

February 6, 2022

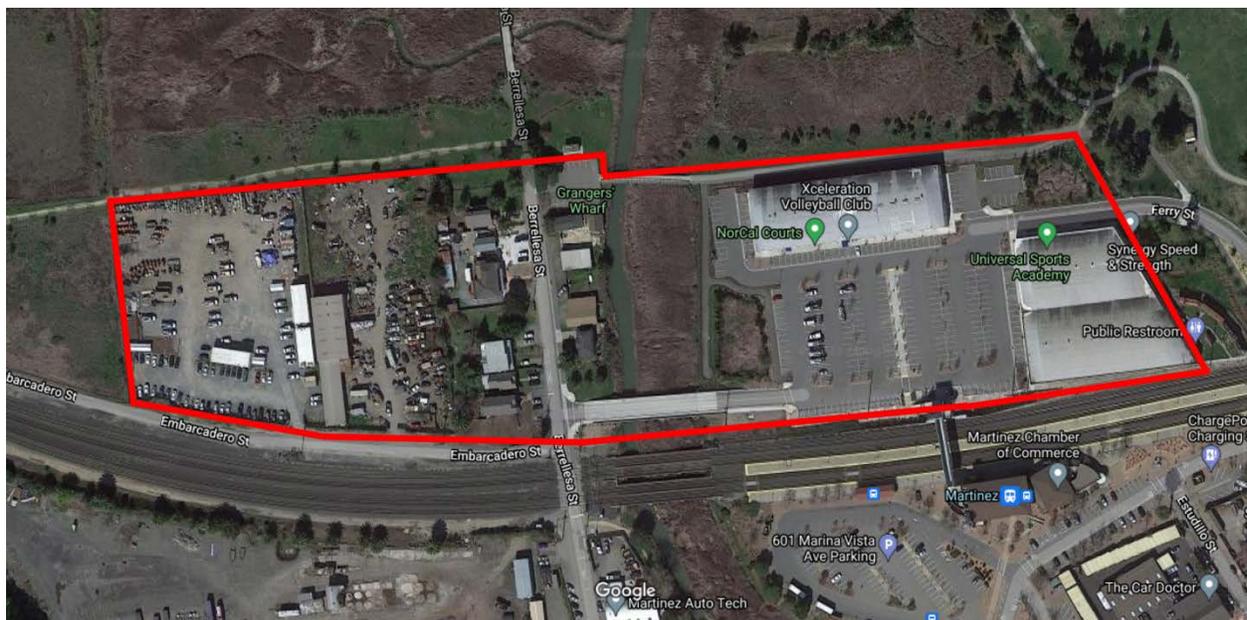
To: Mayor and Councilmembers, GPcomments @cityofmartinez.org

Re: Comments on Housing on the Waterfront and several Elements

This is being forwarded as an e-mail and an attachment. I ask that you please at least read the bolded and underlined sentences.

High-density housing on the Waterfront is Dangerous and Harms the Marsh and Parkland

The City is wrong to change the draft General Plan Update (GPU) land use designation of the waterfront area north of the train tracks to high-density housing. That change would have numerous negative impacts on the marsh and park lands that would be right next to the housing area. Furthermore, that change would be very dangerous for residents of that high-density housing.



Waterfront Land to Become High-Density Housing

The subject waterfront area is outlined in the map above. The area encompasses the NorCal and Universal sports warehouses and Amtrak parking lot, the

extension of Berrellesa where the historic homes are, and the large industrial lots that extend to the west.

In the General Plan Update (GPU) "Land Use Map Figure 2-4" these areas are now designated for a maximum of 35-43 housing units per acre on top of 2-3 stories of commercial/retail.

The land is less than 100 feet north of the train tracks and touches the wetlands and park on the north.

I believe you should retain the current land use designations for all this land (or change the land use designations in a way to facilitate the purchase of the industrial land by EBRPD).

Your changing these lands to high-density housing (which has never been done anywhere on the waterfront) is an extremely bad and dangerous idea.

Here are some of the reasons why:

NEGATIVE EFFECTS OF HIGH-DENSITY HOUSING ON THE WATERFRONT

Saltwater marshes are one of our best defenses against the effects of sea level rise, and should be protected and enhanced. This plan for high-rise housing on the waterfront does exactly the opposite.

The environmental effects of this proposed high-density housing on the animal and plant life in the wetlands and parklands should alone disqualify it for high-density housing.



Deer behind NorCal Courts

The noise generated by the residents day and night would negatively affect the wetlands and parkland fauna, including us humans. Imagine peaceful walks on the marshland and parkland shattered by rap music from the high-density housing.

The new residents would add light pollution to the marsh that would be deleterious to night-prowling fauna and would be an added stressor to them.

Pets will undoubtedly enter the natural areas. Their presence, day and night, in the marsh area will directly affect both flora and fauna. They also may be released into the marsh/park area to live---and not only cats and dogs, but other types of pets that are also not indigenous to the waterfront.

The marsh and park land is a critical barrier between us and sea-level rise.

Endangering this land is the wrong approach. We should be trying to enhance it to allow it to better absorb flooding and inundation from climate change.

Others more qualified than I can enumerate additional negative effects of the proposed high-density housing to both the flora and fauna of the Martinez waterfront area.

DANGERS TO RESIDENTS OF THE PROPOSED HIGH-DENSITY HOUSING ON THE WATERFRONT

The proximity of the high-density housing to the train tracks poses an on-going danger to residents of the proposed housing **should a train accident or spill occur**. The cars are transporting toxic chemicals and flammable material. The proposed housing is less than 100 feet from the train tracks. The houses will be occupied day and night. Several train accidents and spills affecting neighborhoods close to train tracks have been reported recently nationwide.

Indeed, Martinez had a major train breakdown on 11/16/21. It took over two hours to repair the train and blocked both train crossings. Thankfully it did not include a spill or accident, but the incident underscores the danger.

Furthermore, there is a switching yard within just a few hundred yards of the proposed housing where railcars are stored, and trains are split and recombined. Many contain hazardous and flammable materials. The railcars are continually moved about with resultant noise and vibration. Multiple tracks are there, allowing railcars to be stored several cars deep, posing the danger of a cascading tragedy.

A separate danger is the lack of access to the waterfront in an emergency. Only two rail crossings, one at Ferry St. and one at Berrellesa, allow vehicle access to the waterfront.

Yet these crossings are subject to simultaneous shut down that would effectively block ingress and egress to the waterfront. Train accidents that would cause this are a real possibility

Indeed, our recent train breakdown on our tracks on 11/16/21 blocked both the Ferry St. and Berrellesa crossings for over 2 hours, making it impossible to either leave the waterfront or get into the waterfront. (The Amtrak pedestrian bridge was also closed, I understand.) By my estimates, approximately 50 vehicles were

stuck in the waterfront for the several hours it took to repair the train and get it moving again. (I was one of the people caught on the waterfront.)

What would have been the ramifications if hundreds of residents of the proposed high-density housing were also trapped?

The trains pose two separate dangers to the potential residents of the high-density housing: (1) the danger of a train accident that would affect them, and (2) the danger a train or trains blocking the two road crossings so residents could not get out of the waterfront or help could not get in.

Adding hundreds of residents who will be in the proposed housing day and night is not fair to them or us.

Jeopardy of major damage in an earthquake is another danger at this site. A professional report on the waterfront that was provided to the City states: “A large earthquake on this fault [Concord-Green Valley fault] is expected to produce a Modified Mercalli intensity ranging from very strong (VIII) south of the railroad tracks to very violent (X) north of the tracks.” X equates to “Most masonry and frame structures destroyed with their foundations.”

This underscores the danger of earthquake occurrence and liquefaction at the site of the proposed high-density housing which is on fragile soils and susceptible to sea-level rise and its effects.

Additionally, at the 1/12/22 Public Meeting, Jon Bash talked about a recent HazMat report that describes a similar situation at the train tracks in the Shell/Marina Vista area where it was suggested this could result in liquefaction and displacement of the train tracks leading possibly to the tipping of a train. Also the liquefaction and other soil issues at the new County buildings went undiscovered until the project was well underway, and resulted in significant redesign once the soil situation was really uncovered.

The soil susceptability and exposure to sea-level rise is potentially greater at this site that the City is proposing changing to high-density housing. The earthquake danger may be enough on its own to disqualify the area for high-density housing.

It is the City's duty to keep citizens out of harm's way, not put them into it.

There are dangerous pipelines running throughout our city that are handling toxics and flammable materials, as Mark Ross pointed out at the 1/12/22 Public Meeting. They are unmapped in the draft GPU and are not even addressed. Sean Trambley also mentioned them. Both are on environmental hazard boards.

These dangerous pipelines are old and some are marked as running by the train tracks that form the southern border of the proposed high-density housing area. These pipelines may well be affected by sea-level rise (and earthquakes) because of the stress of being under water and the possibility of corrosion and leaks.

This issue should be studied and evaluated as an environmental hazard that would disqualify high-density housing for this site.

A breach or breakdown of these pipelines would be potentially very dangerous to the residents who may be trapped in the area, especially if the railroad crossings were blocked.

The noise level to the new residents from the frequent trains and the switching yard is potentially in the "do not build housing here" range that the draft GPU calls for.

The Element 9.0 noise testing most pertinent to the proposed high-density housing site showed noise levels at or exceeding 75db, the "do not build housing here" level.

"Element 9.0. Noise & Air Quality" says community noise exposure greater than 75db equals "Clearly Unacceptable. New construction or development should not be undertaken."

Noise in the entire proposed high-density housing area is actually probably above the tested level, as the pertinent testing was done noticeably further from the train tracks than the proposed high-density housing.

Additionally, samples of train whistle noise levels and other instantaneous readings ranged upwards to 105db, hugely louder than the 75db level that calls for no housing.

(To give an idea of how much louder 105db is than the 75db level that says no new construction should be allowed, note this from the Internet: “An increase of 3dB doubles the sound intensity...Therefore a small increase in decibels represents a large increase in intensity. For example - 10dB is 10 times more intense than 1dB, while 20dB is 100 times more intense than 1dB.”)

Allowing housing at this site conflicts with “9.0 Noise & Air Quality Element” on noise criteria, and such an inconsistency is not allowed by law. More important, the noise levels at the proposed site exceed those that the draft GPU says should be allowed for housing, and support the contention that this area is unsafe for the proposed high-density housing.

The vibration in the high-density housing area needs to be tested. The draft GPU calls vibration from commuter rail a potentially significant issue (90 Vdb). (No mention is made of vibration from freight trains, but it makes sense they would cause even more vibration.) The effect of that level of vibration on residents is “Difficulty with tasks such as reading a video or computer screen.”

Vibration would be greater than probably any other area in Martinez because of the proximity and frequency of the trains to the proposed high-density housing and the activity at the switching yard which is quite busy. Vibration also may be more of an issue with sea-level rise affecting the soil consistency and vibration attenuation.

Vibration appears to be another reason why changing the site to high-density housing is dangerous for potential residents.

Flooding of the proposed high-density housing is very likely, but has not been studied or even discussed. Significantly, what little information that is provided in the draft GPU does not even allow us to determine what flooding is predicted for this high-density area---the map is unreadable and not very informative.

Additionally, the flooding information that is available in the draft GPU talks only about inundation, and not the frequency of periodic flooding. A study forwarded to the City a few years ago showed this high-density housing area subject to 15 floods per year in the foreseeable future, which would make it unsafe and unusable.

But the draft GPU does not even look at periodic flooding, only full inundation. However, periodic flooding alone makes this site unacceptable for high-density housing.

This is a Disadvantaged Community area, and the draft GPU fails to provide the higher level of care that is mandated. The draft GPU actually seems to be doing the opposite, in that many of the dangers discussed above have received little or no attention in the decision to change this waterfront area to high-density housing. And other particularly pertinent issues to Environmental Justice have not even been brought up. For instance, no survey of added air pollution from the train traffic, from the trains themselves and the products they carry and from the switching yard, has been even mentioned, much less done.

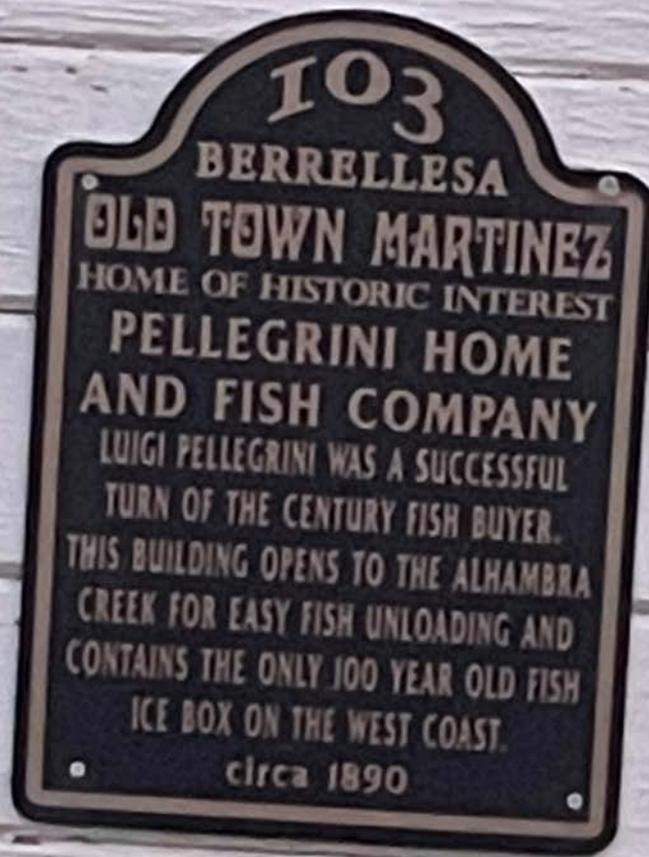
Reduce pollution exposure, promote safe housing, protect from air and water pollution, protect from damaging environmental and climate change effects like flooding and earthquakes---all are part and parcel of Environmental Justice and are criteria that must be met. Yet that has not happened, as has been pointed out above. The decision to proactively change the land use at this site to high-density housing has not met the criteria of Environmental Justice and needs to be reversed. Additionally the draft GPU is inconsistent with this element.

ADDITIONAL IMPACTS OF CHANGING THE AREA TO HIGH-DENSITY HOUSING

Destroying parking and major sports facilities. The area by the NorCal Courts and Universal Sports warehouses that would be converted into high-density housing would take away significant parking for our Downtown that is starved for parking now, and will be under increased parking pressure with the high-density housing increases planned for the Downtown in the draft GPU. And the two indoor sports facilities that will be replaced with housing are unique facilities adding to our town's quality of life, especially for our young people.

Replacing historic homes with high-density housing---for the first time ever. The historic homes on the Berrellesa extension would be destroyed by designating that area for high-density housing. They should be preserved, and should be afforded whatever support the City can offer to the owners to maintain their historic character.

One of the homes dates from the Italian fishing fleet era when the fishing boats would come up the creek to there to unload their catch. The home contains the last fish ice box dating from 1890 according to the plaque affixed to the wall (picture below).



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BERRELLESA

OLD TOWN MARTINEZ

HOME OF HISTORIC INTEREST

PELLEGRINI HOME
AND FISH COMPANY

LUIGI PELLEGRINI WAS A SUCCESSFUL
TURN OF THE CENTURY FISH BUYER.
THIS BUILDING OPENS TO THE ALHAMBRA
CREEK FOR EASY FISH UNLOADING AND
CONTAINS THE ONLY 100 YEAR OLD FISH
ICE BOX ON THE WEST COAST.

circa 1890

I understand the homes are referenced in the National Register of Historic Places under an area designation for the Italian Village. It is important to note that I believe the proposed change in land use designation you have in the draft GPU would be the first time ever that high-density housing would be directed to replace historic buildings in our Downtown area. That is not a precedent you or the public want to see occur.

“Strengthen and enhance the historic...character of Martinez...”; “Recognize the importance of protecting significant historic resources...”; “Encourage upkeep, restoration, rehabilitation and reconstruction of private historic structures...”; “Require a cultural and archaeological survey prior to approval of any project...” are all part of Policies in “4.0 Historical, Cultural & Arts Element”.

Certainly these Policies conflict with your proactively changing the land use of this area to high-density housing and commercial/retail use which will result in the destruction of these historic homes and that area.

This makes the draft GPU internally inconsistent. By law, this needs to be corrected. More important, it is another reason why this change to high-density housing should be rejected by you.

Adding 2-3 stories of commercial/retail space will bring the height of these buildings to 4-5-6 stories. Your proposed change to high-density housing on this waterfront land also includes adding 2-3 stories of commercial/retail space throughout the site. So 3 stories of commercial/retail space would be topped with high-density housing.

Buildings would be 4-5-6 stories high. And all the effects on the marsh/parkland and all the dangers noted above would be compounded. It will certainly increase the negative effects of flooding, earthquake, lack of access, potential for train accidents, etc. detailed above.

All of this building would effectively wall the waterfront off from Downtown. And our waterfront would become a shopping mall. Can you envision what you are approving?

Setting the city up for future lawsuits and huge liabilities. The City could certainly be assuming eventual liability for effects of flooding, earthquakes, train blockages, or other unforeseen events, if the City goes ahead and repurposes this land for high-density housing. The act of proactively changing the land use designation to one that puts more people in jeopardy (and structures too) potentially opens the City to greater liability should unfortunate events occur.

It is ironic to think that the City will make the major landowners on this site wealthy by changing the land use to high-density housing, while saddling the citizens of Martinez with the costs for huge potential lawsuits and/or remediation costs should the unforeseen happen.

It is a further irony that these events may happen far in the future, well after the City Councilmembers and City Staff who are supporting this change to high-density housing have left the scene. But many of us will still be here to pay the bill.

Some examples of government entities shouldering costs like these include: the Millenium Towers that are sinking in San Francisco and that is potentially costing government entities there millions of dollars because the government approved the plans; the Stinson Beach homeowners who are asking for government help to build major seaside projects to keep their beach from disappearing; and even in Martinez where the City installed an expensive retaining wall on Alhambra Creek when a building owner complained of the creek possibly affecting his property.

Would homeowners and developers at the Martinez waterfront where the City is going out of its way to change the land use designation to high-density housing ever ask the City to help bail them out, if bad things happen to their housing? Or if some unfortunate event occurs?

Our City should not be taking that chance. More important, our City should not be proactively making decisions that put people in danger.

No one wants to force unsafe housing to be built just to meet our housing “quota”.

Surely the added high-density housing being proposed along Pacheco Blvd. and elsewhere in Martinez will meet housing needs.

We need to stop the proposed land use change of this waterfront land to high-density housing.

Tim Platt