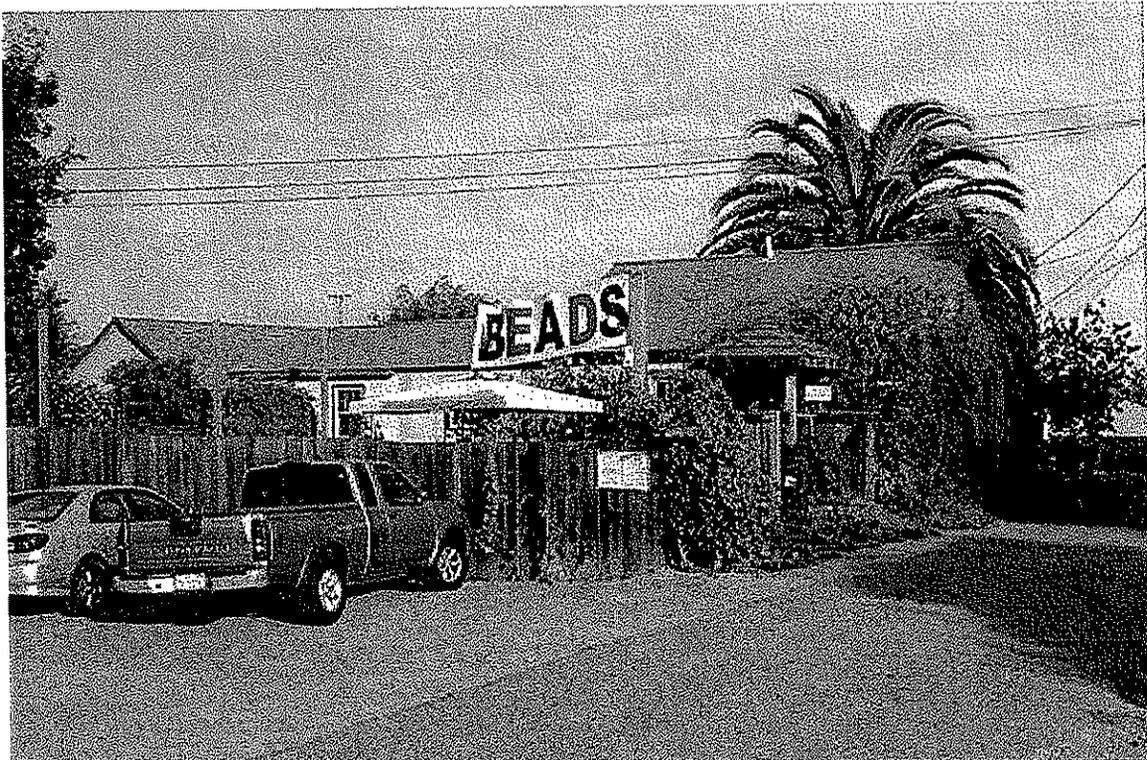


8.) 125 Kuhland Alley East Elevation.jpg

Historic Review and Evaluation  
126 East E Street, Benicia, CA 94510  
1/8/2007



9.) 125 kuhland Alley East Elevation.jpg

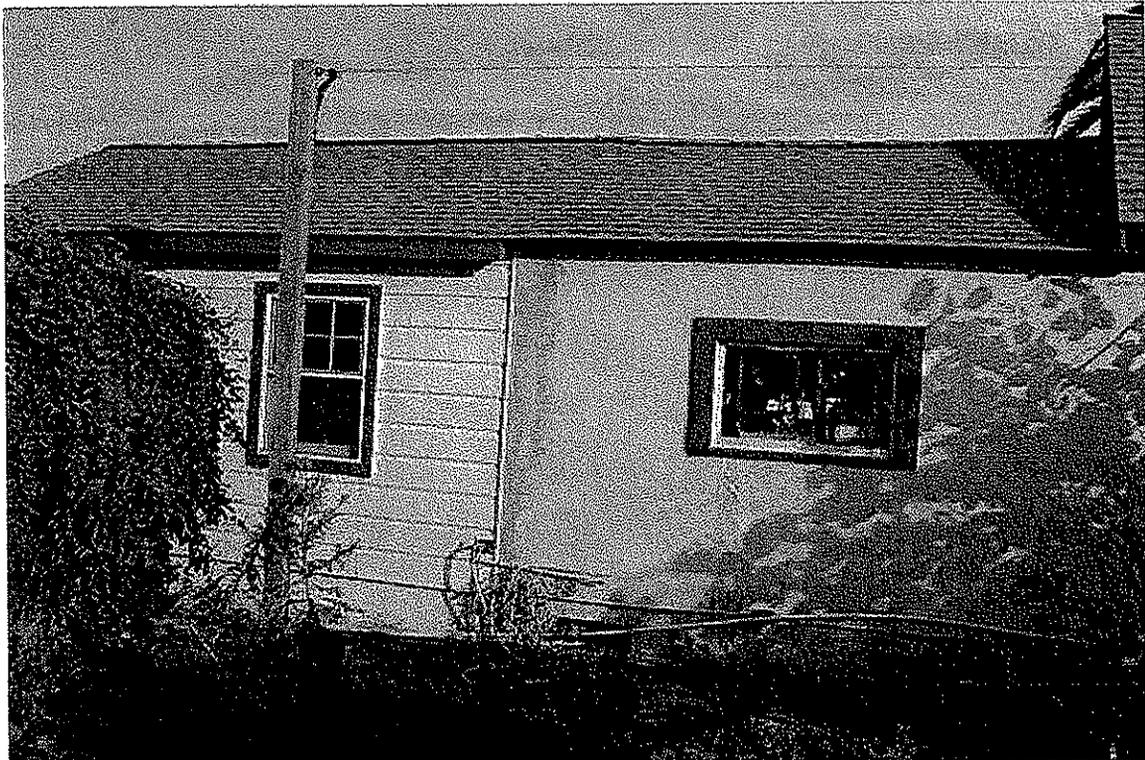


10.) 125 Kuhland Alley West Elevation.jpg

Historic Review and Evaluation  
126 East E Street, Benicia, CA 94510  
1/8/2007



11.) 125 Kuhland Alley North Elevation.jpg



12.) 125 Kuhland Alley West Elevation.jpg

Historic Review and Evaluation  
126 East E Street, Benicia, CA 94510  
1/8/2007



13.) 125 Kuhland Alley West Elevation.jpg



14.) 125 Kuhland Alley West Elevation.jpg

Historic Review and Evaluation  
126 East E Street, Benicia, CA 94510  
1/8/2007



15.) 125 Kuhland Alley North Elevation.jpg



16.) 127 Kuhland Alley North Elevation.jpg

Historic Review and Evaluation  
126 East E Street, Benicia, CA 94510  
1/8/2007



17.) 127 Kuhland Alley North Elevation.jpg



18.) 126 East E Interior West Elevation.jpg

Historic Review and Evaluation  
126 East E Street, Benicia, CA 94510  
1/8/2007



19.) 126 East E Interior East Elevation.jpg



20.) 126 East E Interior West Elevation .jpg

Historic Review and Evaluation  
126 East E Street, Benicia, CA 94510  
1/8/2007



21.) 126 East E Interior East Elevation.jpg



22.) 126 East E Interior West Elevation.jpg

Historic Review and Evaluation  
126 East E Street, Benicia, CA 94510  
1/8/2007



23.) 126 East E Original Window.jpg



24.) 126 East E Window replacement.jpg

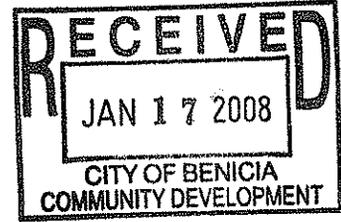
**CORRESPONDENCE FROM SANDRA SHANNONHOUSE**

**Sandra Shannonhouse 110 East E Street Benicia, CA 94510**  
**ph 707.745.8413 fx 707.745.3066 em sshannonhouse@valstar.net**

To: HPRC

Re: 126 East E

Date: Jan. 17, 2008



Attached please find a copy of my letter of Dec. 24, 2007, to Mr. Knox which outlines my concerns with the process for approval of this project.

Sincerely,

*Sandra Shannonhouse*  
Sandra Shannonhouse

**Sandra Shannonhouse 110 East E Street Benicia, CA 94510**  
**ph 707.745.8413 fx 707.745.3066 em sshannonhouse@valstar.net**

Mr. Charlie Knox  
Community Development  
Director of Planning  
City of Benicia  
250 East L Street  
Benicia, CA 94510

Dec. 24, 2007

Dear Mr. Knox:

The conversation regarding 126 East E Street, as it evolved at the Planning Commission public hearing on Thursday, Dec. 13, 2007, was increasingly confusing and I believe erroneous. In addition it seems odd that a staff report was issued which recommended that the HPRC decision to deny a demolition permit be upheld, and then at the public hearing your presentation as planning director contradicts the staff report.

You seem to be assuming, perhaps from reading Table 1, page 28 of the Downtown Historic Conservation Plan (DHCP), that all new construction of single family residences is exempt from design review by HPRC. I lived in Benicia when the Plan was implemented and participated in the process. It is disturbing to hear the Plan misinterpreted. A careful reading of "Review of Demolition Permits," pages 26 and 27, makes it clear that ANY demolition permit in the Downtown Historic Conservation District must be accompanied by concurrent design review of the building that will replace it. That is completely different from new construction of single family homes on lots that were vacant, which is the "NEW CONSTRUCTION: Single Family Residence" referred to in Table 28.

Without design review there is no way to ensure that the new structure does not harm the district as a whole and nearby historic structures individually. Without design review there is no way to ensure that the integrity, scale, mass of the existing streetscape is not harmed by new a structure replacing an existing structure that DOES fit within the existing context:

**DHCP, page 23, Objectives**

1. Preserve the integrity of individual historic buildings and the architectural features which are integral to them.
  
2. Minimize alterations and **new construction** (emphasis added) that weaken the historic integrity of individual buildings and the scale, character and streetscape of the district overall.

**Sandra Shannonhouse 110 East E Street Benicia, CA 94510  
ph 707.745.8413 fx 707.745.3066 em sshannonhouse@valstar.net**

To: HPRC

Re: 126 East E

Date: Jan. 17, 2008

Attached please find a copy of my letter of Dec. 24, 2007, to Mr. Knox which outlines my concerns with the process for approval of this project.

Sincerely,

Sandra Shannonhouse

3. Encourage new development that respects and enhances the visual character of the area, without attempting to replicate literally the buildings of another era.

**DHCP, page 50, Type 3: Setback Buildings (Transitional and Institutional Types)**

These guidelines reflect the predominantly residential character of historic buildings on the fringe areas of First Street. They apply primarily to new buildings or modifications to existing non-historic buildings. They may be applied equally to commercial and institutional building types.

**Policy 1: Architectural Character and Scale**

Commercial and/or institutional buildings should maintain the character and scale of adjoining residences and neighborhoods to provide an appropriate transition between residential and more intensive commercial development.

**Policy 2: Architectural Forms**

Encourage architectural forms which recall those of the adjoining residential structures, particularly those of historic merit.

Under the DHCP, new single family home construction on a lot where there was an existing old structure **MUST** be reviewed by HPRC in order to assure compliance with the DHCP and so protect the historic district and individual historic structures. Further, this project has evolved significantly from the original application to move a two story Victorian from Napa and place it atop a glass fronted newly constructed first floor to something we are told will be a single family residence, with the capacity to immediately be turned to commercial use. DMUMP cannot now be ignored. The IS/MND for the DMUMP applies, and it states that new SFRs and alterations to non-historic buildings must be reviewed for consistency with the Secretary of the Interior's standards per the IS/MND's M.M. Cult-1.

The CEQA issue seems to be getting swept under the carpet: The existing structure is still listed as a potentially contributing structure and must be addressed as such until such time that it is delisted. It is simply incorrect to say that all that HPRC needs to do is to find that a listed building has lost all historic value. CEQA is clear on that: The building must actually be delisted. If the building has no historic value the demolition approval is a discretionary action and its CEQA document has to look at what would be built in the building's place, per CEQA whole of the project requirement as well as the requirements in the DHCP text.

According to the City Attorney, only City Council has the ability to delist a building. It does not appear that there has yet been an adequate environmental review of the existing structure. When will the environmental review be finalized? CEQA requires that an environmental review of the project look at "the whole of an action, which has the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment" (Guidelines, Section 15378). Therefore, the environmental evaluation of the project should analyze not only

the loss of the 126 East E Street building, but also the potential effect of the proposed new construction on the historic district. The Initial Study/Mitigated Negative Declaration never considered the potential adverse effects to the other historic properties on East E Street (including one immediately adjacent to the site and one across the street) or the historic district as a whole. This issue was raised numerous times during comments on the Initial Study/Mitigated Negative Declaration in earlier HPRC meetings, but has never been adequately addressed.

With regard to historic significance, staff seems to be overlooking the fact that there is an original structure at 126 East E Street, no matter how degraded that structure is, it is in its original location and it has a certain scale and mass that fits within the existing historic streetscape. Those historic issues go well beyond what Carol Roland is studying, which is if a structure retains enough historic windows, entry way elements, etc., to qualify under the Secretary of Interior's standards to be or continue to be listed as an historic structure under those guidelines. As you told me that Cindy Woodward, SHPO, has told you herself, the State does not mean to say that all other old structures have no historic value. Quite the contrary, SHPO is very concerned about old structures that have been allowed to decay, and would like to see them rehabilitated. At both HPRC and Planning Commission, commissioners tried to address that issue but had no direction from staff and the issue died.

In addition staff is inadvertently setting up a situation where the applicant can build a residential structure, which staff incorrectly says does not need design review, and then the residential structure is NEVER used as a residence but rather immediately converted to commercial or mixed use. It is of course preposterous to think that the law is intended to abet a "bait and switch" operation. Flexibility that allows for a structure to be converted from residential to commercial over time, as the market develops, is one thing, building with the intention of doing one thing but calling it something else to evade design review is another. In fact, the developer's plans as given to Community Development at the Planning Commission hearing on Dec. 13, show the two large spaces on the ground floor level, to the left and the right of the entry way, labeled "storage." Staff says that they have told the developer that he needs to label those spaces "living," and "family," for the plan to be considered residential. It is clear, from the developer's former plans and from the plans presented on Dec. 13, that the developer is building a mixed-use project.

Obviously these are very serious issues and require serious attention. Thank you for taking the time to address them. I look forward to your written response.

Sincerely,

Sandra Shannonhouse  
Cc: Mayor Patterson  
City Manager Erickson



Community Development Department  
**MEMORANDUM**

**Date:** January 17, 2008  
**To:** City Council, Planning Commission, and Historic Preservation Review Commission  
**From:** Gina Eleccion, Management Analyst  
**Re:** Historic Survey Ad Hoc Committee Update

---

The Ad Hoc Committee has reviewed the draft historic survey prepared by Roland-Nawi Associates. The main focus of the review has been to audit properties within the district to ensure that all properties were properly evaluated. Based on this review, Department of Parks and Recreation (DPR) forms were requested for the following:

1. 5 contributors in the historic overlay district that were not captured in the draft survey.
2. 22 properties within the district that have never been evaluated, but that retain a level of historic integrity and may warrant designation as contributors.
3. 14 properties outside the district that the committee considers significant. This includes St. Dominic's Catholic Church and the Wingfield House, which are already designated historic, but no DPR forms have previously been prepared.

In addition to the above, Roland-Nawi will be providing DPR forms for the 71 properties it has recommended for delisting. In order to protect our district and its resources, these forms will be reviewed in great detail prior to a recommendation being made to the Historic Preservation Review Commission.

Once all forms have been reviewed by the Ad Hoc Committee, workshops will be held at which the public and property owners will be given the opportunity to review and comment. After that, the draft survey will be forwarded to the Historic Preservation Review Commission and then on to the City Council for adoption.



Community Development Department  
**MEMORANDUM**

**Date:** December 18, 2007

**To:** Jim Erickson, City Manager

**Cc:** Amalia Lorentz, Economic Development Manager

**From:** Charlie Knox, Community Development Director  
Mike Marcus, Assistant Planner  
Colleen Williams, Development Services Technician

**Re:** Energy Conservation Program: Green Building Component

---

**Background**

The City energy conservation program (a Council top priority) is expected to include a communitywide climate action plan aimed at reducing greenhouse gases associated with both City operations and private sector activities. Cal Poly SLO faculty and students will be available in 2008 to assist in preparing a climate action plan, and City staff has researched green building options, including through recent workshops involving public and private sector groups.

**Summary**

The best green building program option for Benicia appears to be starting with incentives such as expedited plan review, increased lot coverage/density and reduced parking, and reaching out to contractors and other citizens through both the climate action plan public input process and workshops specific to green building (see following example).

<b>Sample Green Building Workshop Outline</b>	
<b>Development Community</b>	<b>Single-family Homeowners</b>
Introduction to green building techniques	
Costs and benefits of green building	Do-it-yourself work
Tenant improvements	Contractor work
Maintenance and operations	Green landscaping

The City may be able to lead by example through building remodel projects and fleet fuel conversions. At minimum, some City staff will need to be versed in the purposes of the energy conservation program and best practices for green building. An interdepartmental green team, similar to the project review group, may be appropriate.

**Green Building Standards**

Along with Marin County, many Bay Area cities have adopted or are developing green building programs. These generally are designed to be consistent with each other to provide certainty for contractors and property owners across jurisdictional boundaries.

<b>Voluntary Programs</b>	<b>Mandatory Programs Proposed</b>	<b>Mandatory Programs</b>
Berkeley	Alameda	Albany
Brentwood	Atherton	Cotati
Dublin	Brisbane	Larkspur
Emeryville	Hillsborough	Livermore
Hayward	Marin, Napa County cities	Los Altos
Mill Valley	Palo Alto	Moraga
Oakland	Petaluma	Novato
Petaluma	Sacramento	Pleasanton
San Leandro	San Francisco	Rohnert Park
Santa Rosa	San Jose	San Rafael
Union City	San Mateo	Santa Cruz
	Santa Rosa	Sebastopol
	Sonoma	Windsor

*Source: Build It Green*

The standard criteria for green construction are Build It Green’s GreenPoint ratings for residential development and the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) guidelines for non-residential development. These rating systems assign points for various project features, with minimum required totals set by each jurisdiction.

Rohnert Park uses a tiered system to reflect the varying levels of environmental impacts associated with different project types: for example, higher density housing generally produces a lower per capita impact than lower density housing. Therefore, as shown below, Tier 1 requires a lower level of compliance (i.e., fewer points) than Tier 3 to qualify a project as green.

<b>Project Type</b>	<b>Tier 1</b>	<b>Tier 2</b>	<b>Tier 3</b>
New Single-family	>12 dwellings/acre	7-12 dwellings/acre	1-6 dwellings/acre
Single-family Addition	>500 square feet	>500 square feet	>500 square feet
New Multifamily	<20 dwelling units	20-50 dwelling units	>50 dwelling units
Multifamily Remodel	<20 dwelling units	20-50 dwelling units	>50 dwelling units
New Commercial	<20,000 square feet	20,000-50,000 sf	> 50,000 square feet
Tenant Improvement	<20,000 square feet	20,000-50,000 sf	> 50,000 square feet

Some cities appoint staff to assess program compliance; others contract for this service and require applicant reimbursement. Cities also usually offer reference and resource materials, such as a directory of participating designers and builders, books and displays on green building, and information on State and federal rebate programs. Green practices information brochures and displays are planned to be available/installed at the Community Development/Public Works counter in early 2008.

### **Incentives**

Whether a green building program is voluntary or mandatory, a variety of incentives can be included. Typical incentives include priority plan review and permitting, increased lot

coverage/density bonus, parking reduction, fee reduction/waiver, and builder/owner recognition. These respond to stakeholders motivations, as follows:

<b>Project Type</b>	<b>Proponent</b>	<b>Motivation</b>	<b>Incentive</b>
Mass-produced Housing	Developers	Profit Predictability	Fee Waiver Expedited Review
Custom Homes and Remodels	Builders Architects	Status Performance	Awards, Ratings Recognition
Affordable Housing	Non-profit Developers Architects	Social Equity Environment	Incentives Education
Eco-housing	Green Builders	Environment	Education

*Source: Alameda County Waste Management Authority*

Incentives can be grouped into three categories: land use, recognition, and resources (as shown below). Note that the majority of residential building in Benicia occurs in the form of custom homes and remodels, for which recognition would be an appropriate motivator.

<b>Land Use</b>	<b>Recognition</b>	<b>Resources</b>
Priority plan review/permitting	Green Building certificate	Reduced-cost project review
Increased lot coverage/density bonus	Green logo for marketing	Green building references and directory of program participants
Parking reduction	Job site signs and building plaques	Information on State and federal rebates

### **Conclusion**

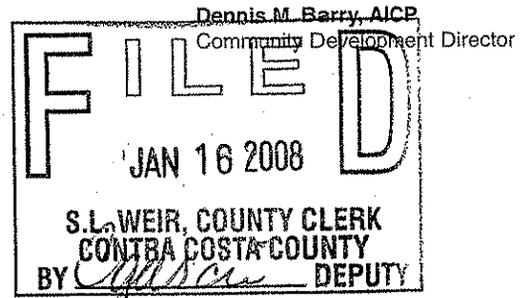
A voluntary, incentive-based program is a logical first step to promote green building in Benicia. Rating systems and compliance thresholds are key to guiding a voluntary program and necessary for transitioning to a mandatory program if one is contemplated. Verification for a voluntary program need only involve staff training, while ensuring compliance under a mandatory program would require project conditions of approval and might necessitate contracting for building inspection. Incentives for both voluntary and mandatory participation can be offered at relatively little cost to the City.

Community  
Development  
Department

County Administration Building  
651 Pine Street  
4th Floor, North Wing  
Martinez, California 94553-0095

Phone: (925) 335-1210

Contra  
Costa  
County



January 16, 2008

**NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT  
FOR THE LOCAL AREA PIPELINE NETWORK PROJECT AND  
NOTICE OF SCOPING SESSION**

**A SIX-MILE HYDROGEN PIPELINE NETWORK AMONG THE AIR  
PRODUCTS HYDROGEN PLANT AT THE TESORO GOLDE EAGLE  
REFINERY IN CONTRA COSTA COUNTY, THE AIR PRODUCTS  
HYDROGEN PLANT AT THE SHELL MARTINEZ REFINERY IN CONTRA  
COSTA COUNTY, AND THE VALERO BENICIA REFINERY IN SOLANO  
COUNTY**

(County File #: LP07-2026)

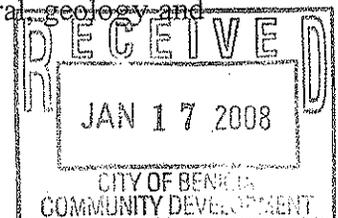
**TO: ALL INTERESTED AGENCIES, ORGANIZATIONS AND INDIVIDUALS**

**PROPOSED PROJECT**

If approved, the Project would connect the Air Products hydrogen plants to the hydrogen and fuel gas pipeline network, which would allow Air Products to supply hydrogen to and from three connected refineries. The pipeline network would also allow Air Products to purchase and move fuel gas generated at the refineries from the refineries to the hydrogen plants, where it could replace natural gas that is currently used for hydrogen production. This would serve to reduce the consumption of natural gas at the hydrogen plants and potentially reduce fuel gas flaring at the refineries. The pipeline network could also serve as an element of a "hydrogen highway" that would allow construction and operation of hydrogen fueling stations in Contra Costa County and the City of Benicia.

The Project would construct two pipelines approximately 6.07 miles each and install three 8-inch excess flow valves and five 8-inch block valves. Each pipeline would be constructed of 8-inch outside diameter, buried steel pipe, coated and cathodically protected from external corrosion. Horizontal direction drilling would be used to construct the pipeline under two locations: (1) the Carquinez Strait and (2) Interstate 680 and the adjacent McNabney Marsh. Conventional boring would be used in four locations under roads and railroads, and open cut trenching would be used along the rest of the pipeline route. The EIR will evaluate potential environmental impacts to the following resources and concerns: aesthetics, agriculture, air quality, biology, cultural, geology and

Office Hours Monday - Friday: 8:00 a.m. - 5:00 p.m.  
Office is closed the 1st, 3rd & 5th Fridays of each month



soils, hazards, hydrology and water quality, land use and planning, minerals, noise, population and employment, public services, recreation, transportation and traffic, and utilities.

### **LOCATION OF PROJECT**

The proposed Project, a six-mile hydrogen pipeline network, would originate in Contra Costa County at the existing Air Products hydrogen plant at the Tesoro Golden Eagle Refinery and travel west about 2.7 miles in an unpopulated area along Waterfront Road, where it would connect with the existing Air Products Hydrogen Plant at the Shell Martinez Refinery in Martinez. Approximately 1.4 miles west of the start of the pipeline, a "T" connection would be installed and a branch set of pipelines would run approximately 3.3 miles under the Carquinez Strait to the Valero Refinery in Benicia in Solano County. The attached map shows the Project location and vicinity.

### **PUBLIC COMMENTS**

Contra Costa County Community Development Department as Lead Agency under the California Environmental Quality Act (CEQA) will prepare an Environmental Impact Report (EIR) for a six-mile Local Area Pipeline Network Project (Project) among Air Products hydrogen plants in Contra Costa and Solano counties. We need to know the views of your agency as to the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection with the proposed Project. Interested parties and individuals are invited also to comment on concerns with, and environmental issues or potential effects of the Project. Please share this notice with anyone you feel may be interested in the Project.

Responses to this Notice of Preparation must be received at the Contra Costa County Community Development Department by 5:00 p.m., Monday, February 25<sup>th</sup>, 2008. Responses should be sent to:

**Contra Costa County Community Development Department  
Attn: Lashun Cross  
651 Pine Street, 2<sup>nd</sup> Floor – North Wing  
Martinez, CA 94553**

### **SCOPING SESSION**

A Scoping Session will be held on Thursday, February 14<sup>th</sup>, 2008 at 1:30 p.m., in Room 108 of the McBrien Administration Building, 651 Pine Street, Martinez, California. Interested agencies and individuals may submit oral and written comments that pertain to environmental concerns resulting from implementation of the proposed project.

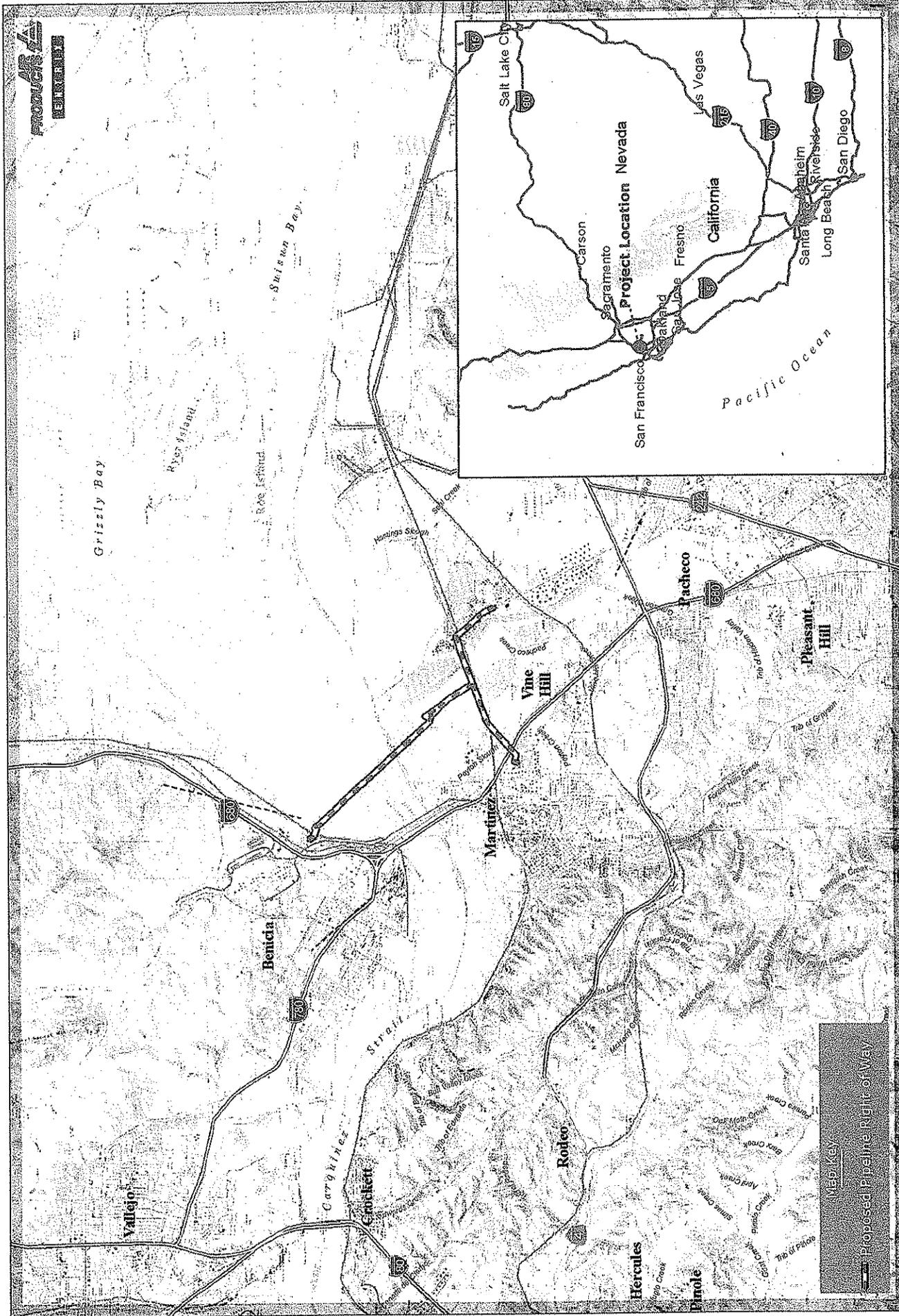
**SUPPORTING DOCUMENTS**

The Land Use Permit Application and supporting documents are available for viewing at the Contra Costa County Community Development Department. If you wish to obtain a copy of any supporting document related to this project, you may contact Lashun Cross of the Community Development at (925) 335-1229.

Signature:   
Lashun Cross

Title: Senior Planner  
Contra Costa County  
Community Development Department  
651 Pine Street, 2<sup>nd</sup> Floor North Wing  
Martinez, CA 94553-0095

Attachment: Figure 1 "Project Location and Vicinity Map"



Project Location and Vicinity Map

0 0.5 1 2 3 Miles  
1 inch equals 1.74 miles

Legend:  
 - Proposed Pipeline Right-of-Way

Map Key

Figure 1