

To: Piedmont City Council
From: Marjorie Blackwell
Re: Response to Comments on the Moraga Canyon Draft EIR (DEIR)
Date: Dec. 2, 2010

Please include the following comments for the record in the public hearing on Dec. 6, 2010.

I have read the Response to Comments document and believe it to be unresponsive and a thinly veiled defense of the project. (Since nearly half of the DEIR was paid for by the proponents, perhaps this is no surprise.) The Response is far from a thoughtful analysis of the issues and “significant impacts” raised in the DEIR or considered response to the 850 public comments submitted on the DEIR. While it skims the letter of the law, it does not adhere to the spirit of environmental laws or to Piedmont’s policies. Specifically, I refer below to the Responses to my comments (which for some strange reason, are now attributed to someone else -- Sarah Jane Hamilton).

1. The Response acknowledges that there is no public transit on Moraga Ave. anywhere near Blair Park, as the draft EIR claimed, and that no one will (or can) use public transit to reach the park. But instead of acknowledging that this is a problem — or to recognize the compelling need to reduce significant CO2 emissions caused by short automobile trips — the Response simply states that the project will have no adverse effect on public transit on Moraga! In other words, the project will not affect non-existent public transit on Moraga Ave. What kind of circuitous reasoning is that?
2. There is NO response to my comment that the draft EIR failed to consider traffic impacts on Pala Avenue by drivers taking shortcuts to reach Blair Park. The Response deals only with “cut throughs” on Harbord and Estates Drive, not on Pala. It is inevitable that Piedmont drivers will bypass the light at Highland and Moraga and shortcut up Park Way, turn left on Pala and down to Moraga, thereby creating dangerous traffic conditions on this narrow street. Drivers also will be tempted to make illegal left turns from Moraga onto Pala, as they frequently do, unless a Piedmont Police car is stationed at the intersection.
3. The most egregious Response concerns conflicts with Piedmont’s General Plan. The draft EIR identifies no less than 19 conflicts the project would have with land-use policies in the city’s newly adopted General Plan. These include protection of open space, respecting natural terrain, conserving natural terrain, retention of healthy native trees, environmentally sensitive park design, view preservation, and more.

The Response paints over all of these conflicts with one big whitewash brush by saying that a project need not be in perfect conformity with every General Plan policy, and that since Blair Park is zoned for open space and recreation, the project is ok. The Response totally ignores any reference to Piedmont's policies of protecting open space and contradicts the statement in the DEIR that "The General Plan's **intent is to maintain these sites as open space to the greatest extent feasible.**"

Blair Park is certainly not what it could be, but this project is not what it has to be. It does not have to be an industrial-sized complex that totally ignores the site and the topography, wipes out native trees and habitat, and would make Moraga Avenue a walled-off tunnel, with a 17-foot tall berm, topped by a 6-foot sound wall.

While communities everywhere are striving to preserve and improve their parks and open space, why would Piedmont want to destroy its last remaining open space? If you approve this project, this last little piece of natural habitat will be gone forever.

I urge you to exert your leadership to resolve this issue and work to end the divisiveness and animosity that this proposed project has created in the community.