

January 31, 2011

Aaron Sage
City of Berkeley Planning Dept.
2120 Milvia Street
Berkeley, CA 94704

Re: Comments on Draft Environmental Impact Report for the Berkeley Branch
Libraries Program

Dear Mr. Sage:

The Berkeley Architectural Heritage Association (BAHA) firmly supports renovating, improving, and upgrading Berkeley's branch libraries. However, we remain extremely concerned at and discouraged by the attitude of the City of Berkeley and the Berkeley Public Library leadership towards both historic preservation and the integrity of public funding processes.

Measure FF provided for the renovation, expansion, and improvement of the four branch libraries. The Library now asserts it has the right to use this funding for the demolition and rebuilding of two of those branches. We disagree. This is a good-government issue entirely separate from the merits of the currently proposed projects. It is not acceptable public policy to take funds approved by the voters for a very specific purpose and re-direct them to a purpose that was not mentioned—and was, in fact, essentially foreclosed—in the voter approval process.

The Zoning Amendment also analyzed in the DEIR goes beyond facilitation of the current Branch Library programs to provide a blanket loophole, in perpetuity, for the Berkeley Public Library to alter, demolish, replace, renovate, or expand *any* of its five facilities, including the historic Central, North Berkeley, and Claremont Libraries.

This permanent blanket exemption is not needed for the Central Library at all—a facility not included in the Branch Libraries Program—and is dangerous to the futures of the North Berkeley and Claremont branches, since it would make it easier for future library administrations to propose demolition of those historic resources and obtain City approval under the Zoning Ordinance.

In addition, the current plans for the South and West Berkeley Branch Libraries as analyzed in the DEIR needlessly destroy established historic resources important to the Berkeley community. The DEIR acknowledges these are significant impacts to

historic resources. This is entirely at odds with the Library's own publicity, as found on its "Frequently Asked Questions About the Library Bond" page, on January 29, 2011: http://berkeleypubliclibrary.org/about_the_library/bond_faq.php

The page states: *"Will the historic elements of the Branch Libraries be preserved? Absolutely! Current plans for renovation include restoration and refurbishment of historic features at the branch libraries as part of any renovation, while improving their functionality into the 21st century."*

Aside from these general comments, below are our specific concerns about the DEIR.

Errors in the Document

Page 3-12 of the DEIR contains a factual error. It states that at the September 17, 2009, community meeting regarding the South Berkeley Library, *"the general consensus was that maximum use of space was more important than preserving the building."* In fact, of the small public attendance at that meeting, at least three individuals spoke clearly and emphatically in favor of renovation of the existing historic library. The word "consensus" is not accurate in this context.

Undesirable Breadth of the Zoning Amendment

(A) The DEIR states on pages 1-4 and 1-5, that *"in the interests of facilitating the branch Library projects for which an extensive public outreach process had been carried out, and a bond had already been approved by the voters, the City proposed adding the following language to the Zoning Ordinance to remove the need for Variances on these projects..."*

...any conforming or lawful non-conforming public library existing as of May 1, 2010 may be (1) changed, (2) expanded, or (3) demolished and a new public library constructed on the same site, subject to issuance of a use permit..."

Please explain in the FEIR why the proposed zoning amendment includes language allowing demolition, when demolition was not included as an option in the Measure FF bond.

Please explain why the proposed Zoning Amendment includes language allowing change, expansion, or demolition/new construction at *all* public libraries in Berkeley, when the Measure FF bond and the City's recent planning processes for spending Measure FF funds have been specific to the branch libraries and have explicitly not included the Central Library.

In essence: why is the Central Library a part of the Zoning Amendment at all? We suggest removing the Central Library entirely from the proposed Zoning Amendment.

(B) Additionally, the DEIR states on page i-5:

"As there are no proposed projects involving the Central Library (which was substantially renovated and expanded beginning in 2000)...this EIR is focused on the environmental implications of the ZOA as it pertains to the South and West Branches only..."

On page 2-2, the DEIR states that *"...there are no projects planned for foreseeable for the Central Library..."*

Neither statement is accurate. The Board of Library Trustees initiated in 2009 and adopted in 2010 a Central Library Planning Study that contemplated, among other things, reorganization of functions, spaces, and circulation within the Central Library, possibly including the original, historic landmark building.

Please examine plans for the reorganization of the Central Library facility as considered and/or proposed in the Central Library Planning Study (initiated by the Board of Library Trustees in July, 2009). Do these plans have any potential for additions, demolitions, expansions, or renovations at the Central Library? If so, please evaluate their environmental impact as part of the Final EIR.

Please include a summary of the Central Library Planning Study in the FEIR and specific descriptions of projects proposed and/or approved within it that might alter the physical character of the Central Library, particularly the historic spaces. (C) Historically, Berkeley Public Library facilities have undergone numerous renovations, relocations, additions, and replacements as programs and public needs have changed. Major changes to BPL facilities occurred as follows:

- The Central Library facility was built in 1905, demolished in 1930, replaced by the current, now-historic, Main Library in 1931, expanded in the 1960s, and entirely renovated and expanded in 2002. That represents four major facilities changes over 97 years at Central.
- The South Berkeley Branch facility was built in 1927 at a different site, removed to its current site and a new building in 1961, added to in 1974 and 1979. That represents four major facilities changes over 84 years.
- The Claremont Branch facility was built in 1924 and extensively added to in 1975, representing two major facilities changes in 87 years.
- The West Berkeley Branch facility was built in 1923, extensively renovated and expanded in 1973, representing two major facilities changes in 88 years.
- Only the North Berkeley Branch Library has not undergone major expansion or renovation or replacement since its original construction in the 1936.

In sum, over a little more than a century, Berkeley has seen 12 major new construction of extensive addition/renovation projects to its public library facilities, with another two (North and Claremont) getting underway this year, and two more (South and West) proposed.

That represents 16 major new building, relocation, or renovation/addition projects since 1905 to Berkeley Public Library facilities. Given that history and the rapid pace of change in technology and public facilities usage, it is entirely foreseeable—indeed, it is certain—that the Central Library and all the branch libraries—both renovated and rebuilt—with undergo further projects in the future, quite possibly within a few decades.

The DEIR cannot pretend that just because there are no major library construction projects proposed beyond the current ones for the branches that it is not foreseeable

that the Zoning Amendment—proposed to be in place permanently—will not have an effect on library facilities and resources beyond the current renovations.

We ask that the FEIR specifically evaluate, under Cultural Resources impacts, the potential of the Zoning Amendment to enable the demolition or alteration of the North, Claremont, and historic Main Library facilities in the future.

An alternative would be for the Zoning Amendment to apply only to the four branch projects and to expire after their completion, rather than remain in force. This would not only obviate the need for any long-term mitigations, but would appropriately allow future Berkeley residents and governing bodies to make their own decisions about the desirability of major library alterations.

Mitigation Comments

A. Mitigation Measure CULTURAL-South 1A states in part: *“The project sponsors should undertake a salvage program to save and reuse the wood slat ceiling...”*

This mitigation should be amended to replace “should” with “will” or “shall.” There is no effective meaning to a mitigation that suggests something “should” be done, but does not require it.

B. There should be, at a minimum, an additional mitigation under Cultural Resources for both West and South branches, requiring measured drawing documentation of the historic structures (Ostwald’s original South Berkeley branch, Bartages’ original West Berkeley branch) to the standards of the Historic American Building Survey (HABS) and photo-documentation of the entire present structures, to the standards of the Historic American Building Survey (HABS).

The DEIR acknowledges that both original branch facilities are historically significant.

The HABS documentation should be done by a professional architectural historian, and the resulting material deposited in one (and, preferably, two) public archives, possibly the Main Library History Room and the Environmental Design Archives at the College of Environmental Design, UC Berkeley.

Please note that HABS documentation would contribute useful permanent documentary materials for use in the mitigations proposed in Cultural South 1b, and Cultural West 1a and 1b, but those mitigations in and of themselves are *not* sufficient to properly document the buildings if they are demolished. HABS documentation is the appropriate mitigation in these circumstances, not simply the collection of some historic materials to be displayed in a “kiosk.”

C. Archaeological Mitigation. Page 3-19 of the DEIR states that a portion of the South Branch was built over a foundation from a building constructed in 1911 or earlier and believed to be part of a Berkeley church from that era. Page 3-24 states: *“the new library would be built over a portion of the existing basement from a previous building on the site that underlies the existing library. The top 3 feet of the basement walls would be removed and the basement filled and compacted for new construction...”*

These statements confirm that the South Branch site contains known pre-1911 archaeological features. The construction process should be governed by a mitigation that would provide for an archaeologist qualified in the understanding of early Bay Area buildings to evaluate the construction procedures, examine the site as the pre-1911 structure is unearthed, and recommend salvage and treatment for any archaeological artifacts found during that process.

The Archaeological Research Facility (ARF) at the University of California, Berkeley, has undertaken a number of similar excavations in Berkeley and should be contacted for advice on the proper wording of a mitigation and procedures to be followed.

Please note that requirements very similar to these are specified on page 4.1-8 of the DEIR summarizing City of Berkeley Standard Conditions of Approval: Archaeological Resources. The City's standard requirements require consultation with a qualified archaeologist if any cultural resources are found on site, and define cultural resources to include "...foundations..."

Since the DEIR and Library studies already document the existence of a pre-1911 foundation on the South Branch site, this standard should have been incorporated as a specific cultural resource mitigation in the DEIR.

A passing reference to adhering to Standard Conditions of Approval on page 4.I-17 is *not* sufficient. This should be a specific mitigation.

Project Alternatives

A. Please include and evaluate an additional mitigation for the South Berkeley Branch, defined as a "Partial renovation and site expansion" alternative. For the South Berkeley Library, an appropriate alternative consistent with both the stated goals of Measure FF and the renovation/expansion needs defined by the Library for the branch would be for the City to purchase a portion of the adjacent vacant property immediately to the north of the Library, removal of the 1960s addition to the branch, and construction of a hybrid scheme involving renovation of the original historic library at the corner of Russell and Martin Luther King, Jr. Way and a new addition extending over the present site and the additional land.

This would be an environmentally and programmatically superior alternative since it would not only preserve the historic sections of the building but give the branch additional space for an suitably sized addition/expansion beyond the existing, constrained, footprint of the Library site.

The DEIR states on page 2-10 that "*an EIR must evaluate a reasonable range of feasible alternatives to the project or the location of the project that would achieve most of the basic project objectives and would avoid or substantially lessen any of the significant impacts of the project.*"

This alternative would indeed achieve that goal.

B. Please include and evaluate an additional mitigation for the West Berkeley Branch, defined as a "Partial renovation and site expansion" alternative.

For the West Berkeley Library, an appropriate alternative consistent with both the stated goals of Measure FF and the renovation/expansion needs defined by the Library for the branch would be for the City to purchase a portion of the adjacent parking lot immediately to the west of the Library, removal of the 1970s addition to the branch, and construction of a hybrid scheme involving renovation of the remaining original library structure and construction of an addition on the enlarged site.

This would be an environmentally and programmatically superior alternative, since it would not only preserve the historic sections of the building, but give the branch additional space for an suitably sized addition/expansion beyond the existing, constrained, footprint of the Library site.

C. The DEIR contains a substantial flaw in that it lacks adequate analysis of Measure FF and building demolition.

Measure FF expressly provided funds to “*renovate, expand, and make seismic and access improvements at four neighborhood branch libraries*”. It did not provide funds to demolish the branches and/or entirely rebuild them on the same site, or on any other site.

The Alternatives section of the DEIR, page 5-1, states that “*An off-site alternative was not considered because the proceeds of Measure FF bonds may not be used except at the four existing branch library sites, and there are no other funds available for the renovations...*”

Authority for this statement is footnoted as “*Memorandum from Zach Cowan, Acting City Attorney to Donna Corbeil, Library Director, dated October 2, 2009. Subject: Expenditure of Measure FF Funds for Construction of Replacement New Tool Lending Library at New Site.*”

Please provide a copy of this correspondence in the FEIR, rather than a short summary reference without quotations.

If, for legal reasons, the correspondence cannot be provided in the FEIR, please withdraw the entire statement from the FEIR.

The FEIR is a public document, analyzing material in the public domain. If the Library cannot or will not provide the public with a document that is used as the sole support for a major claim of the DEIR and Alternatives section, that claim should not be made. How is the public to evaluate its validity without a public airing and discussion of the supporting documentation?

The DEIR goes on to state, page 5-2, that “*The Bond Measure itself, as well as the impartial analysis of the Bond Measure and the Bond Measure arguments, made no mention of moving an existing branch library to a different site and therefore evaluation of off-site locations is not appropriate.*”

The Bond Measure itself, the impartial analysis of the Bond measure provided to voters, and the official Bond Measure arguments also made no mention of demolishing an existing branch library. In fact, they referred only to “*renovate, expand, and make seismic and access improvements*”, and every piece of publicly

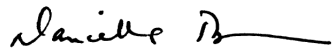
available literature or correspondence during the election campaign from the Measure FF proponents reinforced the assumption that the money would be used only for those purposes.

Please explain in the FEIR how the document can conclude that *relocation* of a branch is not an option because it was not mentioned in the Bond Measure or campaign, but *demolition* of half of the branch libraries is allowed, even though no mention was made of demolition.

If the FEIR contends that demolition is allowable under Measure FF, please provide supporting documentation *in the public domain* to fully establish this claim.

This all seems to be a case of the City of Berkeley and the Berkeley Public Library picking and choosing selective interpretations of Measure FF to support pre-ordained conclusions.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniella Thompson", with a long horizontal flourish extending to the right.

Daniella Thompson
President