CITY OF EL CERRITO
EDEN HOUSING SAN PABLO
MIXED USE APARTMENT PROJECT
DRAFT ENVIRONMENTAL IMPACT REPORT
SCH# 2013042013

PREPARED FOR:

CITY OF EL CERRITO
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AUGUST 2013
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EXECUTIVE SUMMARY
This section provides an overview of the Project and the environmental analysis. For additional detail regarding specific issues, please consult the appropriate chapter of Section 3.0, Environmental Setting, Impacts, and Mitigation Measures.

ES.1 PURPOSE AND SCOPE OF THE EIR

The California Environmental Quality Act (CEQA) requires the preparation of an environmental impact report (EIR) when there is substantial evidence that a project could have a significant effect on the environment. The purpose of an EIR is to provide decision-makers, public agencies, and the general public with an objective and informational document that fully discloses the potential environmental effects of the proposed project. The term “proposed project,” as used in this EIR, refers to the development of the Eden Housing San Pablo Mixed-Use Apartment Project. The EIR process is specifically designed to describe the objective evaluation of potentially significant direct, indirect, and cumulative impacts of the proposed Project and to identify feasible measures that mitigate significant effects of the Project. In addition, CEQA requires that an EIR identify those adverse impacts determined to remain significant after mitigation. This EIR provides an analysis of the potential environmental effects associated with the implementation of the Eden Housing San Pablo Mixed-Use Apartment Project, located in the City of El Cerrito.

This EIR has been prepared as a project EIR, pursuant to CEQA Guidelines Section 15161. The City of El Cerrito determined, because of the conflicting conclusions between the City’s historical resources report and the report submitted as part of the project application, that an EIR would be the appropriate document.

ES.2 PROJECT CHARACTERISTICS

The project proposes a 63-unit mixed-use senior affordable housing community on a 40,000-square-foot site in El Cerrito’s midtown area, including 62 one-bedroom units and 1 two-bedroom unit. The design includes a commercial ground floor, establishes an articulated urban presence on San Pablo Avenue, and provides a public open space to serve as a gathering place for residents of El Cerrito. Open space on the project site consists of a 2,710-square-foot Heritage Plaza and 9,423 square feet of private open space. The public presence along San Pablo Avenue is also enhanced by a small ground-floor retail commercial space that opens directly onto the new public plaza, as well as a community clinic to be operated by Samuel Merritt University. The project includes nonresidential uses fronting San Pablo Avenue on the ground floor of the project. The uses include a 1,906-square-foot clinic and 1,156 square feet of retail space.

The following objectives have been identified for the proposed project:

- Develop a high-quality, mixed-use project comprising commercial and residential uses including affordable apartments for seniors, with services.
- Given the high visibility of the site and adjacency to City Hall, incorporate high-quality materials and design compatible with City Hall.
- Include residential units, either senior housing or another viable concept.
- Maximize affordability by providing the maximum feasible number units affordable to very low- and low-income households.
- Maximize the site’s development potential for higher-density housing.
ES 3 PROJECT ALTERNATIVES SUMMARY

CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the project, which could feasibly attain the basic objectives of the project and reduce the degree of environmental impact. Mitigation measures have been identified for any project-specific effects that were identified as significant, reducing such effects to a less than significant level. Therefore, the proposed project would not result in any significant effects that could not be reduced to a less than significant level with mitigation imposed upon the project. Due to the absence of significant and unavoidable effects of the proposed project, an analysis of alternatives that address different ways to reduce impacts to less than significant is not required. However, the Draft EIR provides a qualitative analysis of alternatives that are typically analyzed for a project: an off-site alternative, reduced intensity alternative, and reduced footprint alternative.

ES 4 AREAS OF CONCERN

The City of El Cerrito is the lead agency for the proposed Project. In accordance with Section 15082 of the CEQA Guidelines, the City prepared and distributed a Notice of Preparation (NOP) of an EIR on April 5, 2013. This notice was circulated to the public, local, state, and federal agencies, and other interested parties to solicit comments on the proposed Project. The NOP is presented in Appendix A.

Concerns raised in response to the NOP were considered during the preparation of the Draft EIR. Comment letters are presented in Appendix A.

Issues raised in comment letters on the NOP include:

- rehabilitation in accordance with the Secretary of Interior’s Standards for the Treatment of Historic Properties
- public participation in mitigation measures for historic resources
- Potential hazardous materials related to former use of a portion of the site as a nursery
- Visual compatibility of the project at 65 feet tall
- Parking requirements
- Building setbacks and stepbacks
- Preparation of a traffic impact study consistent with Caltrans guidelines
- Traffic on State Route 123 (San Pablo Avenue)
- Cumulative impacts on the State Highway System
- Salvage of components of the residential building for incorporation into the proposed project
ES.5 **SUMMARY OF ENVIRONMENTAL IMPACTS**

Table ES-1 presents a summary of project impacts where mitigation measures would be required to avoid or minimize potential impacts. In the table, the level of significance of each environmental impact is indicated both before and after the application of the recommended mitigation measure(s).

For detailed discussions of all project impacts and mitigation measures, the reader is referred to the topical environmental analysis in Section 3.0.
### Table ES-1

**PROJECT IMPACTS AND PROPOSED MITIGATION MEASURES**

<table>
<thead>
<tr>
<th>Impact 3.8.1</th>
<th>Level of Significance Without Mitigation</th>
<th>Mitigation Measure</th>
<th>Resulting Level of Significance</th>
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<tbody>
<tr>
<td>Air Quality</td>
<td>MM AQ-1</td>
<td>PS</td>
<td>LS</td>
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The project would require air pollutant control measures to ensure consistency with BAAQMD air quality standards. This impact would be **potentially significant**.

During all phases of project development, the project shall adhere to BAAQMD’s Basic Construction Mitigation Measures from Table 8-1 of the BAAQMD’s CEQA Air Quality Guidelines (2011), which include the following:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

4. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

5. Idling times shall be minimized either by shutting equipment off when not

---

*N – No impact  
LS – Less Than Significant  
PS – Potentially Significant  
S – Significant*
## Biological Resources

### Impact 3.8.2
The proposed project does not provide suitable habitat for the majority of special-status species identified in the project vicinity; however, the project does have the potential to impact migratory birds, raptors, and bats.

<table>
<thead>
<tr>
<th>Impact</th>
<th>Level of Significance Without Mitigation</th>
<th>Mitigation Measure</th>
<th>Resulting Level of Significance</th>
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<tbody>
<tr>
<td>The proposed project does not provide suitable habitat for the majority of special-status species identified in the project vicinity; however, the project does have the potential to impact migratory birds, raptors, and bats.</td>
<td>in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure, Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</td>
<td>6. All construction equipment shall be maintained and properly tuned in accordance with manufacturers’ specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</td>
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<td>7. A publicly visible sign shall be posted with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District’s phone number shall also be visible to ensure compliance with applicable regulations.</td>
<td>LS</td>
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<td>This is a potentially significant impact.</td>
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<td>season (January 15 – August 15), preconstruction surveys for active nest sites shall be conducted by a qualified biologist, up to 14 days before initiation of construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds. If active nest(s) are identified during the preconstruction survey, a qualified biologist shall monitor the nest(s) to determine when the young have fledged. Monthly monitoring reports, documenting the nest status, shall be submitted to the City Planning Department until the nest(s) is deemed inactive. The biological monitor shall have the authority to cease construction if there is any sign of distress to a raptor or migratory bird. Reference to this requirement and the Migratory Bird Treaty Act shall be included in the construction specifications.</td>
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<td>Enforcement/Monitoring: City of El Cerrito Planning and Building Divisions</td>
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<td>MM BIO-2 Surveys for Bird Nests in Structures. If demolition of vacant structures shall take place during of the migratory bird nesting season (April 15 – August 15), a survey for nesting migratory birds (e.g., swallows,</td>
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*ES EXECUTIVE SUMMARY*

| N – No impact | LS – Less Than Significant | PS – Potentially Significant | S – Significant |

*Eden Housing*

*Draft Environmental Impact Report*

*City of El Cerrito*

*August 2013*
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<td>MM BIO-3</td>
<td>Survey of Potential Bat Roosts.</td>
<td>Demolition of abandoned structures shall be preceded by a survey for bat presence. Structures being used by bats shall not be removed until it has been determined that bats are no longer using the site or until demolition can be carried out without harming any bats.</td>
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<td>Timing/Implementation: Prior to construction</td>
<td>Enforcement/Monitoring: City of El Cerrito Planning and Building Divisions</td>
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**Cultural Resources**

**Impact 3.8.3** Implementation of the project could result in the potential disturbance of currently undiscovered archaeological resources. This impact would be considered potentially significant.

| PS |

**In the event** an archaeological resource is encountered during project construction activities, the construction contractor shall halt construction within 25 feet of the find and immediately notify the City of El Cerrito. The City shall notify a qualified archaeologist meeting the Secretary of Interior’s Professional Qualifications Standards in prehistoric or historical archaeology immediately to evaluate the resource(s) encountered and recommend the development of mitigation measures for potentially significant resources.

**Timing/Implementation:** Prior to construction

**Enforcement/Monitoring:** City of El Cerrito Planning and Building Divisions

N – No impact  LS – Less Than Significant  PS – Potentially Significant  S – Significant
### Impact 3.8.4

Implementation of the project could result in the potential disturbance of currently undiscovered paleontological resources. This impact would be considered **potentially significant**.

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<td><strong>Impact 3.8.4</strong></td>
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<td>PS</td>
<td>LS</td>
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- **ES** – Executable
- **X** – Exclusion
- **N** – No impact
- **LS** – Less Than Significant
- **PS** – Potentially Significant
- **S** – Significant

**Timing/Implementation:** During ground-disturbing activities

**Enforcement/Monitoring:** City of El Cerrito Planning and Building Divisions

consistent with Public Resources Code Section 21083.2(i). Construction activities could continue in other areas. The archaeologist shall evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered cultural resources. The City and the project applicant will consider the recommendations of the qualified archaeologist and consult and agree upon implementation of a measure or measures that the City, the qualified archaeologist, and the project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project applicant, the qualified project archaeologist, and the City, as well as the Native American tribal representative if relevant, as to the appropriate preservation or mitigation measures.
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<tr>
<td>City of El Cerrito shall be immediately notified. A qualified paleontologist shall be retained to evaluate the find and recommend appropriate mitigation measures for the inadvertently discovered paleontological resources. The City and the project applicant shall consider the recommendations of the qualified paleontologist and consult and agree upon implementation of a measure or measures that the City, the qualified paleontologist, and the project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project applicant, qualified paleontologist, and the City as to the appropriate preservation or mitigation measures.</td>
<td>PS</td>
<td>MM HAZ-1</td>
<td>LS</td>
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Timing/Implementation: During ground-disturbing activities

Enforcement/Monitoring: City of El Cerrito Planning and Building Divisions

Greenhouse Gases/ Climate Change

Hazardous Materials

| Impact 3.8.5 | The proposed project would not be expected to create a significant hazard to the public or to the environment | PS | MM HAZ-1 | LS |

N – No impact

LS – Less Than Significant

PS – Potentially Significant

S – Significant
### Executive Summary

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<td>through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. However, historical uses on the site could pose a threat to construction workers or future residents. This impact is considered potentially significant.</td>
<td>licensed/certified hazardous waste materials expert (as approved by the City of El Cerrito) who shall submit a report for the City’s review that addresses the presence or absence of extractable total petroleum hydrocarbons, organochlorine pesticides, or isolated areas of elevated arsenic and other pesticides in the soil. If the soil is contaminated, a soil test shall be conducted to determine the extent of contamination and, based on the contaminants present, the report shall also provide for the appropriate method of disposal for contaminated soils. Timing/Implementation: Prior to ground disturbance Enforcement/Monitoring: City of El Cerrito Planning and Building Divisions</td>
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<td>Noise</td>
<td>MM N-1</td>
<td>In order to ensure that project residences meet the interior noise standard of DNL 45 dB, the project shall provide exterior sound-rated operable windows and doors with the minimum sound ratings for exterior window, door, and wall assemblies as identified in Figure 2 and Tables 5 and 6 of the environmental noise assessment prepared for the project (Charles M. Salter Associates, Inc., 2013). It is important to note that the Sound Transmission Class (STC) ratings required are for full operable window assemblies (glass and frame) rather than just the glass itself. Tested sound-rated assemblies shall</td>
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- **N** – No impact
- **LS** – Less Than Significant
- **PS** – Potentially Significant
- **S** – Significant

**Eden Housing**  
**Draft Environmental Impact Report**

**City of El Cerrito**  
**August 2013**

ES-10
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<td>Timing/Implementation: During final design phase</td>
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<td>MM N-2</td>
<td>Consistent with City Building Code requirements, the project shall supply an alternative method of supplying fresh air (e.g., mechanical ventilation) where windows need to be closed to achieve an indoor DNL of 45 dB.</td>
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<td>MM N-3</td>
<td>In order to ensure that the commercial component of the project meets City and state interior noise standards, ground-floor commercial spaces shall provide sound-rated windows and doors. At the locations listed below, exterior windows and doors shall have the following minimum STC ratings:</td>
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<td>• Along San Pablo Avenue (e.g., clinic, retail): STC 35</td>
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<td>• Setback (&gt;100 feet) from San Pablo Avenue (e.g., lobby, sunroom): STC 30</td>
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<td>• Facing residential courtyard/Kearney Street: STC 29</td>
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<td>Timing/Implementation: During final design phase</td>
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<td>Impact 3.8.7</td>
<td>The project could result in a permanent increase in ambient noise levels. This impact is considered potentially significant.</td>
<td>PS</td>
<td>MM N-4 To reduce equipment noise associated with the project, equipment shall be selected and located specifically to meet the noise standards. A qualified acoustical professional shall be involved during the design phase of the project to advise the design team regarding effective noise reduction measures, and if necessary, additional mitigation measures such as rooftop noise barriers, acoustical louvers, or equipment noise attenuators shall be employed. Timing/Implementation: During final design phase Enforcement/Monitoring: City of El Cerrito Planning and Building Divisions</td>
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<tr>
<td>Impact 3.8.7</td>
<td>Project construction could result in a substantial temporary increase in ambient noise levels and groundborne vibration in the project vicinity above levels existing without the project. This impact is considered potentially significant.</td>
<td>PS</td>
<td>MM N-5 To reduce construction noise and groundborne vibration, the following measures shall be implemented: 1. Post signs at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a day and evening contact number for the City in the event of problems. 2. Notify the City and neighbors in advance of the schedule for each major phase of construction and expected loud activities. 3. When feasible, select “quiet” construction methods and equipment.</td>
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<td>4. Locate noisy stationary equipment (e.g., generators and compressors) and material unloading and staging areas away from the most sensitive adjacent uses, such as residences to the south.</td>
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<td>5. The construction contractor shall maintain all construction equipment in good working order and mufflers shall be inspected to be installed and functioning properly. Avoid unnecessary idling of equipment and engines.</td>
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<td>6. Designate a construction noise coordinator. This coordinator would be available to respond to complaints from neighbors and take appropriate measures to reduce noise.</td>
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**Timing/Implementation:** During construction

**Enforcement/Monitoring:** City of El Cerrito Planning and Building Divisions
1.0 Introduction
This Draft Environmental Impact Report (DEIR; Draft EIR) was prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. The City of El Cerrito (El Cerrito; City) is the lead agency for the environmental review of the proposed Eden Housing San Pablo Mixed-Use Apartment Project (project; proposed project) evaluated herein and has the principal responsibility for approving the project. This DEIR assesses the expected environmental impacts resulting from approval and development of the project.

This section summarizes the purpose of the Environmental Impact Report (EIR) and describes the environmental procedures that are to be followed according to CEQA. It also discusses the intended uses of the EIR and describes the EIR’s scope and organization, contact person, and impact terminology.

1.1 BACKGROUND AND PURPOSE OF THE EIR

As part of performance of due diligence in considering purchase of the project site, because it was known that structures on the site were at least 50 years old, the El Cerrito Redevelopment Agency commissioned a historical resource evaluation of the structures at 10848 and 10860 San Pablo Avenue. The evaluation dated October 2008, prepared by Post, Buckley, Schuh, and Jernigan (PBS&J), reviewed the potential historical relevance of the property and concluded that the buildings at 10848 and 10860 San Pablo Avenue are not recommended as eligible for listing on either the National Register of Historic Places or the California Register of Historic Resources, and do not appear to qualify as historical resources pursuant to CEQA.

Subsequently, the El Cerrito Redevelopment Agency selected Eden Housing, Inc., as the developer for a proposed affordable housing project on the subject property. In 2011, Eden Housing commissioned several studies that are prerequisites for development, including a historic resource evaluation. The second historic resource evaluation, prepared by Knapp & VerPlanck Preservation Architects in consultation with historian Donna Graves, was published in late October 2011. It concluded that 10848 San Pablo Avenue, where the Mabuchi family lived and operated a florist business from 1935 to 1965, contains a building that may be eligible for listing in the California Register of Historical Resources for its association with the Japanese American cut-flower industry in El Cerrito and Richmond and its association with Japanese American immigration and settlement in western Contra Costa County.

The City of El Cerrito determined, because of the conflicting conclusions between the City’s historical resources report and the report submitted as part of the project application, that an EIR would be the appropriate document. The purpose of the DEIR is to provide the public, trustee agencies, and responsible agencies with information about the potential environmental effects of the proposed project. As described in CEQA Guidelines Section 15121(a), an EIR is a public informational document that assesses potential environmental effects of a proposed project and identifies mitigation measures and alternatives to the proposed project that could reduce or avoid its adverse environmental impacts. Public agencies are charged with the duty to consider and minimize environmental impacts of proposed development, where feasible, and an obligation to balance a variety of public objectives, including economic, environmental, and social factors.

CEQA requires the preparation of an environmental impact report prior to approving any project that may have a significant adverse effect on the environment. For the purposes of CEQA, the term “project” refers to the whole of an action which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378(a)). The City has determined that the proposed action is a “project” within the definition of CEQA.
The State CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR has been prepared as a project EIR pursuant to State CEQA Guidelines Section 15161. Project EIRs are defined by State CEQA Guidelines (Section 15161) as:

The most common type of EIR examines the environmental impacts of a specific development project. This type of EIR should focus primarily on the changes in the environment that would result from the development of the project. The EIR shall examine all phases of the project including planning, construction, and operation.

By preparing a project EIR, the City intends to allow the entire project, if approved by the City Council, to proceed without additional CEQA analysis, absent the kinds of changed circumstances or project modifications that trigger the preparation of a subsequent EIR, supplemental EIR, or addendum (see State CEQA Guidelines, Sections 15162–15164).

This Draft EIR utilizes technical information provided by the project applicant (Eden Housing), the City of El Cerrito General Plan and Zoning Code, and information gathered from federal, state, and local agencies, as well as any other data supported by the State CEQA Guidelines (see Section 15148 [Citation] and 15150 [Incorporation by Reference]). By utilizing these provisions of the State CEQA Guidelines, the City, in preparing this Draft EIR, has been able to make maximum feasible and appropriate use of this technical information.

1.2 INTENDED USES OF THE EIR

This Draft EIR is intended to evaluate the environmental impacts of the project to the greatest extent feasible. This DEIR, prepared in accordance with State CEQA Guidelines Section 15126, should be used as the primary environmental document to evaluate all planning and permitting actions associated with the project. These actions include, but are not limited to, the following:

- Certification of the Environmental Impact Report
- Adoption of a Mitigation Monitoring and Reporting Program
- Conditional Use Permit (CUP) for 25+ units of multifamily residential in the Transit-Oriented Mixed Use district (El Cerrito Municipal Code Table 19.07-A)
- CUP under Affordable Housing Bonus (bonuses are density and height) (El Cerrito Municipal Code Section 19.22)
- CUP for parking reduction for medical clinic use (El Cerrito Municipal Code Section 19.24.050(B))
- Design Review (El Cerrito Municipal Code Section 19.38)

1.3 KNOWN RESPONSIBLE AND TRUSTEE AGENCIES

“Responsible agency” means a public agency that proposes to carry out or approve a project for which a lead agency is preparing or has prepared an EIR or negative declaration. For the purpose of CEQA, the term “responsible agency” includes all California public agencies, other than the lead agency, that have discretionary approval power over the project or an aspect of the project. The following agencies are identified as potential responsible agencies:
1.0 INTRODUCTION

- Bay Area Air Quality Management District
- California Department of Transportation (Caltrans)

“Trustee agency” means a state agency having jurisdiction by law over natural resources affected by a project, which are held in trust for the people of the State of California. There are no identified trustee agencies for the proposed project.

1.4 ORGANIZATION AND SCOPE OF THE DRAFT EIR

Sections 15122 through 15132 of the State CEQA Guidelines identify the content requirements for Draft and Final EIRs. An EIR must include a brief summary of the proposed actions and its consequences, a description of the project, a description of the environmental setting, an environmental impact analysis, mitigation measures, alternatives, significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The environmental issues addressed in this Draft EIR were established through environmental documentation of existing projects located in the vicinity and private and public agency responses to the Notice of Preparation (NOP).

This Draft EIR is organized in the following manner:

Executive Summary (State CEQA Guidelines Section 15123) – Includes a summary of the characteristics of the proposed project, known areas of controversy, and issues to be resolved, and provides a summary matrix of the project’s environmental impacts and proposed mitigation measures.

Introduction – Provides an introduction and overview describing the purpose, type, and intended use of the EIR. This section also identifies responsible agencies and describes the organization of the EIR and the review and certification process, as well as includes a summary of comments received on the NOP.

Project Description – Provides a detailed description of the proposed project, including project objectives, background information, and physical and technical characteristics.

Technical Analysis – This chapter includes an introduction to the environmental analysis that describes the general assumptions used to evaluate the project’s environmental impacts and provides environmental and regulatory setting information. Additional setting information may also be included in the impact discussions. The impact discussions are divided into three separate subsections based upon level of impact: environmental areas with no impact, environmental areas that are less than significant and do not require mitigation, and environmental areas with potentially significant impacts that can be avoided through implementation of mitigation measures.

Other CEQA Considerations – This chapter provides a discussion of cumulative impacts, significant and unavoidable impacts, project alternatives, and growth inducing impacts, as discussed below.

Cumulative Impacts Summary – Discusses the cumulative impacts associated with the proposed project and includes mitigation measures. As required by State CEQA Guidelines Section 15130, the EIR discusses cumulative impacts when the project’s incremental effect is cumulatively considerable.
1.0 INTRODUCTION

Significant and Unavoidable Impacts – CEQA requires that the significant and unavoidable impacts associated with the proposed project are disclosed. The project would not result in any significant and unavoidable impacts.

Project Alternatives – State CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the project which could feasibly attain most of the basic objectives of the project while avoiding and/or lessening any of the significant environmental effects of the project. Because there are no significant and unavoidable impacts associated with the proposed project, project alternatives are not analyzed, although the discussion does provide information on how typical project alternatives could reduce effects of the project.

Growth-Inducing Implications of the Project – Contains discussions and analysis of growth-inducing impacts of the project as mandated by State CEQA Guidelines Section 15126.2.

Report Preparers – Lists all authors and agencies that assisted in the preparation of the EIR by name, title, and company or agency affiliation.

Appendices – Includes all notices and correspondence pertinent to the Draft EIR, as well as technical materials prepared and used to support the analysis. Appendices are included on a CD at the back of the DEIR.

1.5 PUBLIC PARTICIPATION AND ENVIRONMENTAL REVIEW PROCESS

NOTICE OF PREPARATION

In accordance with Section 15082 of the State CEQA Guidelines, the City prepared a NOP for the project on April 5, 2013. The NOP was circulated to the public, local, state, and federal agencies, and other interested parties to solicit comments on the proposed project, with a comment period to end on May 6, 2013. The comment period was subsequently extended to May 13, 2013. The issues and concerns identified in responses to the NOP document, as summarized below, are addressed in this Draft EIR. The NOP comments are presented in Appendix A.

The City received letters from the following federal, state, and local agencies and other interested parties:
The City held a scoping meeting for the project on Monday, April 22, 2013. Comments received during the scoping meeting included a summary of written comments provided by Tom Panas (April 22 letter) and are addressed in the relevant sections of the Draft EIR.

**DRAFT EIR**

This document constitutes the Draft EIR. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. Upon completion of the Draft EIR, the City filed a Notice of Completion (NOC) with the State Office of Planning and Research to begin the public review period (Public Resources Code, Section 21161). The Draft EIR

**PUBLIC NOTICE/PUBLIC REVIEW**

The City provided public notice of the availability of the Draft EIR for public review and invited comment from the general public, agencies, organizations, and other interested parties. Consistent with CEQA Guidelines Section 15105, the review period for this DEIR will be 45 days, beginning Monday August 26, 2013 and ending on Thursday, October 10, 2013. Public comment on the Draft EIR will be accepted both in written form and orally at public hearings. All comments or questions regarding the Draft EIR should be addressed to:

Sean Moss  
City of El Cerrito  
10890 San Pablo Avenue  
El Cerrito, CA 94530  
SMoss@ci.el-cerrito.ca.us
RESPONSE TO COMMENTS/FINAL EIR

Following the public review period, a Final EIR (FEIR) will be prepared. The FEIR will respond to all significant environmental issues raised in written and oral comments received during the public review period and to comments made at any public hearing.

CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

Upon review and certification of the FEIR, the Planning Commission and/or City Council, as appropriate, may take action to approve, revise, or reject the project. A decision to approve the project would be accompanied by written findings in accordance with CEQA Guidelines Section 15091 (Findings). A mitigation monitoring and reporting program (MMRP), as described below, would also be adopted for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment. The MMRP will be designed to ensure that these measures are carried out during all phases of the project’s implementation.

MITIGATION MONITORING AND REPORTING PROGRAM

Public Resources Code Section 21081.6(a) requires lead agencies, at the time of project approval, to adopt an MMRP to describe measures that have been adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The specific “reporting or monitoring” program required by CEQA is not required to be included in the EIR; however, it will be presented to City decision-makers for adoption. Throughout the EIR, however, mitigation measures have been clearly identified and presented in language that will facilitate establishment of a monitoring and reporting program. Any mitigation measures adopted by the City Council as conditions for approval of the project will be included in the MMRP to ensure and verify compliance.
2.0 PROJECT DESCRIPTION
The following is the project description for the proposed Eden Housing San Pablo Mixed-Use Apartment Project (proposed project; project). The purpose of the project description is to describe the project in a way that will be meaningful to the public, reviewing agencies, and decision-makers. As described in Section 15124 of the CEQA Guidelines, a complete project description must contain the following information but is not required to supply extensive detail beyond that needed for evaluation and review of the environmental impact:

- The location of the proposed project;
- A statement of project objectives;
- A general description of the project’s technical, economic, and environmental characteristics; and
- A statement briefly describing the intended uses of the EIR.

2.1 REGIONAL LOCATION

The 0.92-acre project site is located in the midtown area of El Cerrito, in Contra Costa County, California (Figure 2.0-1). The project site is located in proximity to two BART stations (El Cerrito del Norte and El Cerrito Plaza), major bus lines, and access to Interstate 80 within one-quarter mile.

2.2 PROJECT SITE AND VICINITY

PROJECT SITE

The project site has a General Plan designation of Mixed Use Commercial and is zoned Transit-Oriented Mixed Use (TOM). The project site (including APNs 503-010-003-5 and 503-010-014-2, 10860 and 10848 San Pablo Avenue, respectively) is bounded by San Pablo Avenue to the west and Kearney Avenue to the east, and lies between El Cerrito City Hall to the north and the Village at Town Center residential development to the south (Figure 2.0-2). The northern parcel is currently improved with a ±45,000-square-foot concrete, steel, and wood building, formerly used as a furniture warehouse store. The southern parcel is improved with two wood-frame structures totaling approximately 2,000 square feet, most recently used by the El Cerrito Chamber of Commerce and in the past as a flower shop with attached residence (the former Contra Costa Florist/Mabuchi House). All of the buildings are vacant.

SURROUNDING LAND USES

Land uses in the vicinity of the proposed project site are fully urbanized and include civic, residential, and commercial uses. Surrounding land uses include El Cerrito City Hall to the northwest, the Village at Town Center Apartments to the southeast, a California Department of Motor Vehicles (DMV) office to the northeast, and commercial and motel uses to the southwest.

2.3 PROJECT OBJECTIVES

Pursuant to CEQA Guidelines Section 15124(b), the following objectives have been identified for the project:

- Develop a high-quality, mixed-use project comprising commercial and residential uses including affordable apartments for seniors, with services.
2.0 PROJECT DESCRIPTION

- Given the high visibility of the site and adjacency to City Hall, incorporate high-quality materials and design compatible with City Hall.
- Include residential units of senior housing.
- Maximize affordability by providing the maximum feasible number units affordable to very low- and low-income households.
- Maximize the site’s development potential for higher-density housing.

2.4 PROJECT CHARACTERISTICS

The project proposes a 63-unit mixed-use senior affordable housing community on a 40,000-square-foot site in El Cerrito’s midtown area, including 62 one-bedroom units and 1 two-bedroom unit. The design includes a commercial ground floor, establishes an articulated urban presence on San Pablo Avenue, and provides a public open space to serve as a gathering place for residents of El Cerrito. Open space on the project site consists of a 2,710-square-foot Heritage Plaza and 9,423 square feet of private open space. The public presence along San Pablo Avenue is also enhanced by a small ground-floor retail/cafe space that opens directly onto the new public plaza, as well as a community clinic to be operated by Samuel Merritt University. Project elevations are shown in Figures 2.0-3 through 2.0-6.

The project includes nonresidential uses fronting San Pablo Avenue on the ground floor of the project. The uses include a 1,906-square-foot clinic and 1,156 square feet of retail/cafe space.

The single-story structure at 10848 San Pablo Avenue will be renovated in keeping with its original design to the greatest extent feasible and will house some of Eden Housing’s community and management functions on the property. Project design incorporates a modified design adjacent to the stone-faced building where the new building steps down to meet the existing structure. Similarly, the building steps down along its north side as it meets City Hall to respect the building.

The building design and construction will maximize passive solar heating and cooling and will incorporate green design features, such as a tight building envelope, energy-efficient boiler and HVAC systems, energy-efficient lighting and appliances, water-conserving fixtures, solar hot water, and durable materials with recycled content and low volatile organic compound (VOC) content. The project will also include pervious hardscape and stormwater filtration through bioswales and planters. The building will at minimum be pre-wired to receive a rooftop solar installation in the future. If it is financially feasible, a solar photovoltaic system will be installed.

The project would connect to existing utilities infrastructure in or adjacent to San Pablo Avenue, including electric, natural gas, water, sewer, and storm drainage.

Vehicular access would be provided via Kearney Street. The applicant is proposing 35 off-street spaces for residential use. Entitlements requested for the project will include a conditional use permit for a parking reduction for off-street parking spaces for the clinic. The project also includes 16 long-term and 4 short-term bicycle parking spots.
Figure 2.0-1
Regional Vicinity

Legend
- Project Site

Source: Bing Maps, 2011
MATERIALS AND SYSTEMS

1. CEMENT PLASTER W/CONTROL JOINTS
2. HORIZONTAL CEMENT BOARD SIDING 8" EXPOSURE
3. VERTICAL CORRUGATED METAL SIDING OR CEMENT BOARD PANELS AND VERTICAL BATTENS
4. CEMENT BOARD PANELS
5. PAINTED WOOD TRIM
6. ALUMINUM STOREFRONT WINDOW SYSTEM
7. WHITE VINYL WINDOW
8. BUILDING & COMMERCIAL SIGNAGE & LIGHTING
9. WOOD TRELLIS
10. METAL AWNING SYSTEM
11. SHEETMETAL CLADDED OR PERFORATED METAL SUNSHADE
12. METAL GUARDRAIL SYSTEM
13. CONCRETE FLOW THROUGH INFILTRATION PLANTER
14. METAL PICKET FENCE 6' TALL
15. FIBERGLASS COMPOSITION SHINGLES "COOL COLOR"
16. PAINTED PARAPET CAP
17. PAINTED FASCIA BOARD OR FASCIA GUTTER
18. ARCHITECTURAL HAZ GRILL
19. ARCHITECTURAL CONCRETE

Figure 2.0-3
West Elevation

Source: Van Meter Williams Pollack, LLP
Figure 2.0-5
East Elevation

MATERIALS AND SYSTEMS
1. CEMENT PLASTER WITH CONTROL joints
2. HORIZONTAL CEMENT BOARD USING 8” EXPOSURE
3. VERTICAL CORRUGATED METAL SIDING
4. CEMENT BOARD PANELS AND VERTICAL BATTENS
5. CEMENT BOARD PANELS
6. PAINTED WOOD TRIM
7. ALUMINUM STOREFRONT WINDOW SYSTEM
8. WHITE VINYL WINDOW
9. BUILDING & COMMERCIAL EXTERIOR & LIGHTING
10. WOOD TRELLIS
11. METAL AWNING SYSTEM
12. SHEET METAL CLADDED OR PERFORATED METAL SUNSHADE
13. METAL GUARDIAN SYSTEM
14. CONCRETE FLOOR THROUGH INFLATION PLANTER
15. METAL FINISH PANELS & TALL
16. FIBERGLASS COMPOSITION SHINGLES "SAND COLOR"
17. PAINTED PARAPET CAP
18. PAINTED EAVES OR EAVES GUTTER
19. ARCHITECTURAL HOOD GUTTER
20. ARCHITECTURAL CONCRETE
Figure 2.0-6
South Elevation

MATERIALS AND SYSTEMS

1. CEMENT PLASTER W/CONTROL JOINTS
2. HORIZONTAL CEMENT BOARD SIDING 8" EXPOSURE
3. VERTICAL CORRUGATED METAL SIDING
4. CEMENT BOARD PANELS AND VERTICAL BATTENS
5. CEMENT BOARD PANELS
6. PAINTED WOOD TRIM
7. ALUMINUM STOREFRONT WINDOW SYSTEM
8. WHITE VINYL WINDOW
9. BUILDING & COMMERCIAL SIGNAGE & LIGHTING
10. WOOD TRELLIS
11. METAL AWNING SYSTEM
12. SHEETMETAL CLADDED OR PERFORATED METAL SUNSHADE
13. METAL GUARDRAIL SYSTEM
14. CONCRETE FLOOR THROUGH INFILTRATION PLANTER
15. METAL PERIMETER FENCE 4' TALL
16. FIBERGLASS COMPOSITION SHINGLES "COOL COLOR"
17. PAINTED PARAPET CAP
18. PAINTED FAÇADE PANEL OR FAÇADE GUTTER
19. ARCHITECTURAL METAL SPIRE
20. ARCHITECTURAL CEMENTITE
2.4.1 PRESERVATION OF THE CONTRA COSTA FLORIST BUILDING

Although the Contra Costa Florist/Mabuchi House is not currently listed in any register of historic resources, the Historic Resource Evaluation prepared for the project (VerPlanck 2013) concluded that the property appears eligible for listing in the California Register under Criterion 1 (Events), at the local level, with a period of significance of 1935-65. Original plans calling for the removal of the building were revised to preserve the florist shop and alter the senior housing building design to step down to achieve a better visual scale with the florist shop. The project applicant has also committed to the following steps to further reduce potential effects on the resource:

- Prior to any demolition, the resources will be documented through a Historic American Buildings Survey (HABS) following the HABS I criteria, which includes production of measured architectural drawings depicting existing or historic conditions, large-format photographs of the Mabuchi home and florist shop, a written history and description of the site, and field records. Based on recommendations in the Historic Resource Evaluation, if two oral histories with family members or other members of El Cerrito’s Japanese community familiar with the property can be obtained, the oral histories can be prepared with sketch plans of the house, in lieu of the measured drawings.

- The project will include rehabilitation of the façade of the florist shop, including new doors and windows, with the profile of the rails and stiles and the overall fenestration pattern to match original conditions as closely as possible, and landscaping that align with the historic character of the building.

- The project will incorporate a publicly-accessible interpretive display or signage in front of the building describing the history of the site, the Mabuchi family, and the history of the Japanese American nursery industry in El Cerrito and Richmond during the first half of the twentieth century. The display may take the form of a kiosk, plaque, or other display method containing panels of text, historic photographs, excerpts of oral histories, and maps. It could be built in front of the former Contra Costa Florist shop, where passers-by could read about the history of the site or it may also be installed within the proposed Heritage Plaza. If so, a small sign would also be installed either on or in front of the former Contra Costa Florist shop so that passers-by can be directed to Heritage Plaza to learn more about the property.

- The project will include Japanese-inspired landscaping in the proposed Heritage Plaza, and possibly in select locations elsewhere on the site, designed by a professional landscape architect. The intent of the landscaping is to commemorate small nursery that was part of the former Contra Costa Florist shop at the rear of the property and a small demonstration/display garden at the front of the property.

2.5 PROJECT CONSTRUCTION

The construction duration is estimated to be approximately 15 months to construct the project, including any demolition of existing structures.
2.0 PROJECT DESCRIPTION

2.6 REGULATORY REQUIREMENTS, PERMITS, AND APPROVALS

EL CERRITO APPROVALS

Discretionary actions required to be taken by the City of El Cerrito may include, but are not limited to, the actions listed below.

- Certification of the Environmental Impact Report
- Adoption of a Mitigation Monitoring and Reporting Program
- Conditional Use Permit (CUP) for 25+ units of multifamily residential in the Transit-Oriented Mixed Use district (El Cerrito Municipal Code Table 19.07-A)
- CUP under Affordable Housing Bonus (bonuses are density and height) (El Cerrito Municipal Code Section 19.22)
- CUP for parking reduction for medical clinic use (El Cerrito Municipal Code Section 19.24.050(B))
- Design Review (El Cerrito Municipal Code Section 19.38)

OTHER GOVERNMENT AGENCY APPROVALS

The City of El Cerrito is the lead agency for the proposed project. Responsible and trustee agencies may include, but are not limited to:

- Bay Area Air Quality Management District
- California Department of Transportation (Caltrans)
REFERENCES

3.0  ENVIRONMENTAL ANALYSIS
3.0 ENVIRONMENTAL ANALYSIS

3.1 INTRODUCTION

This section contains an analysis of environmental topic areas as identified in Appendix G of the State CEQA Guidelines. Specifically, the section contains a description of the existing setting of the project area and of the regulatory environment affecting the project, identifies standards of significance, identifies project-related impacts or lack thereof, and recommends mitigation measures where necessary to reduce or eliminate impacts.

3.2 EXISTING SETTING

The project site is located in El Cerrito in western Contra Costa County. The city sits on the south- and west-facing slopes of the Berkeley Hills, which rise from the Bay Plain to the top of the ridgeline (approximate elevation of 900 feet). The city is approximately 17 miles northeast of San Francisco and 12 miles north of Oakland. It forms part of the urbanized area along the eastern shore of San Francisco Bay, together with the cities of Albany, Berkeley, and Richmond.

The project site consists of two fully developed parcels: 10848 and 10860 San Pablo Avenue. The project site is bounded by San Pablo Avenue to the west and Kearney Avenue to the east, and lies between El Cerrito City Hall to the north and the Village at Town Center residential development to the south.

The parcel addressed as 10848 San Pablo Avenue, located midblock along the east side of San Pablo Avenue between Manila Avenue and Schmidt Lane, contains what was originally two buildings: a single-story commercial building that fronts San Pablo Avenue and a two-story building that was originally a residence. The buildings comprise the former Contra Costa Florist/Mabuchi House complex.

The parcel addressed 10860 San Pablo Avenue is developed with the former Tradeway complex, a large warehouse-type building that is currently vacant but most recently housed a furniture store. There is also a narrow, single-car-width alley located on the north side of the building and a narrow pedestrian alley on the south side. The east and west façades of the warehouse building are built out to the sidewalk. A small portion of the building, at the southwest corner, is single-story, and the remainder of the building is two-story.

Land uses adjoining the project site include El Cerrito City Hall to the north and a mixed-use apartment and retail complex called the Village at Town Center to the south. Located to the east of the project site is the California Department of Motor Vehicles (DMV) El Cerrito Field Office, on the east side of Kearney Street. The west side of San Pablo Avenue, which is located in the Richmond Annex neighborhood of Richmond, is dominated by a mixture of commercial and residential uses.

The project site is in a highly developed and urbanized mixed-use commercial district. Other than ornamental landscaping, there is no vegetation on or in the vicinity of the project site.
3.0 ENVIRONMENTAL ANALYSIS

3.3 REGULATORY FRAMEWORK

3.3.1 FEDERAL PLANS, POLICIES, REGULATIONS, AND LAWS

Biological Resources

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) implements international treaties between the United States and other nations devised to protect migratory birds, their parts, eggs, and nests from activities such as hunting, pursuing, capturing, killing, selling, and shipping, unless expressly authorized in the regulations or by permit. The State of California has incorporated the protection of birds of prey in Sections 3800, 3513, and 3503.5 of the Fish and Game Code (FGC).

All raptors and their nests are protected from take or disturbance under the MBTA (16 United States Code [USC], Section 703 et seq.) and California statute (FGC Section 3503.5). The golden eagle and bald eagle are also afforded additional protection under the Eagle Protection Act, amended in 1973 (16 USC, Section 669 et seq.).

Cultural Resources

National Historic Preservation Act of 1966

The National Historic Preservation Act (NHPA) of 1966 requires that the federal government list significant historic resources on the National Register of Historic Places (NRHP). Federal agencies must consult the NRHP when planning to undertake or grant approval through permits for a project. Prior to the issuance of any license or implementation of any project, the federal agency must consider the effects of a project or license on any historical buildings, sites, structures, or objects that are included on, or eligible for inclusion on, the NRHP (16 USC Section 470(f)). This typically includes consultation with the federal agency responsible for the undertaking, the state historic preservation officer, local Native American groups and individuals, local and state historical societies and organizations, and relevant archival sources, including the appropriate facility of the California Historical Resources Information System.

Hazards and Hazardous Materials

Resource Conservation and Recovery Act (42 USC Section 6901 et seq.)

The Resource Conservation and Recovery Act (RCRA) gives the US Environmental Protection Agency (EPA) the authority to control hazardous waste from “cradle to grave,” including the generation, transportation, treatment, storage, and disposal of hazardous waste. The act also sets forth a framework for the management of nonhazardous solid wastes.

The federal Hazardous and Solid Waste Amendments are the 1984 amendments to the Resource Conservation and Recovery Act that focus on waste minimization and phasing out land disposal of hazardous waste as well as on corrective action for releases. Some of the other mandates of this law include increased enforcement authority for the EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.

Under the RCRA, most construction sites are conditionally exempt small quantity generators (generate less than 220 pounds of hazardous waste per month). These generators must meet RCRA
storage limit requirements (2,200 pounds of hazardous waste/month) and ensure proper transportation, waste treatment, and disposal (i.e., meets all Department of Transportation requirements and use permitted or licensed facilities for hazardous waste treatment and/or disposal).

3.3.2 STATE PLANS, POLICIES, REGULATIONS, AND LAWS

Biological Resources

California Endangered Species Act

The California Endangered Species Act (CESA) states that all native species of fishes, amphibians, reptiles, birds, mammals, invertebrates, and plants, and their habitats, threatened with extinction and those experiencing a significant decline which, if not halted, would lead to a threatened or endangered designation, will be protected or preserved. The California Department of Fish and Wildlife (CDFW) works with all interested persons, agencies, and organizations to protect and preserve such sensitive resources and their habitats.

Section 2080 of the Fish and Game Code prohibits “take” of any species that the commission determines to be an endangered species or a threatened species. Take is defined in Section 86 of the Fish and Game Code as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.”

CESA allows for take incidental to otherwise lawful development projects. CESA emphasizes early consultation to avoid potential impacts to rare, endangered, and threatened species and to develop appropriate mitigation planning to offset project caused losses of listed species populations and their essential habitats.

Sensitive species, which would qualify for listing but are not currently listed, are afforded protection under CEQA. CEQA Guidelines Section 15065 (Mandatory Findings of Significance) requires that a substantial reduction in numbers of a rare or endangered species be considered a significant effect. CEQA Guidelines Section 15380 (Rare or Endangered Species) provides for assessment of unlisted species as rare or endangered under CEQA if the species can be shown to meet the criteria for listing. Unlisted plant species on the California Native Plant Society’s Lists 1A, 1B, and 2 would typically be considered under CEQA.

Cultural Resources

California Register of Historic Resources

The State Historical Resources Commission has designed the California Register of Historic Resources (CRHR) for use by state and local agencies, private groups, and citizens to identify, evaluate, register, and protect California’s historical resources. The CRHR is the authoritative guide to the state’s significant historical and archeological resources. This program encourages public recognition and protection of resources of architectural, historical, archeological, and cultural significance, identifies historical resources for state and local planning purposes, determines eligibility for state historic preservation grant funding, and affords certain protections under CEQA.

California Environmental Quality Act

Under CEQA, public agencies must consider the effects of their actions on both historical resources and unique archaeological resources. Pursuant to Public Resources Code (PRC)
Section 21084.1, a “project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.” PRC Section 21083.2 requires agencies to determine whether proposed projects would have effects on unique archaeological resources.

For historic structures, CEQA Guidelines Section 15064.5, subdivision (b)(3) indicates that a project that follows the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, or the Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995) shall be considered as mitigating impacts to a less than significant level. However, projects that do not comply with the Rehabilitation Standards do not necessarily result in a substantial adverse change in the significance of a historical resource; further analysis would be required to determine whether the historical resource would be “materially impaired” by the project under CEQA Guidelines 15064.5(b).

As noted above, CEQA also requires lead agencies to consider whether projects will impact unique archaeological resources. Treatment options under PRC Section 21083.2 include activities that preserve such resources in place in an undisturbed state. Other acceptable methods of mitigation under PRC Section 21083.2 include excavation and curation or study in place without excavation and curation (if the study finds that the artifacts would not meet one or more of the criteria for defining a unique archaeological resource).

Section 7050.5(b) of the California Health and Safety Code specifies protocol when human remains are discovered, as follows:

> In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27492 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code.

CEQA Guidelines Section 15064.5(e) requires that excavation activities be stopped whenever human remains are uncovered and that the county coroner be called in to assess the remains. If the county coroner determines that the remains are those of Native Americans, the Native American Heritage Commission must be contacted within 24 hours. At that time, the lead agency must consult with the appropriate Native Americans, if any, as timely identified by the Native American Heritage Commission. Section 15064.5 directs the lead agency (or applicant), under certain circumstances, to develop an agreement with the Native Americans for the treatment and disposition of the remains.

In addition to the mitigation provisions pertaining to accidental discovery of human remains, the CEQA Guidelines also require that a lead agency make provisions for the accidental discovery of historical or archaeological resources, generally. Pursuant to CEQA Section 15064.5(f), these provisions should include “an immediate evaluation of the find by a qualified archaeologist. If the find is determined to be a historical or unique archaeological resource, contingency funding
and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation should be available. Work could continue on other parts of the building site while historical or unique archaeological resource mitigation takes place."

Paleontological resources are classified as non-renewable scientific resources. California Public Resources Code Section 5097.5 et seq. makes it a misdemeanor for anyone to knowingly disturb any archaeological, paleontological, or historical features situated on public lands. No state or local agencies have specific jurisdiction over paleontological resources. No state or local agency requires a paleontological collecting permit to allow for the recovery of fossil remains discovered as a result of construction-related earthmoving on state or private land in a project site.

Geology and Seismicity

California Building Standards Code

The State of California provides minimum standards for building design through the California Building Standards Code (CBSC [California Code of Regulations, Title 24]). The CBSC is based on the Uniform Building Code, which is used widely throughout the United States (generally adopted on a state-by-state or district-by-district basis) and has been modified for conditions in California. State regulations and engineering standards related to geology, soils, and seismic activity are reflected in the CBSC requirements. Through the CBSC, the State of California provides a minimum standard for building design and construction. The CBSC contains specific requirements for seismic safety, excavation, foundations, retaining walls, and site demolition. It also regulates grading activities, including drainage and erosion control.

Greenhouse Gases

Assembly Bill 32

Assembly Bill (AB) 32, or the California Global Warming Solutions Act, was enacted by the California Legislature in September 2006. AB 32 requires the reduction of statewide greenhouse gas (GHG) emissions to 1990 levels by 2020 and establishes a comprehensive program of regulatory and market mechanisms to achieve real, quantifiable, cost-effective reductions of GHG. AB 32 makes the California Air Resources Board (CARB) responsible for monitoring and reducing GHG emissions and continues the existing Climate Action Team to coordinate statewide efforts.

Hazards and Hazardous Materials

Title 8 of the Health and Safety Code

Title 8 (Division 1, Department of Industrial Relations, Chapter 3.2, Cal/OSHA Regulations) includes requirements for worker and public protection. This includes regulation of construction related activities to ensure worker and public health and safety. Regulations include exposure limits, equipment, protective clothing, and procedures required to prevent exposures to hazardous materials (including hazardous waste and contamination). Specific sections cover lead in construction safety standards and asbestos exposure, as well as accident prevention measures.

Title 22 of the Health and Safety Code

Title 22 (Social Security, Division 4.5, Environmental Health Standards for the Management of Hazardous Waste) defines hazardous and special waste, identifies federal and state hazardous
waste criteria, and regulates the storage, transportation, and disposal of waste. Title 22 was created to regulate the hazardous wastes generated by factories or similar sources, but soil excavated during construction may also be regulated. If contaminated soil meets Title 22 waste criteria and will be excavated during construction, the soil must be handled in a manner consistent with these regulations. These regulations are also found in Title 26.

Noise

California Building Code Acoustical Requirements

Section 1207 of the CBSC contains acoustical requirements for interior sound levels in habitable rooms of residences. In summary, the CBSC requires an interior noise level no higher than a Day-Night Average Sound Level (DNL) of 45 dB. Projects exposed to exterior noise levels greater than a DNL of 60 dB require an acoustical analysis showing that the proposed design will limit interior levels to the prescribed allowable interior level. Additionally, if windows must be in the closed position to meet the interior standard, the design must include a ventilation or air-conditioning system to provide a habitable interior environment.

The 2010 California Green Building Standards Code (CALGreen) contains acoustical requirements for commercial developments. The code requires that a building within a DNL 65 dB of a major noise source or otherwise exposed to a level above Leq 65 dB (1 hour) incorporate prescriptive sound insulation measures of sound-rated windows, walls, and roof-ceiling assemblies. Alternatively, the project may meet the performance requirements of Section 5.507.4.2.

5.507.4.2 Performance method. For buildings located as defined in Sections A5.507.4.1 or A5.507.4.1.1, wall and roof-ceiling assemblies exposed to the noise source making up the building envelope shall be constructed to provide an interior noise environment attributable to exterior sources that does not exceed an hourly equivalent noise level Leq (1-hr) of 50 dB in occupied areas during any hour of operation.

Utilities and Service Systems

Integrated Waste Management Act

The California Integrated Waste Management Board was created and its authority and responsibilities were shaped by two pieces of legislation (Assembly Bill 939 and Senate Bill 1322) signed into law as the Integrated Waste Management Act of 1989 (Public Resources Code Section 41780). The act established a new approach to managing California’s waste stream, the centerpiece of which mandated goals of 25 percent diversion of each city’s and county’s waste from disposal by 1995, and 50 percent diversion in 2000, along with a process to ensure environmentally safe disposal of waste that could not be diverted.

3.3.2 REGIONAL AND LOCAL PLANS, POLICIES, REGULATIONS, AND LAWS

Aesthetics

El Cerrito Design Review Board

The Design Review Board reviews all developments (public or private), as required by Section 19.38.020, of the El Cerrito Municipal Code, including all buildings, and signage, for the purpose of encouraging quality design of such facilities. The design review process provides a framework by which elements of poor layout and design of a project may be prevented.
El Cerrito Municipal Code – Section 19.21.050.A

Section 19.21.050A of the City of El Cerrito Municipal Code includes performance standards that apply to all development within the city. The performance standards include requirements for the provision of lighting, including requirements for the design, location, and installation of exterior lighting, protection and shielding, and safety lighting.

Air Quality

Bay Area 2010 Clean Air Plan

Adopted on September 15, 2010, the Bay Area 2010 Clean Air Plan provides an integrated, multi-pollutant strategy to improve air quality, protect public health, and protect the climate. The Clean Air Plan addresses the San Francisco Bay Area Air Basin’s nonattainment status with the national 1-hour ozone standard and the California ambient air quality standards by:

1. Updating the Bay Area 2005 Ozone Strategy in accordance with the requirements of the California Clean Air Act to implement all feasible measures to reduce ozone.

2. Considering the impacts of ozone control measures on particulate matter (PM), air toxics, and greenhouse gases in a single, integrated plan.

3. Reviewing progress in improving air quality in recent years.

4. Establishing emission control measures to be adopted or implemented in the 2010-2012 timeframe (BAAQMD 2013).

CEQA Air Quality Guidelines

The Bay Area Air Quality Management District (BAAQMD) CEQA Air Quality Guidelines provide BAAQMD-recommended procedures and thresholds for evaluating potential air quality impacts of projects and plans proposed in the San Francisco Bay Area Air Basin. The thresholds of significance adopted as part of the CEQA Air Quality Guidelines on June 2, 2010, were designed to establish the level at which the BAAQMD believed air pollution emissions would cause significant environmental impacts under CEQA. The BAAQMD’s justification for the adopted thresholds of significance was incorporated into Appendix D of the BAAQMD’s updated CEQA Air Quality Guidelines (May 2011).

On March 5, 2012, the Alameda County Superior Court issued a judgment finding that the BAAQMD had failed to comply with CEQA when it adopted the thresholds. The BAAQMD appealed the Alameda County Superior Court’s decision and in August 2013, the First District Court of Appeal reversed the trial court’s decision. In view of the appellate court’s decision, and given that these thresholds are supported by substantial evidence as provided by the BAAQMD in Appendix D of the CEQA Air Quality Guidelines, these thresholds are used in this analysis for the evaluation of air quality impacts in this EIR.

Geology and Soils

El Cerrito Municipal Code Chapter 8.40, Stormwater Management and Discharge Control

Chapter 8.40 of the El Cerrito Municipal Code is intended to protect and enhance the water quality in El Cerrito’s watercourses pursuant to and consistent with the Porter-Cologne Water
3.0 ENVIRONMENTAL ANALYSIS

Quality Control Act (Water Code Section 13000 et seq.) and the federal Clean Water Act (33 USC Section 1251 et seq.). The code carries out the conditions in the City’s National Pollutant Discharge Elimination System (NPDES) permit that requires implementation of appropriate source control and site design measures and stormwater treatment measures for projects that create or replace 10,000 square feet or more of impervious surface. The code requires every application for a development project that is subject to the development runoff requirements in the City’s NPDES permit to be accompanied by a stormwater control plan that meets the criteria in the most recent version of the Contra Costa Clean Water Program Stormwater C3 Guidebook.

Greenhouse Gases

City of El Cerrito Climate Action Plan

The City’s Climate Action Plan (CAP) is intended to address climate change and reduce the community’s GHG emissions at the local level. The CAP identifies three community strategy areas and 27 implementing objectives that the community can take to reduce both emissions and communitywide contributions to global climate change. The Climate Action Plan describes goals and objectives necessary to reduce GHG emissions throughout the city. The implementing objectives that the community can take to reduce both emissions and communitywide contributions to global climate change are shown in Table 3.3-1. The CAP also establishes a reduction target of 15 percent below 2005 emissions by 2020 and 30 percent below 2005 emissions by 2035.

<table>
<thead>
<tr>
<th>Provision Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sustainable Communities (SC)</strong></td>
<td></td>
</tr>
<tr>
<td>SC-1</td>
<td>Encourage higher density TOD and infill development on transportation corridors</td>
</tr>
<tr>
<td>SC-1.1</td>
<td>Update General Plan and other applicable plans and ordinances to support higher densities along major transportation corridors</td>
</tr>
<tr>
<td>SC-1.2</td>
<td>Develop planning mechanisms to encourage development of higher densities in designated areas</td>
</tr>
<tr>
<td>SC-1.3</td>
<td>Develop a parking demand management strategy to encourage high density development and alternatives to driving</td>
</tr>
<tr>
<td>SC-2</td>
<td>Diversify El Cerrito’s economy to increase El Cerrito’s job base, create greater commercial vitality and more pedestrian-friendly economic activity</td>
</tr>
<tr>
<td>SC-2.1</td>
<td>Create a walkable physical environment that invites people to spend time in El Cerrito’s commercial areas</td>
</tr>
<tr>
<td>SC-2.2</td>
<td>Enhance neighborhood-serving commercial nodes and encourage commercial spaces in mixed-use areas</td>
</tr>
<tr>
<td>SC-2.3</td>
<td>Encourage adoption of green business practices and attract “green economy” businesses to El Cerrito</td>
</tr>
<tr>
<td>SC-3</td>
<td>Invest in pedestrian-, bicycle-, and transit-friendly infrastructure</td>
</tr>
<tr>
<td>SC-3.1</td>
<td>Create and design standards for bicycle and pedestrian friendly design</td>
</tr>
<tr>
<td>SC-3.2</td>
<td>Maintain an active streetscape improvement and maintenance program</td>
</tr>
<tr>
<td>SC-3.3</td>
<td>Continue implementation of the Ohlone Greenway Master Plan</td>
</tr>
<tr>
<td>SC-3.4</td>
<td>Expand and improve the City’s bicycle and pedestrian infrastructure</td>
</tr>
<tr>
<td>SC-3.5</td>
<td>Work with regional agencies to support improvements and greater access to transit facilities in El Cerrito</td>
</tr>
<tr>
<td>SC-4</td>
<td>Increase and enhance urban green and open space</td>
</tr>
</tbody>
</table>
### 3.0 Environmental Analysis

<table>
<thead>
<tr>
<th>Provision Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>SC-4.1</td>
<td>Develop a comprehensive Urban Greening Plan</td>
</tr>
<tr>
<td>SC-4.2</td>
<td>Promote Bay Friendly tree planting and landscaping and open and green spaces, including community gardens</td>
</tr>
<tr>
<td>SC-5</td>
<td>Develop alternative transportation outreach and incentive programs to increase the number of trips made by walking, biking, or taking transit</td>
</tr>
<tr>
<td>SC-5.1</td>
<td>Encourage residents and businesses to adopt trip reduction programs</td>
</tr>
<tr>
<td>SC-5.2</td>
<td>Develop education and outreach campaigns and events to promote walking, biking and taking transit</td>
</tr>
<tr>
<td><strong>Energy and Water (EW)</strong></td>
<td></td>
</tr>
<tr>
<td>EW-1</td>
<td>Reduce energy and water use in existing buildings by 20 percent</td>
</tr>
<tr>
<td>EW-1.1</td>
<td>Promote and provide energy and water efficiency education and incentive programs in El Cerrito</td>
</tr>
<tr>
<td>EW-1.2</td>
<td>Promote clean energy financing strategies for property owners</td>
</tr>
<tr>
<td>EW-1.3</td>
<td>Utilize existing points of interaction with the City to encourage and/or require cost-effective energy and water efficiency improvements</td>
</tr>
<tr>
<td>EW-2.1</td>
<td>Encourage new construction to be built to green building, energy, and water performance standards</td>
</tr>
<tr>
<td>EW-3</td>
<td>Reduce reliance on fossil fuel based energy by increasing renewable energy use in El Cerrito</td>
</tr>
<tr>
<td>EW-3.1</td>
<td>Facilitate greater adoption of renewable energy use</td>
</tr>
<tr>
<td>EW-3.2</td>
<td>Join a Community Choice Aggregation</td>
</tr>
<tr>
<td>EW-4</td>
<td>Encourage water conservation and efficiency and diversify the community’s water supply</td>
</tr>
<tr>
<td>EW-4.1</td>
<td>Promote and provide water efficiency education &amp; incentive programs in El Cerrito</td>
</tr>
<tr>
<td>EW-4.2</td>
<td>Encourage adoption of rainwater catchment and gray water irrigation systems</td>
</tr>
<tr>
<td><strong>Waste Reduction (W)</strong></td>
<td></td>
</tr>
<tr>
<td>W-1</td>
<td>Reduce waste going to landfill to 4,000 tons by 2020 and to 2,000 tons of waste by 2035</td>
</tr>
<tr>
<td>W-1.1</td>
<td>Maximize participation in curbside waste reduction services in the residential, commercial, multi-family sectors</td>
</tr>
<tr>
<td>W-1.2</td>
<td>Expand one-stop waste diversion options at the Recycling Center</td>
</tr>
<tr>
<td>W-1.3</td>
<td>Reduce land-fill waste from Construction and Demolition</td>
</tr>
<tr>
<td>W-1.4</td>
<td>Develop and implement a “Zero-Waste” 2035 Plan</td>
</tr>
</tbody>
</table>

Source: City of El Cerrito 2013

### Hazards and Hazardous Materials

#### Certified Unified Program Agency Programs

Contra Costa County has been certified by the California Environmental Protection Agency (CalEPA) to be the Certified Unified Program Agency (CUPA) for all of Contra Costa County (Contra Costa Health Services 2013). In its capacity as a CUPA, the County, by and through the Hazardous Materials Programs (HMP) Division of the County Health Services Department, administers the following programs, pursuant to the authorities granted under Section 25404 of the Health and Safety Code:

- Hazardous Materials Business Plan Program
3.0 ENVIRONMENTAL ANALYSIS

- Hazardous Waste Generator Program
- California Accidental Release Prevention Program
- Underground Storage Tank Program
- Aboveground Petroleum Storage Act Program

Medical Waste Management Program

Contra Costa Environmental Health (CCEH) is responsible for administering the state’s Medical Waste Management Program for Contra Costa County and is the local enforcement and regulatory agency for Medical Waste Generators (Contra Costa Health Services 2013). This includes issuing permits and registering generators of medical waste, responding to complaints of abandoned medical waste on public property, and implementing the Medical Waste Management Act (Part 14, C. 1-11 of the California Health and Safety Code). All businesses that produce medical waste are required to have a medical waste generator permit. In order to maintain compliance, medical waste generators must meet the following requirements:

- Complete and submit a permit application along with applicable fees;
- Submit a medical waste management plan on forms provided by CCEH;
- Maintain an annual permit through CCEH;
- Maintain tracking documents from a registered medical waste hauler;
- Maintain treatment records if on-site treatment of medical waste is conducted; and
- Participate in annual inspections conducted by CCEH. An inspection of a medical waste generator facility is required prior to issuance of some permits.

Hydrology and Water Quality

National Pollutant Discharge Elimination System (NPDES)

The NPDES permit system was established in the Clean Water Act (CWA) to regulate municipal and industrial discharge to surface waters of the United States. Each NPDES permit contains limits on allowable concentrations and mass emissions of pollutants contained in the discharge. Permits require the municipal authority to evaluate the quality of its stormwater discharge and receiving waters, identify areas of pollutant loading, and implement a program of best management practices to control pollutant discharges to the maximum extent practicable. The municipalities of the Contra Costa Clean Water Program, the Contra Costa County Flood Control and Water Conservation District, Contra Costa County, and its 19 incorporated cities (including the City of El Cerrito) are regulated waste dischargers under a Municipal Regional Stormwater NPDES Permit (Order R2-2009-0074; NPDES Permit No. CAS612008) administered by the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB).

The Contra Costa Clean Water Program (CCCWP) maintains compliance with the Municipal Regional Stormwater NPDES Permit. New and redevelopment projects that create or replace 10,000 square feet or more of impervious surface are subject to Provision C.3 of the County’s NPDES permit. These projects are required to implement certain measures to protect water
quality and prevent erosion by minimizing sediment and other pollutants in site runoff so that post-project runoff will not exceed pre-project rates and durations. The goal of Provision C.3 is to include appropriate source control, site design, and stormwater treatment measures in new development and adaptive reuse projects to address both soluble and insoluble stormwater runoff pollutant discharges and prevent increases in runoff flows from new development and adaptive reuse projects.

**El Cerrito Municipal Code Chapter 8.40, Stormwater Management and Discharge Control**

The City of El Cerrito adopted management guidelines to comply with the NPDES requirements, contained in Section 8.40.010 of the El Cerrito Municipal Code. As required by the Municipal Code, all construction must conform to the requirements of the California Stormwater Quality Association (CASQA) Stormwater Best Management Practices Handbooks for Construction Activities and New Development and Redevelopment, the Association of Bay Area Governments (ABAG) Manual of Standards for Erosion & Sediment Control Measures, the City’s grading and erosion control ordinance, and other generally accepted engineering practices for erosion control as required by the public works director when undertaking construction activities. In addition, El Cerrito Municipal Code Section 8.40.050 states that every application for a development project is required to submit a stormwater control plan that meets the criteria in the most recent version of the Contra Costa Clean Water Program Stormwater C.3 Guidebook.

**Noise**

**City of El Cerrito General Plan and Municipal Code**

The Resources and Hazards section of the City of El Cerrito’s General Plan has acoustical standards that are consistent with the state standards for residences. In addition, the Noise Element stipulates noise levels for new residential projects. With regard to noise levels from Bay Area Rapid Transit (BART), General Plan Policy H3.5 states, “If the noise source is BART, then the outdoor noise exposure criterion should be 70 Ldn for future development, recognizing that BART noise is characterized by relatively few loud events.”

The City’s Municipal Code includes performance standards that match the policies of the Noise Element. The Noise Ordinance also states that if an area currently is below the desired maximum noise levels, an increase in noise up to the maximum should not necessarily be allowed. The impact of a proposed project on an existing land use should be evaluated in terms of the increase in existing noise levels and potential for adverse community impact. The City requires that mitigation measures be evaluated for projects under the following circumstances:

- The project would cause the Ldn to increase 3 dBA or more.
- Any increase would result in an Ldn greater than 60 dBA.
- The Ldn already exceeds 60 dBA.
- The project has the potential to generate significant adverse community response.
3.0 ENVIRONMENTAL ANALYSIS

Transportation/Traffic

Contra Costa Transportation Authority Growth and Congestion Management

The Congestion Management Agency for Contra Costa County is the Contra Costa Transportation Authority (CCTA). As the Congestion Management Agency, the CCTA is required by state law to prepare a Congestion Management Program (CMP) outlining strategies for managing the performance of regional transportation within the county. The CMP includes level of service (LOS) standards for state highways and principal arterials, as well as multimodal performance measures to evaluate the current and future system. The CMP legislation states that, “In no case shall the LOS standards established be below level of service E or the current level, whichever is farthest from level of service A.” (CCTA 2013) The most recent CMP for Contra Costa County was adopted in November 2011.

However, the CMP is just one part of an aggressive overall strategy to reduce congestion, improve mobility, and increase overall sustainability of the transportation system in the county. Action Plans for Routes of Regional Significance are incorporated into the CCTA’s Countywide Comprehensive Transportation Plan (CTP), which is the CCTA’s broadest policy and planning document, while updates to the CCTA’s Strategic Plan and involvement in corridor studies help refine programming and policy decisions.

The CTP incorporates Multimodal Transportation Service Objectives set in the Action Plans for Routes of Regional Significance. The CMP also uses the updated objectives from the Action Plans to provide the performance measures. The Action Plans, developed, adopted, and maintained by the four Regional Transportation Planning Committees, set objectives, adopt actions to achieve them, and outline a process for sharing information on the impacts of larger projects and general plan amendments. The focus of the Action Plans is on the operation of the Regional Routes (which include the entire CMP network). In western Contra Costa County, the Regional Transportation Planning Committee is the West Contra Costa Transportation Advisory Committee (WCCTAC). The most recent Action Plan for western Contra Costa, the West County Action Plan for Routes of Regional Significance – 2009 Update, was adopted in 2009.

El Cerrito Municipal Code Chapter 19.24, Off-Street Parking and Loading

Chapter 19.24 of the City’s Municipal Code provides off-street auto parking, loading, and bicycle parking standards to ensure that sufficient off-street parking and loading facilities are provided to meet the needs created by new or modified land uses. The standards require the design, location, and surfacing of required parking for all projects except for single-family dwellings to be subject to design review.
3.4 Standards of Significance

Based on Appendix G of the State CEQA Guidelines, the proposed project would have a significant environmental impact if it would:

Aesthetics

a) Have a substantial adverse effect on a scenic vista.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

c) Substantially degrade the existing visual character or quality of the site and its surroundings.

d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

Agricultural Resources

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 nonagricultural use.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract.

c) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).

d) Result in the loss of forestland or conversion of forestland to non-forest use.

e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forestland to non-forest use.

Air Quality

a) Conflict with or obstruct implementation of the applicable air quality plan.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors).

d) Expose sensitive receptors to substantial pollutant concentrations.

e) Create objectionable odors affecting a substantial number of people.
3.0 ENVIRONMENTAL ANALYSIS

BIOLICAL RESOURCES

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 US Fish and Wildlife Service.

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 US Fish and Wildlife Service.

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, etc.) through direct removal, filling, hydrological interruption, or other means.

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.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

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.

CULTURAL RESOURCES

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature.

d) Disturb any human remains, including those interred outside of formal cemeteries.

GEOLGY AND SOILS

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.

ii) Strong seismic ground shaking.

iii) Seismic-related ground failure, including liquefaction.

iv) Landslides.
3.0 Environmental Analysis

b) Result in substantial soil erosion or the loss of topsoil.

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.

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.

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.

Greenhouse Gas Emissions

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Hazards and Hazardous Materials

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

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.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment.

e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within 2 miles of a public airport or a public use airport, result in a safety hazard for people residing or working in the project area.

f) For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area.

g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.

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.
HYDROLOGY AND WATER QUALITY

a) Violate any water quality standards or waste discharge requirements.

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).

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.

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.

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.

f) Otherwise substantially degrade water quality.

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.

h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows.

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.

j) Inundation by seiche, tsunami, or mudflow.

LAND USE AND PLANNING

a) Physically divide an established community.

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.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan.

MINERAL RESOURCES

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.
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.

**Noise**

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.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within 2 miles of a public airport or a public use airport, exposure of people residing or working in the project area to excessive noise levels.

f) For a project within the vicinity of a private airstrip, exposure of people residing or working in the project area to excessive noise levels.

**Population and Housing**

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).

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

**Public Services**

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.

b) Police protection.

c) Schools.

d) Parks.
3.0 ENVIRONMENTAL ANALYSIS

e) Other public facilities.

RECREATION

a) 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.

b) Include recreational facilities, or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

TRANSPORTATION/Traffic

a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.

b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads of highways.

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.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

e) Result in inadequate emergency access.

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

UTILITIES AND SERVICE SYSTEMS

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

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.

c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed.
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.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs.

g) Comply with federal, state, and local statutes and regulations related to solid waste.

3.5 Analysis Methodology

The environmental analysis identifies direct and indirect environmental effects associated with implementation of the proposed project. The standards of significance identified above are used to determine whether the environmental effects resulting from the project are considered “significant” and require the application of mitigation measures. Each environmental impact analysis is supported by substantial evidence. Mitigation measures for the proposed project were developed through a review of the environmental effects of the proposed project by consultants with technical expertise as well as by environmental professionals, in coordination with the City.

The impact discussions below are divided into three separate subsections based upon level of impact: environmental areas with no impact, environmental areas that are less than significant and do not require mitigation, and environmental areas with potentially significant impacts that can be avoided through implementation of mitigation measures.

3.6 Environmental Areas with No Impact

Aesthetics

Impact 3.6.1 The project site is located in an urban area and does not contain unique visual features that would distinguish the site from surrounding areas, nor is it located within a designated scenic vista. Therefore, no impact would occur relative to scenic vistas.

While not specifically defined by CEQA or the City of El Cerrito, scenic vistas are typically defined as areas of natural beauty with features such as topography, watercourses, rock outcrops, and natural vegetation that contribute to the quality of the landscape. The project site is located in an urban area that does not contain any unique or other visual features that would distinguish the site from surrounding areas. The project site is not located within a designated scenic vista. Although the project area includes some views of the hills to the east of the project site, these views are limited and interrupted by existing development. The proposed project does not include any components that would block scenic views in the vicinity of the project site or change the nature of scenic resources. Therefore, no impact would occur.

Impact 3.6.2 There are no state scenic highways in the vicinity of the project site, and the project site is not visible from any scenic highways. Therefore, no impact would occur.

There are two State-designated scenic highways and one eligible scenic highway in Contra Costa County (Caltrans 2013). The designated scenic highways are State Route (SR) 24 from the east side of the Caldecott Tunnel to Interstate 680 (I-680) near Walnut Creek and I-680 from the Alameda County line to near Walnut Creek. The eligible scenic highway is SR 4 between SR 160...
near Antioch and SR 84 near Brentwood. Because El Cerrito is located adjacent to Alameda County, this analysis also considers potential impacts to officially designated Alameda County scenic highways. The designated scenic highways include segments of SR 84 between Mission Boulevard and I-680, SR 580 between the San Joaquin County line and SR 205 and between San Leandro and SR 24, and SR 680 from Bernal Avenue to the Contra Costa County line and from the Alameda County line to SR 24. These highways are not in the vicinity of the project site, and the project site is not visible from any of these scenic highways. There are no state scenic highways in the project area from which the project is visible. Therefore, the project would not substantially damage scenic resources, including trees, rock outcroppings, and/or historic buildings, within a state scenic highway. There would be no impact.

Agricultural/Forest Resources

Impact 3.6.3 The project site is surrounded by existing urban development. There are no agricultural or forestland resources in the vicinity of the project site or in the surrounding area. No impact would occur.

The project site is in an urban area and is not located in the vicinity of existing forestland or active or fallow agricultural land uses. The project site is zoned Transit-Oriented Mixed Use and is not under a Williamson Act contract. The project site is not designated as Prime or Unique Farmland or Farmland of Statewide Importance on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. Therefore, the proposed project would not involve direct or indirect conversion of farmland to nonagricultural use or conversion of forestland to non-forest use. No impact would occur.

Air Quality

Impact 3.6.4 The proposed project would not create objectionable odors or subject people to objectionable odors. Therefore, no impact would occur.

The BAAQMD CEQA Guidelines do not classify residential uses as a project that could create objectionable odors. In addition, the proposed project is not located downwind from any significant odor sources (e.g., landfills, sewage treatment plants) that could affect persons on the project site. Therefore, implementation of the proposed project would not create objectionable odors affecting a substantial number of people or subject people to objectionable odors. No impact would occur.

Biological Resources

Impact 3.6.5 No wetlands or sensitive habitats occur on or adjacent to the project site. Therefore, no impact to riparian or other sensitive natural communities will occur.

Sensitive habitats include those that are of special concern to resource agencies and those that are protected under CEQA, FGC Section 1600, and Clean Water Act Section 404.

There are no waters of the State or waters of the United States on the project site. Therefore, no impact to sensitive habitat or federally protected wetlands will occur as a result of the project.

Impact 3.6.6 The project would not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors. No impact would occur.
No established migratory routes were identified on or adjacent to the project site. Due to the urbanized land uses in the project vicinity, it is unlikely that any significant wildlife corridors exist in the project vicinity. Implementation of the proposed project would not interfere substantially with the movement of native resident or migratory fish or wildlife species. Therefore, no impact will occur.

**Impact 3.6.7** The project will not conflict with any adopted or proposed local policies or ordinances protecting biological resources or with any adopted or proposed habitat conservation plans, natural community conservation plans, or other approved local, regional, or state habitat conservation plans.

There are currently no adopted or proposed local policies or ordinances protecting biological resources that affect the proposed project. Therefore, no conflict will occur. In addition, there are currently no adopted or proposed habitat conservation plans, natural community conservation plans, or other approved local, regional, or state habitat conservation plans that affect the proposed project. Therefore, no impact related to conflict with adopted plans or policies would occur.

**Geology and Soils**

**Impact 3.6.8** The topography of the project site is level, and areas surrounding the project site do not have the potential for landslides. There would be no impact related to risk of landslide.

Landslide activity is a function of slope, soil type and depth, soil moisture, bedrock, and seismic activities. Landslides include a wide range of ground movement, such as rockfalls, deep failure of slopes, and shallow debris flows (mudflows). The topography of the project site is level, and areas surrounding the project site do not have the potential for landslides. There would be no impact related to risk of landslide.

**Impact 3.6.9** No septic tanks or alternative wastewater disposal systems would be utilized on the project site. Therefore, the project would have no impact associated with soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems.

Public utilities, including sewer service, are provided to the project site. No septic tanks or alternative wastewater disposal systems would be utilized. The project would have no impact associated with soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems.

**Hazards and Hazardous Materials**

**Impact 3.6.10** Implementation of the proposed project would not result in significant emission of hazardous emissions or significant handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. No impact would occur.

The school nearest to the project site is St. John the Baptist School (11156 Portola Avenue, El Cerrito), a private school located more than a quarter mile from the project site. The nearest public school is Portola Middle School (1021 Navellier Street, El Cerrito), approximately one-half mile away. In addition, the project would not result in the emission of hazardous emissions or
significant handling of hazardous or acutely hazardous materials, substances, or waste as discussed under the Hazardous Materials subsections below. Therefore, no impact would occur.

**Impact 3.6.11**  The proposed project site is not located on or in the vicinity of a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, the proposed project would not create a significant hazard to the public or to the environment, and no impact would occur.

The project site is not on a parcel included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, the proposed project would not create a significant hazard to the public or to the environment related to an existing hazardous materials site. No impact would occur.

**Impact 3.6.12**  Implementation of the proposed project would not result in a safety hazard associated with people residing or working in the vicinity of a public or private airport. No impact would occur.

The project site is not located within an airport land use plan area or within 2 miles of a public use airport or airstrip. There are no private airstrips in the vicinity of the project site that would result in a safety hazard for people residing or working in the project area. No impact would occur.

**Impact 3.6.13**  Implementation of the proposed project would not expose people and structures to hazards involving wildland fires. No impact would occur.

The project site is located in El Cerrito and is not located within a wildland hazard area. The site is located outside El Cerrito’s mapped Very High Fire Hazard Severity Zone. The surrounding land is developed with urban uses; the project site is not intermixed with wildlands. The proposed project will have no impact associated with the placement of people or structures next to wildland areas that could result in the loss, injury, or death involving wildland fires.

**HYDROLOGY AND WATER QUALITY**

**Impact 3.6.14**  Implementation of the proposed project would not place any housing or other structures within a flood hazard area. Therefore, no impact would occur associated with flood hazard zones.

The project site is not within a 100-year flood hazard zone. The El Cerrito General Plan identifies the only portion of El Cerrito located in a FEMA Flood Insurance Zone as the area located west of San Pablo Avenue and south of Central Avenue. Flooding in this area is generally caused by the relatively low ground elevations and high tides in this area, coupled with hydraulic restrictions in the existing downstream channels located in Richmond between El Cerrito and the San Francisco Bay. This area is more than a mile south of the project site; therefore, implementation of the proposed project would not place any housing within a flood hazard area or place structures within a flood hazard area in a manner that would impede or redirect flood flows. No impact would occur.

**Impact 3.6.15**  Implementation of the proposed project would not expose people or structures to a significant risk of loss, injury, or death involving flooding as a result of a failure of a levee or dam. Therefore, no impact would occur.
The project site is not in the vicinity of a levee. According to Contra Costa County’s Hazard Mitigation Plan Update (2011), the only dam with the potential to inundate any portion El Cerrito is the San Pablo Clearwell dam. The inundation zone for the dam is south of the project site, and the project site is not within any area indicated by the County as a potential inundation area resulting from dam failure (Tetra Tech 2011, p. 95). Therefore, no impact would occur.

**Impact 3.6.16** The project site is not subject to potential inundation by seiche, tsunami, or mudflow. Therefore, no impact would occur.

A seiche is a periodic oscillation of a body of water such as a reservoir resulting from seismic shaking or other causes such as landslides. The project site is not located near any reservoirs or other enclosed bodies of water capable of seiche. A tsunami is a series of waves caused by earthquakes that occur on the seafloor or in coastal areas. A mudflow is a flow of dirt and debris that occurs after intense rainfall or snowmelt, volcanic eruption, earthquake, or severe wildfire. The project site is located inland of the zones such as the margins of the San Francisco Bay that could be inundated by a tsunami. The California Emergency Management Agency’s Tsunami Inundation Emergency Planning Map for the San Francisco Bay Region identifies El Cerrito, and thus the project site, as outside of the tsunami inundation area for the San Francisco Bay (CEMA 2009).

The topography of the site is level, and the likelihood of mudflow or landslide is low. The project site is outside of landslide hazard areas identified by the US Geological Survey (USGS) (Tetra Tech 2011, p. 91).

For these reasons, no impact would occur associated with potential inundation by seiche, tsunami, or mudflow.

**Land Use and Planning**

**Impact 3.6.17** The project would not result in the physical division of an established community. No impact would occur.

The project site is an existing parcel surrounded by existing development in El Cerrito. Development of the project site would not result in the physical division of an established community. No impact would occur.

**Impact 3.6.18** The project site is not subject to an adopted or proposed habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. No impact would occur.

There are currently no adopted or proposed habitat conservation plans, natural community conservation plans, or other approved local, regional, or state habitat conservation plans that affect the proposed project site. Therefore, the proposed project would not result in a conflict with such plans, and no impact would occur.

**Mineral Resources**

**Impact 3.6.19** The project would not affect mineral resources. No impact would occur.

The project site is surrounded by existing development in El Cerrito. The project site has not been historically used for mining operations. No known mineral resources are present at the project site. Implementation of the proposed project would not result in the loss of availability of a known
3.0 ENVIRONMENTAL ANALYSIS

mineral resource. The project site is not designated by the City’s General Plan, a specific plan, or other land use plans as a locally important mineral recovery site. No impact would occur.

NOISE

Impact 3.6.20 The project would not expose people residing or working in the project area to excessive noise levels associated with airport operation. No impact would occur.

The project site is not located within an airport land use plan area or within 2 miles of a public use airport or airstrip. There are no airports in the vicinity of the project site that would result in excessive noise levels for people residing or working in the project area. No impact would occur.

POPULATION AND HOUSING

Impact 3.6.21 The proposed project would not displace substantial numbers of people or housing. No impact would occur.

The project would provide 63 units of new housing. There is an existing, unoccupied residential unit on the project site that would be removed as part of the project. The residence has been used for general storage since 1965, so the proposed project would not displace substantial housing units at the project site or necessitate the construction of replacement housing elsewhere. No impact would occur.

TRANSPORTATION/Traffic

Impact 3.6.22 The proposed project would not 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. No impact would occur.

The proposed project is not located in the immediate vicinity of an airport and does not propose tall structures that would disrupt airspace. Furthermore, the project would not generate an increase in air traffic volumes. Therefore, the project would have no impact on air traffic patterns.

3.7 IMPACTS THAT ARE LESS THAN SIGNIFICANT AND DO NOT REQUIRE MITIGATION

AESTHETICS

Impact 3.7.1 The proposed project would alter the existing visual character of the site, but it would be generally consistent with the type and scale of development in the surrounding area. Therefore, the proposed project would not substantially degrade the existing visual character or quality of the project site and its surroundings. This impact would be less than significant.

The project site is located along San Pablo Avenue, a four-lane arterial in a developed urban area. The visual character of the area is characterized by the surrounding development, which includes commercial and residential structures one to four stories in height, as well as a landscaped median and some sidewalk trees along San Pablo Avenue.

The project would result in the rehabilitation of an 870-square-foot building and the development of a 63-unit mixed-use senior affordable housing community, including a 1,906-square-foot clinic
and 1,156 square feet of retail/cafe space. The single-story structure at 10848 San Pablo Avenue will be renovated in keeping with its original design to the greatest extent feasible and will house some of Eden Housing’s community and management functions on the property. Although the proposed structure would be taller than the surrounding structures, project design incorporates a modified design adjacent to the single-story structure at 10848 San Pablo Avenue where the new building steps down to meet the existing structure. Similarly, the building steps down along its north side (see Figure 2.0-4) in order to approximate the height of the existing City Hall located adjacent to the project site. The northern elevation is 39 feet tall, which then steps up to 47 feet at approximately 20 feet from the north façade. At approximately 32 feet from the north façade, the building steps up to the 65 foot height. It should also be noted that the north façade occupies approximately 90 feet of the 200-foot depth of the property. Similarly, the west façade of the proposed structure (see Figure 2.0-3) would occupy approximately 90 feet of the 200-foot property frontage. The western façade would be set back approximately 10 feet from the property line, which is similar to the Village at Town Center apartment building south of the project. This façade includes a 50-foot element, at which point it steps back approximately 3 feet to a height of 57 feet. The building step backs would provide a more gradual transition to the proposed building’s ultimate height, and minimizing the building façade along the property frontage would help the proposed project blend with the scale of existing development in the area. The project would also be subject to the City’s design review and approval process, which would encourage quality in the design of the building, site layout, and signage associated with the project.

The project is located in an existing urban area and includes development that is generally consistent with the type of development on San Pablo Avenue. Project design features help the proposed project blend with the scale of the existing development in the area. In addition, final design plans would be reviewed by the El Cerrito Design Review Board to ensure visual quality and consistency with the surrounding area. For these reasons, alteration of the visual character of the project site resulting from the project would not cause substantial degradation to the existing visual character or quality of the project site and its surroundings. This impact would be less than significant.

Mitigation Measures

None required.

Impact 3.7.2 The proposed project would create additional sources of light/glare; however, these sources would not be substantial and would not adversely affect day or nighttime views in the area. This impact would be less than significant.

The project would introduce additional sources of nighttime light and daytime glare to the project area, including exterior building lighting, vehicle headlights, street lighting, and reflections off of light-colored surfaces and windows. However, as discussed above, the project site is surrounded by existing development and is located along San Pablo Avenue, an arterial roadway. The existing urban uses in the project area already result in nighttime light and daytime glare that affect day and nighttime views in the area. Lighting and potential glare resulting from the project would be similar to what already occurs in the area.

Furthermore, the project would be required to comply with Section 19.21.050.A of the El Cerrito Municipal Code. The code requires all exterior lights to be designed, located, installed, directed, and shielded in such a manner as to prevent glare across property lines. Lights must be directed downward and away from adjacent properties and the public right-of-way. “Shielded” is defined in the code to mean that the light rays are directed onto the project site, and any
objectionable glare is not visible from an adjacent property or rights-of-way. Compliance with these regulations would ensure a less than significant impact related to light and glare.

Mitigation Measures

None required.

AIR QUALITY

**Impact 3.7.3** The proposed project would not exceed project-level thresholds of significance for construction- and/or operational-related criteria air pollutants and would thus result in a less than significant impact.

The BAAQMD has developed project-level thresholds of significance in order to provide a conservative indication of whether a proposed project could result in potentially significant air quality impacts. To meet the project-level threshold of significance for construction- and/or operational-related criteria air pollutant and precursor impacts, the proposed project must emit no more than 54 pounds per day (lbs/day) of reactive organic gases (ROG), nitrogen oxides (NOx), and/or fine particulate matter (PM₂.₅) and no more than 82 lbs/day of coarse particulate matter (PM₁₀).

Construction Emissions

Construction-generated emissions are short term and of temporary duration, lasting only as long as construction activities occur, but have the potential to represent a significant air quality impact. The proposed project would result in the temporary generation of emissions resulting from site grading, paving, motor vehicle exhaust associated with construction equipment and worker trips, the movement of construction equipment, and architectural coatings.

Fugitive dust, the dominant source of PM₁₀ and PM₂.₅ emissions, is generated when wheels or blades disturb surface materials. Uncontrolled dust from construction can become a nuisance and potential health hazard to those living and working nearby. Off-road construction equipment is often diesel-powered and can be a substantial source of NOx emissions, in addition to PM₁₀ and PM₂.₅ emissions, which includes exhaust from diesel-powered construction equipment. Worker commute trips and architectural coatings are dominant sources of ROG emissions.

The predicted maximum daily construction-generated emissions of ROG, NOx, and particulate matter (PM₁₀ and PM₂.₅) associated with project construction is compared with the BAAQMD significance criteria in **Table 3.7-1**.

**Table 3.7-1**

<table>
<thead>
<tr>
<th>Construction Phase</th>
<th>ROG</th>
<th>NOx</th>
<th>PM₁₀</th>
<th>PM₂.₅</th>
<th>CO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Activities</td>
<td>36.85</td>
<td>16.36</td>
<td>1.72</td>
<td>1.13</td>
<td>14.83</td>
</tr>
<tr>
<td>BAAQMD Significance Criteria</td>
<td>54</td>
<td>54</td>
<td>82</td>
<td>54</td>
<td>None</td>
</tr>
<tr>
<td>Significant?</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Source: Emissions modeled by PMC using the California Emissions Estimator Model (CalEEMod), version 2011.1.1 computer program.

Notes: Diesel-fueled construction equipment load factors reduced 33% to account for off-road emission overestimation (per CARB 2010). BAAQMD Regulation 8, Rule 3 applied to architectural coating inputs. Also includes Item #1 and #4 inputs from Table 8-1 of the BAAQMD’s 2011 CEQA Guidelines (listed below as MM AQ-1). CO = carbon monoxide. Proposed rehabilitation of existing structure unit included.
Actual daily emissions would vary from day to day and would be dependent on the specific activities conducted, but as shown in Table 3.7-1, maximum daily emissions would total approximately 36.85 lbs/day of ROG, 16.36 lbs/day of NOx, 1.72 lbs/day of PM10, 1.13 lbs/day of PM2.5, and approximately 14.83 lbs/day of carbon monoxide (CO). Therefore, emissions generated during construction of the proposed project would not exceed the BAAQMD’s thresholds of significance for air pollutant emissions, and this would be considered a less than significant impact.

**Operational Impacts**

Increases in operational air impacts with implementation of the proposed project would generally consist of stationary and mobile sources. The proposed project would result in regional emissions of PM10 and PM2.5, as well as ROG, NOx, and CO, due to increased use of motor vehicles, thereby increasing potential operational air quality impacts. Ozone is not emitted directly into the air but is formed through a complex series of chemical reactions between ROG and NOx, while the principal sources of PM10 and PM2.5 include fuel burned in cars and trucks, power plants, factories, fireplaces, agricultural activities, and woodstoves.

PMC estimated criteria pollutant emissions (stationary and mobile emissions) generated during a typical year of project operation and compared those emissions to BAAQMD significance thresholds in Table 3.7-2.

**Table 3.7-2**

**Estimated Operational Emissions (Maximum) Pounds per Day**

<table>
<thead>
<tr>
<th>Emission Source</th>
<th>Total Emissions</th>
<th>Pounds per Day</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>ROG</td>
</tr>
<tr>
<td>Summer</td>
<td></td>
<td>3.77</td>
</tr>
<tr>
<td>Winter</td>
<td></td>
<td>3.70</td>
</tr>
<tr>
<td>BAAQMD Significance Thresholds (lbs/day)</td>
<td></td>
<td>54</td>
</tr>
<tr>
<td>Significant?</td>
<td></td>
<td>No</td>
</tr>
</tbody>
</table>

Source: Emissions modeled using the California Emissions Estimator Model (CalEEMod), version 2011.1.1 computer program. Notes: Model inputs include trip generation rates from the traffic report prepared for the project. Wood-burning fireplace inputs were not included as these are not proposed for the residential units. Refer to the greenhouse gas emissions impacts below for discussion of carbon dioxide emissions.

As shown in Table 3.7-2, the proposed project would not exceed BAAQMD thresholds for operational air pollutant emissions. Therefore, the long-term operational air quality impacts of the proposed project would be considered less than significant.

The proposed project would not exceed project-level thresholds of significance for construction- and/or operational-related criteria air pollutants, resulting in a less than significant impact.
Mitigation Measures

None required.

**GEOLOGY AND SOILS**

**Impact 3.7.4** The proposed project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death, resulting from seismic hazards. This impact would be **less than significant**.

No mapped active fault line traces traverse the project site. The Hayward fault, a northwest-trending zone about 51 miles long extending from southeastern San Jose through the East Bay communities into San Pablo Bay, is located approximately 1 mile to the east of the site and is the active fault nearest to the project site. According to the Alquist-Priolo Earthquake Fault Zone Maps published by the California State Department of Conservation (DOC) (1982), the project site is not located within an Alquist-Priolo Earthquake Fault Zone for the Hayward fault. Therefore, impacts associated with rupture of a known earthquake fault would not be expected to be significant.

However, the entire San Francisco Bay Area is subject to periodic earthquake ground shaking; thus, the potential for strong seismic shaking at the project site is high. Due to their close proximity and historical seismic activity, the Hayward/Rodgers Creek, San Andreas, and Concord/Green Valley faults present the highest potential for severe ground shaking. For example, the Working Group on California Earthquake Probabilities in conjunction with the US Geological Survey found that there was a 31 percent probability that a magnitude 6.7 or greater earthquake will occur on the Hayward-Rodgers Creek fault system in the next 30 years, a 21 percent probability that a magnitude 6.7 or greater earthquake will occur on the San Andreas fault, and a cumulative 63 percent probability that a magnitude 6.7 or greater earthquake will occur in the San Francisco Bay region in the next 30 years (USGS 2008).

Liquefaction occurs when loose sand and silt that is saturated with water behaves like a liquid when shaken by a seismic event, potentially resulting in a loss of soil strength and settling or subsidence. Maps published by the DOC (2003) indicate that the project site is not within an area where historical liquefaction or local geologic, geotechnical, and groundwater conditions indicate a potential for liquefaction or seismically-induced landslides.

The design-controllable aspects of protection from seismic ground motion are governed by existing regulations of the State of California and the City of El Cerrito. The State of California provides minimum standards for structural design and site development through the CBSC. The City of El Cerrito has adopted the 2010 CBSC as the basis for the City Building Code (see El Cerrito Municipal Code Section 16.02.010). The City’s enforcement of its Building Code ensures the project would be consistent with the CBSC.

These regulations require design-level geotechnical investigations for the foundations of any structure for human occupancy proposed at the project site, including specific recommendations to reduce or eliminate post-construction settlement. The design-level geotechnical investigation for the project would be reviewed by the City’s Department of Public Works for compliance with existing building codes and ordinances. The City would inspect the recommended site preparation activities.

Before construction of the proposed project, the City Building Code requires a site-specific soils report that identifies any potentially unsuitable soil conditions (such as expansive, liquefiable, or
compressive soils) that could be affected by ground shaking, and CBSC Chapter 16 provides certain earthquake design standards that must be incorporated into project structures. The design for soil support of foundations must conform to the analysis and implementation criteria described in the Building Code. Compliance with the Building Code would ensure that the effects of seismic ground shaking would be less than significant.

These regulations require that project designs reduce potential adverse seismicity effects to less than significant levels. Compliance with these regulations is required, not optional. Compliance must be demonstrated by the project applicant to have been incorporated in the project’s design before permits for project construction would be issued. Therefore, impacts associated with seismic hazards would be less than significant.

Mitigation Measures

None required.

Impact 3.7.5

The proposed project would not create substantial erosion or contribute to loss of topsoil. This impact would be less than significant.

The proposed project would not create substantial erosion or contribute to loss of topsoil because the project site is level and the site is currently covered with impervious surfaces. However, construction activities would disturb soils, which could lead to erosion. A stormwater pollution prevention plan (SWPPP) will be prepared for the project, as SWPPPs are required by El Cerrito Municipal Code Chapter 8.40, Stormwater Management and Discharge Control, for projects requiring grading permits. The erosion control plan would detail erosion control measures for the site, and the SWPPP would include best management practices (BMPs) to protect water quality due to stormwater runoff. Implementation of a SWPPP would ensure a less than significant impact related to erosion.

Mitigation Measures

None required.

Impact 3.7.6

Compliance with existing regulations in CBSC would ensure that impacts related to unstable soils would be less than significant.

As discussed above, compliance with existing regulations in the CBSC would ensure that impacts related to unstable soils would be less than significant. Expansive soils typically contain clay minerals that can cause the soil to shrink and swell in response to changes in moisture and have the potential to damage improvements that are supported by them. As noted above, before construction of the proposed project, the Building Code requires a site-specific soils report that identifies any potentially unsuitable soil conditions (such as expansive, liquefiable, or compressive soils). The soils evaluations must be conducted by registered soil professionals, and the measures to eliminate inappropriate soil conditions must be applied. The design for soil support of foundations must conform to the analysis and implementation criteria described in the Building Code. Therefore, impacts would be less than significant.

Mitigation Measures

None required.
CULTURAL RESOURCES

Impact 3.7.7  

No human remains have been identified within the project site; however, construction of the proposed project could result in the inadvertent disturbance of currently undiscovered human remains. Any discovery of human remains would trigger state law governing the treatment of human remains. Therefore, this impact is considered to be less than significant.

Although no human remains have been identified within the project site, implementation of the proposed project would include ground-disturbing construction activities that could result in the inadvertent disturbance of currently undiscovered human remains. Procedures of conduct following the discovery of human remains on non-federal lands are mandated by Health and Safety Code Section 7050.5, PRC Section 5097.98, and by CEQA in the California Code of Regulations (CCR) Section 15064.5(e). According to these provisions, should human remains be encountered, all work in the immediate vicinity of the burial must cease, and any necessary steps to ensure the integrity of the immediate area must be taken. The remains are required to be left in place and free from disturbance until a final decision as to their treatment and disposition has been made. The Contra Costa County Coroner would be immediately notified and the coroner would then determine whether the remains are Native American. If the coroner determines the remains are Native American, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC), which will in turn notify the person they identify as the most likely descendent (MLD) of any human remains. Further actions would be determined, in part, by the desires of the MLD, who has 24 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery. If the MLD does not make recommendations within 24 hours, the owner is required, with appropriate dignity, to reinter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD’s recommendations, the owner or the descendent may request mediation by the NAHC. Any discovery of human remains within the project site would be subject to these procedural requirements, which would reduce impacts associated with the discovery/disturbance of human remains to a less than significant level.

Mitigation Measures

None required.

Impact 3.7.8  

The proposed project would result in development that affects a historic property, but components included in the proposed project would mitigate potential effects, so the project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5. Therefore, this impact is considered to be less than significant.

The historic resources impacts of the proposed project were assessed in the Historic Resource Evaluation Addendum for 10848 San Pablo Avenue in El Cerrito (HRE) (VerPlanck 2013; Appendix B). The Secretary of the Interior’s Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings (the Rehabilitation Standards and the Guidelines, respectively) provide guidance for reviewing work to historic properties. The Rehabilitation Standards are a useful analytical tool for understanding and describing the potential impacts of changes to historical resources. Conformance with the Rehabilitation Standards does not determine whether a project would cause a substantial adverse change in the significance of a historical resource under CEQA. Rather, projects that comply with the standards benefit from a regulatory presumption that they would have a less than significant adverse impact on a historical resource. Projects that do not comply with the Rehabilitation Standards may or may not cause a
3.0 Environmental Analysis

substantial adverse change in the significance of a historical resource and would require further analysis to determine whether the historical resource would be “materially impaired” by the project under CEQA Guidelines Section 15064.5(b).

The HRE (VerPlanck 2013a) concluded that the former Mabuchi property appears eligible for listing in the California Register under Criterion 1 (Events), with the primary significance of the former Contra Costa Florist shop is that it is the place most closely associated with the family’s business. Though the shop has historical significance as part of the Mabuchi property, the residential structure lacks distinctive markers of conventional architectural significance. Similarly, although the former Contra Costa Florist shop was not determined to be architecturally significant, the HRE determined it has some conventional architectural appeal, as a relatively rare and somewhat intact example of a “Storybook” style commercial building. In addition, as the location of the Mabuchi family’s business, it is also the most historically important component of the property. The following bullet points list the most important character-defining features of the shop:

- Overall massing and volume of the building, including the gable roof with four intersecting gables/dormers
- Simple wood bargeboards defining the roofline
- Stone cladding on at least three façades of the building (north, west, and south)
- Remaining historic window in left bay of primary façade
- Setback from San Pablo Avenue

As discussed in Section 2.0, Project Description, the project would incorporate the florist shop building but would not preserve the attached house. The 2013 HRE found that the house is in poor condition and lacks any architectural significance, but is historically significant under Criterion 1 (Events) because it is part of the Mabuchi property as it existed during the period of significance, and its demolition would need to be mitigated (VerPlanck 2013a).

The HRE evaluated the proposed project for compliance with each of the ten Rehabilitation Standards and included the entire former Mabuchi property, including the Contra Costa Florist shop and the Mabuchi House. The HRE determined that the project complies with each of the Rehabilitation Standards, except for Rehabilitation Standard 2, related to the removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize the property. Though the house lacks architectural significance, because it is part of the Mabuchi property as it existed during the period of significance, its removal is significant.

The Historic American Building Survey (HABS) and the Historic American Engineering Record (HAER) are United States government agencies that are part of the National Park Service with a mission to identify and document properties that are important to local, state, and national history. HABS/HAER documentation provides rigorous, archival means of recording buildings, sites, structures, and landscapes. HABS Level I documentation is frequently used in California to mitigate significant adverse impacts to California Register–eligible properties. The HRE found that, aside from Rehabilitation Standard 2, the proposed project appears to comply with the Secretary of the Interior’s Standards for Rehabilitation, and the retention and rehabilitation of the former Contra Costa Florist shop, combined with the components included in the project to reduce effects on the former Mabuchi property, including HABS Level 1 documentation, rehabilitation of the florist shop façade, an interpretive display, and Japanese-American inspired
landscaping, would reduce the project’s adverse impacts to a less than significant level. A comment on the Notice of Preparation suggested salvage of materials from the Mabuchi house as additional mitigation. However, while some portions of the house may be salvaged for reuse on site, salvage of materials is not required to reduce the impact to less than significant (VerPlanck 2013b). Because the proposed project has included a number of components as part of the project to reduce effects on the property (i.e., HABS 1 documentation, rehabilitation of the florist shop façade, an interpretive display, and Japanese-American inspired landscaping), additional mitigation would not be required. This would be a less than significant impact.

Mitigation Measures

None required.

GREENHOUSE GAS EMISSIONS

Impact 3.7.9 The project would generate greenhouse gas emissions over the short term from construction activities and would also contribute to long-term regional emissions associated with new project-related vehicle trips and indirect source emissions. This is a less than significant impact.

GHG emissions contribute, on a cumulative basis, to the significant adverse environmental impacts of global climate change. No single project could generate enough GHG emissions to noticeably change the global average temperature. The combination of GHG emissions from past, present, and future projects contributes substantially to the phenomenon of global climate change and its associated environmental impacts and as such is addressed only as a cumulative impact.

GHG emissions associated with the project would occur over the short term from construction activities, consisting primarily of emissions from equipment exhaust. There would also be long-term regional emissions associated with new project-related vehicle trips and indirect source emissions, such as electricity usage for lighting.

Construction Emissions

The BAAQMD does not have an adopted threshold of significance for construction-related GHG emissions. However, the BAAQMD recommends quantification and disclosure of GHG emissions that would occur during construction, in addition to making a determination on the significance of these construction-generated GHG emissions impacts in relation to meeting AB 32 GHG reduction goals (reduction of statewide GHG emissions to 1990 levels by 2020).

As shown in Table 3.7-3, the construction of the proposed project would result in a maximum of 153 metric tons per year of construction-generated CO₂e.
TABLE 3.7-3
CONSTRUCTION-RELATED GREENHOUSE GAS EMISSIONS – METRIC TONS PER YEAR

<table>
<thead>
<tr>
<th>Construction</th>
<th>Carbon Dioxide (CO₂)</th>
<th>Methane (CH₄)</th>
<th>Nitrous Oxide (N₂O)</th>
<th>CO₂e</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction</td>
<td>152</td>
<td>0.01</td>
<td>0</td>
<td>153</td>
</tr>
</tbody>
</table>

Source: Emissions modeled by PMC using the California Emissions Estimator Model (CalEEMod), version 2011.1.1 computer program. Notes: Diesel-fueled construction equipment load factors reduced by 33% in order to account of off-road emission overestimation (per CARB 2010).

In addition to quantifying construction-generated GHG emissions, the BAAQMD recommends that all construction projects incorporate best management practices (BMPs) to the maximum extent possible. Examples of BMPs identified by BAAQMD include the use of alternative-fueled (i.e., biodiesel, electric) construction vehicles and equipment, the use local construction materials (within 100 miles) to the maximum extent possible, and/or recycling 50 percent of construction waste materials.

Any development on the project site would be subject to the California Green Building Standards Code (Part 11, Title 24), which was adopted as part of the California Building Standards Code (Title 24, California Code of Regulations). Current mandatory standards include the diversion of 50 percent of construction waste from landfills, thereby implementing one of the BAAQMD’s best management practices.

As previously stated, the BAAQMD does not have an adopted threshold of significance for construction-related GHG emissions. However, mitigation measure MM AQ-1, included in the Air Quality subsection above, would further reduce the GHG emissions of heavy-duty diesel-powered equipment during construction. Implementation of this measure and, at a minimum, the diversion of 50 percent of construction waste from landfills, would minimize construction-related GHG emissions, consistent with AB 32 GHG reduction goals.

Operational Emissions

For GHG emissions resulting from project operations after construction, the BAAQMD has a threshold of significance of 1,100 metric tons per year of CO₂e. The projected annual GHG emissions resulting from operation of the proposed project are summarized in Table 3.7-4.

TABLE 3.7-4
OPERATIONAL GHG EMISSIONS – METRIC TONS PER YEAR

<table>
<thead>
<tr>
<th>Source</th>
<th>CO₂</th>
<th>CH₄</th>
<th>N₂O</th>
<th>CO₂e</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area</td>
<td>13</td>
<td>0</td>
<td>0</td>
<td>13</td>
</tr>
<tr>
<td>Energy</td>
<td>115</td>
<td>0</td>
<td>0</td>
<td>115</td>
</tr>
<tr>
<td>Mobile</td>
<td>236</td>
<td>0</td>
<td>0</td>
<td>236</td>
</tr>
<tr>
<td>Solid Waste</td>
<td>16.5</td>
<td>0.98</td>
<td>0</td>
<td>37</td>
</tr>
<tr>
<td>Water</td>
<td>8</td>
<td>0.11</td>
<td>0</td>
<td>11</td>
</tr>
<tr>
<td>Subtotal</td>
<td>388.5</td>
<td>1.1</td>
<td>0</td>
<td>412</td>
</tr>
<tr>
<td>Sequestration Reduction (35 metric tons over 20 years)</td>
<td>-1.75</td>
<td>0</td>
<td>0</td>
<td>-1.75</td>
</tr>
</tbody>
</table>
### 3.0 ENVIRONMENTAL ANALYSIS

<table>
<thead>
<tr>
<th>Source</th>
<th>CO₂</th>
<th>CH₄</th>
<th>N₂O</th>
<th>CO₂e</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>387</td>
<td>1.1</td>
<td>0</td>
<td>410</td>
</tr>
<tr>
<td>BAAQMD Threshold</td>
<td></td>
<td></td>
<td></td>
<td>1,100</td>
</tr>
</tbody>
</table>

Source: Emissions modeled by PMC using the California Emissions Estimator Model (CalEEMod), version 2011.1.1 computer program. Notes: Model inputs include trip generation rates from the traffic report prepared for the project. Wood-burning fireplace inputs were not included as these are not proposed for the residential units. Model inputs also include low-flow water fixtures (see Project Description) and water-efficient irrigation to account for Title 24 requirements as described in Table 3.7-3.

As shown, the proposed project would be far below BAAQMD significance thresholds for operational GHG emissions and would result in less than significant GHG impacts.

**Mitigation Measures**

None required

**Impact 3.7.10** The project’s contribution to cumulative greenhouse gas (GHG) emissions would be less than significant with compliance with the City’s Climate Action Plan.

Each GHG differs in its ability to absorb heat in the atmosphere based on the lifetime, or persistence, of the gas molecule in the atmosphere. Gases with high global warming potential (GWP), such as hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆), are the most heat-absorbent. Methane (CH₄) traps over 21 times more heat per molecule than carbon dioxide (CO₂), and nitrous oxide (N₂O) absorbs 310 times more heat per molecule than CO₂. Often, estimates of GHG emissions are presented in carbon dioxide equivalents (CO₂e), which weight each gas by its GWP. Expressing GHG emissions in carbon dioxide equivalents takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO₂ were being emitted.

According to the City’s Climate Action Plan, in 2005, approximately 147,094 metric tons of CO₂e emissions were generated within the city. These CAP projections are based, in part, on the land use assumptions of the City of El Cerrito General Plan. Therefore, proposed project consistency with the CAP includes project consistency with the land use and population growth projections of the General Plan. The proposed project is consistent with the General Plan land use designation and development density; therefore, there are no inconsistencies with the project and the overall basis of the CAP.

The strategies included in the City of El Cerrito CAP that apply to a land use development proposal such as the proposed project are listed in Table 3.7-5, which also summarizes the extent to which the project would comply with the strategies. The strategies listed in Table 3.7-5 are either proposed project design features or requirements under local or state ordinances. With implementation of these strategies/measures, the project’s contribution to cumulative GHG emissions would be reduced.
## TABLE 3.7-5  
### CITY OF EL CERRITO CAP COMPLIANCE

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Project Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sustainable Community</strong></td>
<td></td>
</tr>
</tbody>
</table>
| SC-1.2  
Develop planning mechanisms to encourage development of higher densities in designated areas | Compliant  
The proposed project is high density as it involves 63 residential units on less than 1 acre of land. In addition, land uses in the vicinity of the proposed project site are fully urbanized and include civic, residential, and commercial uses. |
| SC-2.2  
Enhance neighborhood-serving commercial nodes and encourage commercial spaces in mixed-use areas | Compliant  
In addition to 63 residential units on less than 1 acre of land, the project proposes nonresidential uses fronting San Pablo Avenue on the ground floor of the project. The uses include a 1,906-square-foot clinic and 1,156 square feet of retail/cafe space. |
| SC-3.5  
Work with regional agencies to support improvements and greater access to transit facilities in El Cerrito | Compliant  
The project site is located in proximity to two BART stations (El Cerrito del Norte and El Cerrito Plaza) and major bus lines. There are five bus stops on San Pablo Avenue within ¼ mile of the project site. |
| SC-4.2  
Promote Bay Friendly tree planting and landscaping and open and green spaces, including community gardens | Compliant  
Open space on the project site includes a 2,710- square-foot Heritage Plaza and 9,423 square feet of private open space. The public presence along San Pablo Avenue is also enhanced by a small, ground-floor retail/cafe space that opens directly onto the new public plaza. Furthermore, trees would be planted on the project site as part of the site landscape plan. The project would also be required to comply with El Cerrito Municipal Code Chapter 19.25 regarding landscaping. |
| **Energy and Water** | |
| EW-2.1  
Encourage new construction to be built to green building, energy, and water performance standards | Compliant  
The proposed project will be required to comply with the updated California Green Building Standards Code (Part 11, Title 24), which was adopted as part of the California Building Standards Code (Title 24, California Code of Regulations). These standards require new buildings to reduce water consumption by 20 percent, which results in less energy consumption for pumping water. In addition, as stated in the Project Description (Section 2.0), the building design and construction are proposed to maximize passive solar heating and cooling and incorporate green design features, such as a tight building envelope, energy-efficient boiler and HVAC systems, energy-efficient lighting and appliances, water-conserving fixtures, solar hot water, and durable materials with recycled content and low VOC content. The building would at minimum be pre-wired to receive a rooftop solar installation in the future. If it is financially feasible, a solar photovoltaic system would be installed. |
| **Waste Reduction** | |
| W-1.3  
Reduce landfill waste from Construction and Demolition | Compliant  
As previously stated, the proposed project will be required to comply with the California Green Building Standards Code |
As shown in Table 3.7-5, the proposed project would not impede any of the applicable GHG emissions reduction measures of the City of El Cerrito CAP. Also, as previously stated, the proposed project is consistent with the General Plan land use designation and development density; therefore, there are no inconsistencies with the project and the overall basis of the CAP. This impact is less than significant.

Mitigation Measures

None required.

HAZARDS AND HAZARDOUS MATERIALS

Impact 3.7.11 The proposed project would not create a significant hazard to the public or to the environment through the routine transport, use, or disposal of hazardous materials. This is a less than significant impact.

Public health is potentially at risk whenever hazardous materials are or would be used. It is necessary to differentiate between the “hazard” of these materials and the acceptability of the “risk” they pose to human health and the environment. A hazard is any situation that has the potential to cause damage to human health and the environment. The risk to health and public safety is determined by the probability of exposure, in addition to the inherent toxicity of a material. Factors that can influence the health effects when human beings are exposed to hazardous materials include the dose to which the person is exposed, the frequency of exposure, the duration of exposure, the exposure pathway (route by which a chemical enters a person’s body), and the individual’s unique biological susceptibility.

Implementation of the proposed project would result in the rehabilitation of an 870-square-foot building and the development of a 63-unit mixed-use senior affordable housing community, including a 1,906-square-foot clinic and 1,156 square feet of retail/cafe space. While these land uses generally would not be expected to involve the routine transport, use, or disposal of significant amounts of hazardous materials as would be expected with industrial uses, the project would result in approximately 76 new residents on the site. Residents could use materials classified as household hazardous waste, including common items such as paints, cleaners, motor oil, pesticides, batteries, lamps, televisions, and computer monitors. Because it is illegal to dispose of household hazardous waste in the trash, down storm drains, or onto the ground, the proposed project could increase the amount of household hazardous waste being transported to the West County Household Hazardous Waste Facility, which accepts and safely disposes of hazardous materials from residents of El Cerrito at no charge. However, given that the limit of household hazardous waste per visit is 15 gallons or 125 pounds, it is anticipated that the transport of additional household hazardous waste to and from the project site would be in relatively small amounts and would not result in significant hazards to the public or to the environment.

The proposed project would also include a 1,906-square-foot clinic that could generate hazardous medical waste. The clinic would be required to obtain and meet the requirements for a medical waste generator permit as discussed under the Regulatory Framework subsection above. The clinic would also be required to comply with all applicable regulations, including the
Medical Waste Management Act (Part 14, C. 1-11 of the California Health and Safety Code), regarding the storage, use, and disposal of medical materials and waste. Compliance with existing regulations would ensure these materials would not create a significant hazard to the public or to the environment.

The proposed project would include construction and landscaping activities that could involve limited transport, use, and disposal of hazardous materials such as gasoline fuels, asphalt, lubricants, toxic solvents, pesticides, and herbicides. The project would be required to ensure proper transportation, waste treatment, and disposal of hazardous materials during construction activities in accordance with all applicable federal, state, and local laws as discussed under the Regulatory Framework subsection above. Should any fuel and oil spills occur, they would be anticipated to be minor based on the quantity of such materials typically stored and/or used on a construction site. In addition, as discussed under the Hydrology and Water Quality impacts below, the proposed project would be required to develop and implement a SWPPP that includes best management practices (BMPs) to prevent or reduce the movement of sediment, nutrients, pesticides, and other pollutants from the construction site to surface water or groundwater. BMPs identified in the stormwater pollution prevention plan would prevent spills associated with the use and handling of hazardous materials during construction activities from leaving the construction site and creating a significant hazard to the public or to the environment.

For the reasons discussed above, the proposed project would not create a significant hazard to the public or to the environment through the routine transport, use, or disposal of hazardous materials. Therefore, impacts would be considered less than significant.

Mitigation Measures

None required.

Impact 3.7.12 The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or evacuation plan. This impact is considered less than significant.

The project would be subject to the requirements contained in the City’s emergency response and evacuation plans. Therefore, impacts related to impaired implementation or physical interference with an adopted emergency response or evacuation plan are considered less than significant.

Mitigation Measures

None required.

HYDROLOGY AND WATER QUALITY

Impact 3.7.13 Compliance with the requirements of the City's Municipal Code and the Municipal Regional Stormwater NPDES Permit would minimize the potential for water quality degradation and ensure that the project would not contribute to a violation of water quality standards. This impact would be less than significant.

Construction of the proposed project would introduce sediments and other contaminants typically associated with construction into stormwater runoff, potentially resulting in the degradation of downstream surface water and groundwater quality. Stormwater flowing over the project site
during construction could carry various pollutants downstream such as sediment, nutrients, bacteria and viruses, oil and grease, heavy metals, organics, pesticides, gross pollutants, and miscellaneous waste. These pollutants could originate from soil disturbances, construction equipment, building materials, and workers. Project construction activities would disturb soil on the project site, which could result in sedimentation that reaches the storm drain system.

The project would also be required to comply with the San Francisco Bay Municipal Regional Stormwater Permit (MRP) (Order R2-2009-0074; NPDES Permit No. CAS612008) administered by the SFBRWQCB. The MRP ensures attainment of applicable water quality objectives and protection of the beneficial uses of receiving waters and associated habitat and requires that discharges not cause exceedances of water quality objectives nor cause certain conditions to occur that create a condition of nuisance or water quality impairment in receiving waters. Provision C.3 of the MRP requires new and redevelopment projects that create or replace 10,000 square feet or more of impervious surface to implement certain measures to protect water quality and prevent erosion by minimizing sediment and other pollutants in site runoff and so that post-project runoff will not exceed pre-project rates and durations. The goal of Provision C.3 is to include appropriate source control, site design, and stormwater treatment measures in new development and adaptive reuse projects to address both soluble and insoluble stormwater runoff pollutant discharges and prevent increases in runoff flows from new development and adaptive reuse projects. Provision C.3 would reduce potential water quality impacts associated with the proposed project.

The El Cerrito Municipal Code Chapter 8.40, Stormwater Management and Discharge Control, also requires implementation of appropriate source control and site design measures and stormwater treatment measures to control stormwater runoff and water quality.

Compliance with the requirements of the City Municipal Code and the Municipal Regional Stormwater NPDES Permit would ensure that project construction would not contribute to a violation of water quality standards, and the project would have a less than significant impact regarding the generation of substantial additional sources of polluted runoff that would contribute to a water quality violation. Therefore, this impact would be less than significant.

Mitigation Measures

None required.

Impact 3.7.14 The project’s domestic water demands will be met by surface water supplies provided by the East Bay Municipal Utility District rather than groundwater resources. This impact would be less than significant.

The proposed project would not use local groundwater supplies, but would be connected to existing water infrastructure on-site, which is supplied by the East Bay Municipal Utility District (EBMUD). EBMUD’s primary water supply is surface water from the Mokelumne River. Therefore, operation of the proposed project would not increase demand for groundwater supplies. Furthermore, the project site is currently covered in impervious surfaces, so the project would not interfere with groundwater recharge beyond what has already occurred on the site. Implementation of the proposed project would have a less than significant impact on groundwater supplies and groundwater recharge.

Mitigation Measures

None required.
Impact 3.7.15 The project would not substantially alter the existing drainage pattern of the site or area, nor would it exceed the capacity of existing or planned stormwater drainage systems or generate of substantial additional sources of polluted runoff. This impact would be less than significant.

As previously noted, because the project site is fully developed and thus currently covered with impervious surfaces, the proposed project would not increase the amount of impervious surface on the project site. The project is located in an urban area with no streams or rivers on or near the project site. The project site currently drains to the City’s storm drain system adjacent to the site; the proposed project drainage would also drain to the City’s system. Therefore, the project would not substantially alter the existing drainage pattern of the site or area.

Because the site is currently covered with impervious surfaces, there would not be a substantial change in the amount or timing of drainage associated with the proposed project, so the proposed project would not exceed the capacity of existing or planned stormwater drainage systems. Prior to issuance of a building permit, El Cerrito Municipal Code Section 13.40.045 requires the project applicant to provide plans and specifications that consider factors such as slope, soil conditions, the amount of vegetation in the drainage basin, and the impact on anticipated percolation or infiltration rates, including the effect of successive storms on soil saturation and the resultant ability of the drain, as modified, to accommodate anticipated surface runoff flows. In issuing the permit, the city manager may impose such conditions as are appropriate to eliminate any diminution in the capacity of the existing drain to carry off the volume of water reasonably anticipated. With implementation of El Cerrito Municipal Code Section 13.40.045, the project would not negatively affect the capacity of the existing drain to carry off the volume of water reasonably anticipated for the project. Consequently, compliance with existing regulations would ensure that the proposed project would not exceed the capacity of existing or planned stormwater drainage systems or generate of substantial additional sources of polluted runoff.

For these reasons, impacts would be less than significant.

Mitigation Measures

None required.

LAND USE AND PLANNING

Impact 3.7.16 The project would not conflict with the City’s General Plan or any other land use plan, policy, or regulation of an agency with jurisdiction over the project. This impact would be less than significant.

The project site is surrounded by existing development. The project site is designated in the El Cerrito General Plan as Commercial/Mixed-Use and is zoned Transit-Oriented Mixed Use (TOM). The Commercial/Mixed-Use designation is intended primarily for all types of commercial uses and secondarily for residential uses or a combination of the two. The designation is intended to encourage ground-floor, pedestrian-friendly retail sales and service uses with upper floors of office and residential uses. The Commercial/Mixed-Use category applies to commercial activity ranging from neighborhood convenience stores to community shopping centers and regionally oriented specialty stores. In addition to retail stores, the Commercial/Mixed-Use designation is intended to allow for residential and office uses, including administrative, professional, medical and dental offices, and “high-tech” research and development uses and laboratories.
The purpose of the TOM zoning district is to create, maintain, and enhance activity center nodes around BART stations and along transportation corridors and San Pablo Avenue that provide a mix of commercial, office, and higher-density residential uses in a pedestrian-oriented setting. The TOM district is intended to encourage ground-floor, pedestrian-friendly retail sales and personal service uses with upper floors of office and residential uses. It also is intended for residential, office uses, and live/work space, including administrative, professional, medical and dental offices, arts and crafts galleries and studios, and "high-tech" research and development uses and laboratories, as well as limited, small-scale specialty manufacturing uses compatible with surrounding neighborhoods. A focus in this zone is to create defined pedestrian and bicycle "paths" to transit facilities from surrounding neighborhoods.

The proposed project is consistent with the City’s General Plan designation and zoning for the project site. The applicant is requesting relief from the following development standards:

- **Building height:** The Transit-Oriented Mixed Use zoning district allows a maximum height in the midtown area of 45 feet with a conditional use permit. The applicant is seeking a height of 65 feet.

- **Parking requirements:** 40 off-street parking spaces are required for the project, 8 of which would be for the clinic. The applicant is proposing 35 off-street spaces for residential use. Entitlements for the project will include a conditional use permit for a parking reduction for off-street parking spaces for the clinic.

The sufficiency of the proposed parking spaces for the project was assessed based on City parking requirements and potential parking demand of the project based on parking rates for the Senior Housing–Attached category published in Parking Generation by the Institute of Transportation Engineers (2010) and on calculated rates derived from parking surveys at three senior housing properties in the East Bay. In addition, an on-street parking survey was undertaken to determine the availability of existing parking spaces in the immediate vicinity of the project site (Kittelson & Associates, Inc., 2013) (Appendix C).

**Parking Requirement**

Chapter 19.24 of the City’s Municipal Code provides off-street parking standards for various land uses. The Municipal Code allows for an off-street parking exemption for small commercial uses, stating that retail sales, along with a few other uses, are not required to provide off-street parking when they contain less than 1,500 square feet of floor area. As the proposed retail/cafe space contains only 1,156 square feet of floor area, off-street parking is not required for this component of the project.

In addition to the retail/cafe space, the project includes 63 senior residential units and a 1,906-square-foot clinic. The project is, therefore, required to provide a total of 40 off-street spaces as detailed in Table 3.7-6. Because the project is proposed to provide only 35 spaces, there is a potential shortfall of 8 spaces attributable to the clinic uses.
Section 19.24.050(B) of the Municipal Code stipulates that required parking may be reduced through conditional use permit approval by the City’s Planning Commission if three or more of the following criteria apply:

- a) The use will be adequately served by the proposed parking due to the nature of the proposed operation; proximity to frequent transit service; transportation characteristics of persons residing, working, or visiting the site; or because the applicant has undertaken a transportation demand management program that will reduce parking demand at the site.

- b) Parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on-street parking in the surrounding area.

- c) The project furthers the implementation of land use or redevelopment goals of the El Cerrito General Plan more effectively than the project would if it met the parking standards of this Chapter [of the Municipal Code].

- d) The site plan is consistent with the objectives of the zoning district, and incorporates features such as unobtrusive off-street parking placed below the ground level of the project with commercial uses above, or enclosed parking on the ground floor.

- e) The applicant has provided on-site parking for car share vehicles via recorded written agreement between the landowner and the City that runs with the land. Agreement shall provide for proof of a perpetual agreement with a car share agency to provide at least one car share vehicle onsite.

Although the final determination of the project’s consistency with the City Municipal Code will be made by the Planning Commission, the following analysis describes how Criteria A, Criteria B, and Criteria C would be met by the proposed project.

**Criterion A**

It is likely that the project would be adequately served by the proposed parking due to the nature of the proposed operation, the proximity to frequent transit service, and the transportation characteristics of persons residing on the site (Criterion A).

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Municipal Code Requirement</th>
<th>Off-Street Parking Required for Project</th>
<th>Proposed Parking</th>
<th>Shortfall</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senior Citizen Housing</td>
<td>0.5 space per unit</td>
<td>32</td>
<td>35</td>
<td>0</td>
</tr>
<tr>
<td>Clinic</td>
<td>1 space per 250 square feet</td>
<td>8</td>
<td>0</td>
<td>8</td>
</tr>
<tr>
<td>Retail Sales</td>
<td>1 space per 300 sf for floor area &gt; 1,500 sf</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>40</strong></td>
<td><strong>35</strong></td>
<td><strong>0</strong></td>
<td><strong>8</strong></td>
</tr>
</tbody>
</table>
The project site is located in close proximity to transit service provided by the Alameda-Contra Costa Transit District (AC Transit) and BART. AC Transit operates bus service in parts of Contra Costa County and Alameda County; six bus routes operate on San Pablo Avenue along the project frontage. The nearest bus stops from the project site are located on San Pablo Avenue at Manila Avenue. BART provides the project area with a rail transit link to San Francisco and San Mateo counties and the metropolitan areas of Alameda and Contra Costa counties from two BART stations. El Cerrito del Norte station is located on Cutting Boulevard near San Pablo Avenue about 0.86 mile from the project site, and the El Cerrito Plaza station is located off Central Avenue on Oak Street about 1.2 miles away. Both stations can be reached by AC Transit bus service.

Further, based on the parking demand ratios of the comparable properties, the residential portion of the proposed project would have a parking demand of between 13 to 26 spaces, meaning that the proposed residential parking supply of 35 spaces exceeds expected demand by 9 spaces or more. An analysis of the project’s parking demand is included below.

Field Parking Surveys

Kittelson conducted parking surveys in the late evening/early morning period on March 7, 2013, at three senior housing properties in the East Bay. These properties were selected based on their proximities to the project site and characteristics similar to those of the proposed project. For instance, each of the properties is located on a main transit commercial corridor in an urban environment. With the exception of the manager’s unit, the properties consisted primarily of one-bedroom units. One of the properties also contained studio units.

As shown in Table 3.7-7, the three comparable properties have a range of 50 to 63 units and were essentially fully occupied at the time of the surveys. The parking supply ratios ranged from 0.28 spaces per dwelling unit at the Emeryville property to 0.63 spaces per dwelling unit at the San Leandro property. Correspondingly, the Emeryville property also had the lowest parking demand ratio at 0.20 per occupied dwelling unit and the San Leandro property had the highest at 0.42 per occupied dwelling unit. Since the available on-site spaces were not fully occupied, space provision is not considered a factor in the parking demand determination.

<table>
<thead>
<tr>
<th>Comparable Properties</th>
<th>Location</th>
<th>Number of Units</th>
<th>Occupied Units</th>
<th>Off-Street Spaces</th>
<th>Occupied Spaces</th>
<th>Demand per Occupied Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eskaton’s Hazel Shirley Manor</td>
<td>11025 San Pablo Avenue, El Cerrito</td>
<td>63</td>
<td>63</td>
<td>21</td>
<td>18</td>
<td>0.29</td>
</tr>
<tr>
<td>Emeryvilla Apartments</td>
<td>4320 San Pablo Avenue, Emeryville</td>
<td>50</td>
<td>50</td>
<td>14</td>
<td>10</td>
<td>0.20</td>
</tr>
<tr>
<td>Estabrook Place</td>
<td>2103 East 14th Street, San Leandro</td>
<td>51</td>
<td>50</td>
<td>32</td>
<td>21</td>
<td>0.42</td>
</tr>
</tbody>
</table>


Based on the parking demand ratios of the comparable properties, the residential portion of the proposed project would have a parking demand of between 13 to 26 spaces, and the proposed residential parking supply of 35 spaces would exceed the highest demand level by 9
spaces. It is noted that the highest demand is generated by the San Leandro property, the comparable site farthest away from the proposed project site.

 Criterion B

Based on the on-street parking occupancy survey conducted for the project, parking demand generated by the project would not be expected to exceed the capacity of or have a detrimental impact on the supply of on-street parking in the surrounding area.

On-street parking occupancy surveys were performed during three time periods on March 7, 2013, to determine the existing on-street parking demand in the project area. The surveys were conducted along the east side of San Pablo Avenue between Manila Avenue and Schmidt Lane, the north side of Schmidt Lane between San Pablo Avenue and Kearney Street, and on both sides of Kearney Avenue between Manila Avenue and Schmidt Lane. Parking is prohibited on Manila Avenue between San Pablo Avenue and Kearney Street. The results of the surveys are shown in Table 3.7-8.

### Table 3.7-8
**On-Street Parking Occupancy Survey**

<table>
<thead>
<tr>
<th>Location</th>
<th>Street Side</th>
<th>No. of Spaces Provided</th>
<th>No. of Spaces Occupied</th>
</tr>
</thead>
<tbody>
<tr>
<td>San Pablo Avenue</td>
<td>East Side</td>
<td>16</td>
<td>Midnight: 0, 8:45 am: 5, 4:30 pm: 9</td>
</tr>
<tr>
<td>Kearney Street</td>
<td>West Side</td>
<td>21</td>
<td>Midnight: 3, 8:45 am: 10, 4:30 pm: 9</td>
</tr>
<tr>
<td>Kearney Street</td>
<td>East Side</td>
<td>35</td>
<td>Midnight: 6, 8:45 am: 31, 4:30 pm: 21</td>
</tr>
<tr>
<td>Schmidt Lane</td>
<td>North Side</td>
<td>8</td>
<td>Midnight: 0, 8:45 am: 1, 4:30 pm: 4</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>80</td>
<td>Midnight: 9, 8:45 am: 47, 4:30 pm: 43</td>
</tr>
</tbody>
</table>


Notes:
1. Numbers of spaces provided are estimates because spaces are not clearly marked.
2. Spaces along existing yellow curb on Kearney Street are included in the number of spaces provided since they are currently used as such.

As shown, on-street parking was generally available throughout the day. The period of highest demand occurred during the morning period with an overall occupancy ratio of 59 percent or 47 occupied spaces out of 80 provided. In particular, the occupancy on the east side of Kearney Street reached 89 percent during this period, which may primarily be attributed to patrons of the Department of Motor Vehicles. In the late afternoon period, the overall occupancy was at 54 percent. Again, the east side of Kearney Street saw the highest demand at 60 percent during this period.

Because on-street parking has time limits and the proposed residential parking is generally adequate, the on-street parking would most likely serve as supplemental parking for retail/cafe and clinic uses. The main accesses to these uses are projected to be located on San Pablo Avenue; therefore, the on-street parking capacity on San Pablo Avenue would be most relevant to the proposed project. The parking occupancy was 31 percent (5 occupied spaces out of 16 provided) during the morning period and 56 percent (9 occupied spaces out of 16 provided) during the late afternoon period. As such, the anticipated demand from the proposed clinic and retail/cafe uses would not exceed the capacity of or result in a detrimental impact on the on-street parking supply.
3.0 ENVIRONMENTAL ANALYSIS

Criterion C

The City of El Cerrito’s Housing Element is the component of the City’s General Plan that addresses housing needs and opportunities and provides the primary policy guidance for local decision-making related to housing. One of the strategic goals identified in the City’s most recently adopted Housing Element is to “expand housing opportunities for the elderly, the handicapped, households with very low to moderate income, and for persons with special housing needs.” As the project intends to provide housing for seniors with services, as well as the maximum feasible number units affordable to very low- and low-income households, the project as proposed furthers the implementation of the strategic housing goals of the El Cerrito General Plan. In addition, pursuant to El Cerrito Municipal Code Section 19.22.050 and state law, an applicant may propose specific incentives or concessions that would contribute significantly to the economic feasibility of providing affordable units. If the project were required to meet the parking standards in the City’s Municipal Code, it is possible that the site would need to be redesigned such that fewer residential units, including senior and low-income units, would be provided. Therefore, it is likely that the project as proposed implements the City’s Housing Element goals more effectively than a project with more on-site parking. Therefore, the above concessions are consistent with the City’s Municipal Code, and there would be no conflict with local or other codes adopted to avoid or mitigate an environmental effect. This impact would be considered less than significant.

Mitigation Measures

None required.

NOISE

Impact 3.7.17 The project would meet the City’s General Plan exterior noise criteria, and impacts would be less than significant.

The City standard (General Plan Policy H3.2) for outdoor noise is applied where outdoor use is a major consideration (e.g., backyards in single-family housing developments and recreation areas in multifamily housing projects), but the outdoor standard is not normally applied to small decks associated with apartments. According to the environmental noise assessment prepared for the project (Charles M. Salter Associates, Inc., 2013; Appendix D), outdoor noise levels at the project site, at the Heritage Plaza, residential courtyard, and gardening area, are expected to be between DNL 65 and 70 dB. These levels would be considered “conditionally acceptable” per the City’s land-use compatibility guidelines. In addition, the environmental noise assessment determined that one of the dominant noise sources at the project site is intermittent BART train pass-bys. General Plan Policy H3.5 states, “If the noise source is BART, then the outdoor noise exposure criterion should be 70 L_{eq} for future development, recognizing that BART noise is characterized by relatively few loud events.” Therefore, the noise levels at the project site would not exceed the standard and the potential for exposure of persons to outdoor noise levels in excess of standards at the project site would be considered less than significant.

Mitigation Measures

None required.
3.0 Environmental Analysis

Population and Housing

Impact 3.7.18 The proposed project would generate approximately 76 new residents on the project site. This would not be considered substantial population growth, and impacts would be less than significant.

The estimated population of El Cerrito in 2010 was 23,549 with 10,716 housing units, 10,142 of which are occupied (MTC 2012). Occupancy for other similar senior buildings operated by Eden Housing averages approximately 1.2 residents per unit (Eden Housing, 2013). Based on the occupancy rate of similar developments, the proposed project would generate approximately 76 new residents. This represents a population increase in the city of approximately 0.32 percent.

The 76 residents added by the project would not be considered substantial, when considering the project area is currently developed and the project would utilize existing infrastructure at the project site. No upgrades to the existing infrastructure would be required to serve the project. Furthermore, the proposed project is consistent with the General Plan land use designation and development density; therefore, the population growth associated with the project was anticipated by the City’s General Plan. The proposed project would not involve any other components that would induce further growth. Therefore, impacts would be considered less than significant.

Mitigation Measures
None required.

Public Services and Recreation

Impact 3.7.19 The proposed project would not result in substantial adverse physical impacts associated with the provision of public services, nor would it increase the use of existing public service and recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. Therefore, impacts would be less than significant.

The project site is surrounded by existing development within El Cerrito and is served by the El Cerrito Fire Department, El Cerrito Police Department, and West Contra Costa Unified School District (WCCUSD) for fire, police, and educational services, respectively. Park and recreation services are provided by the City.

Implementation of the proposed project would generate a population increase of approximately 76 senior residents, which would marginally increase the demand for public services over existing conditions. However, the site is already served by public services, and the project would not result in the need for new facilities to serve the site. The proposed project is consistent with the General Plan land use designation and development density anticipated for the site. As the proposed project is located on an infill site that is served by police and fire immediately adjacent to the site, the project would not result in the need for the provision of new or physically altered public service or recreation facilities, nor would it increase the use of existing public service and recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. The proposed project would have a less than significant impact on public service and recreation facilities.
3.0 ENVIRONMENTAL ANALYSIS

Mitigation Measures

None required.

TRANSPORTATION/TRAFFIC

Impact 3.7.20 The project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit. Therefore, impacts would be less than significant.

The transportation impacts of the proposed project were assessed in the Transportation Impact Analysis (TIA) prepared by Kittelson & Associates, Inc. (2013) (Appendix C).

Intersection Operations

The TIA included an operational analysis to determine the project’s impact at the following key intersections on weekday morning and evening peak-hour traffic conditions under existing and baseline scenarios:

- San Pablo Avenue/Manila Avenue (signalized)
- Kearney Street/Manila Avenue (unsignalized)
- Kearney Street/Schmidt Lane (unsignalized)
- San Pablo Avenue/Schmidt Lane (signalized)

The operational analysis found that under existing conditions, all of the study intersections operate at acceptable level of service (LOS) during the weekday AM and PM peak hours and peak-hour traffic signal warrants are not met at the two unsignalized intersections.

The baseline condition includes anticipated traffic from the Ohlone Gardens residential development, which is a pending/approved project located south of the project area at 6495 Portola Drive. Under baseline conditions, all of the study intersections are projected to operate at acceptable LOS during the weekday AM and PM peak hours and peak-hour traffic signal warrants would not be met at the two unsignalized intersections.

Project-Generated Vehicle Trips

The project-generated vehicle trips were determined in the TIA via a process that involved vehicle trip generation, trip distribution, and assignment of the trips to adjacent roadways (see Appendix C). The proposed project would generate approximately 493 daily trips including 26 trips (12 inbound, 14 outbound) during the weekday AM peak hour and 48 trips (23 inbound, 25 outbound) during the weekday PM peak hour. The traffic generated by the project at the analysis intersections is shown by land use type in Table 3.7-9.
TABLE 3.7-9
TRIP GENERATION

<table>
<thead>
<tr>
<th>Land Use Category</th>
<th>Amount</th>
<th>Source</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Weekday</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>In</td>
<td>Out</td>
</tr>
<tr>
<td>Retail (Shopping Center)</td>
<td>1.2 KSF</td>
<td>ITE (820)</td>
<td>374</td>
<td>4</td>
</tr>
<tr>
<td>Clinic</td>
<td>1.9 KSF</td>
<td>ITE (630)</td>
<td>60</td>
<td>3</td>
</tr>
<tr>
<td>Senior Adult Housing (Attached)</td>
<td>63 Units</td>
<td>ITE (252)</td>
<td>209</td>
<td>4</td>
</tr>
<tr>
<td>Total Project Trips</td>
<td></td>
<td></td>
<td>643</td>
<td>15</td>
</tr>
<tr>
<td>Internal Trips¹</td>
<td></td>
<td></td>
<td>-150</td>
<td>-1</td>
</tr>
<tr>
<td>New External Trips</td>
<td>493</td>
<td></td>
<td>12</td>
<td>14</td>
</tr>
</tbody>
</table>

1. Internal trips are trips between the residential and retail land uses within the proposed project.

Trip Distribution and Assignment

The distribution of trips associated with the proposed project was derived from existing turning movement counts and trip distribution assumptions used in the traffic study for the Ohlone Gardens development. Local gateways based on the analysis intersections were identified and used to describe where project trips would be distributed. These gateways are listed in Table 3.7-10 with the corresponding trip distribution percentages that were applied to the AM and PM peak-hour trips. The project trips were assigned to the surrounding roadways based on existing travel patterns, location of the proposed vehicular access point, and shortest routes.

TABLE 3.7-10
TRIP DISTRIBUTION

<table>
<thead>
<tr>
<th>From</th>
<th>Share</th>
<th>Trips¹</th>
<th>To</th>
<th>Share</th>
<th>Trips¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>San Pablo Ave south of Schmidt Ln</td>
<td>57%</td>
<td>7 (13)</td>
<td>San Pablo Ave south of Schmidt Ln</td>
<td>57%</td>
<td>8 (14)</td>
</tr>
<tr>
<td>Schmidt Ln east of Kearney St</td>
<td>0%</td>
<td>0 (0)</td>
<td>Schmidt Ln east of Kearney St</td>
<td>3%</td>
<td>1 (1)</td>
</tr>
<tr>
<td>Manila Ave east of Kearney St</td>
<td>3%</td>
<td>1 (1)</td>
<td>Manila Ave east of Kearney St</td>
<td>0%</td>
<td>0 (0)</td>
</tr>
<tr>
<td>San Pablo Ave north of Manila Ave</td>
<td>40%</td>
<td>4 (9)</td>
<td>San Pablo Ave north of Manila Ave</td>
<td>40%</td>
<td>5 (10)</td>
</tr>
<tr>
<td>Bayview Ave west of San Pablo Ave</td>
<td>0%</td>
<td>0 (0)</td>
<td>Bayview Ave west of San Pablo Ave</td>
<td>0%</td>
<td>0 (0)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100%</td>
<td>12 (23)</td>
<td>TOTAL</td>
<td>100%</td>
<td>14 (25)</td>
</tr>
</tbody>
</table>

1. Trips are presented as AM (PM).

The project traffic volumes are shown graphically in Figure 3.7-1.
Projected Traffic Levels and Intersection Operation

The traffic generated by the project was added to existing conditions and baseline conditions volumes to determine the projected traffic levels under Existing plus Project and Baseline plus Project scenarios. Figure 3.7-2 shows the Existing plus Project volumes at the study intersections, while Figure 3.7-3 shows the Baseline plus Project volumes. The resulting intersection operations are summarized in Tables 3.7-11 and 3.7-12.

### Table 3.7-11
**EXISTING PLUS PROJECT – INTERSECTION LEVEL OF SERVICE**

<table>
<thead>
<tr>
<th>#</th>
<th>Street Name</th>
<th>Control</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
<th>Meets Signal Warrant?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>North-South</td>
<td>East-West</td>
<td></td>
<td>Delay</td>
<td>LOS</td>
</tr>
<tr>
<td>1</td>
<td>San Pablo Ave</td>
<td>Manila Ave</td>
<td>Signal</td>
<td>10.7</td>
<td>B</td>
</tr>
<tr>
<td>2</td>
<td>San Pablo Ave</td>
<td>Schmidt Ln</td>
<td>Signal</td>
<td>17.8</td>
<td>B</td>
</tr>
<tr>
<td>3</td>
<td>Kearney St</td>
<td>Manila Ave</td>
<td>TWSC</td>
<td>1.3/11.3</td>
<td>A/B</td>
</tr>
<tr>
<td>4</td>
<td>Kearney St</td>
<td>Schmidt Ln</td>
<td>TWSC</td>
<td>2.8/10.4</td>
<td>A/B</td>
</tr>
<tr>
<td>5</td>
<td>Kearney St</td>
<td>Project Access</td>
<td>TWSC</td>
<td>4.5/8.4</td>
<td>A/A</td>
</tr>
</tbody>
</table>


1 Delay and LOS for signalized intersections are the intersection averages. For two-way stop-controlled (TWSC) intersections, both the intersection average/worst movement delays and LOS are reported.

2 The MUTCD Peak Hour Signal Warrant was used in this analysis. A full signal warrant analysis should be conducted prior to any signalization.

### Table 3.7-12
**BASELINE PLUS PROJECT – INTERSECTION LEVEL OF SERVICE**

<table>
<thead>
<tr>
<th>#</th>
<th>Street Name</th>
<th>Control</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
<th>Meets Signal Warrant?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>North-South</td>
<td>East-West</td>
<td></td>
<td>Delay</td>
<td>LOS</td>
</tr>
<tr>
<td>1</td>
<td>San Pablo Ave</td>
<td>Manila Ave</td>
<td>Signal</td>
<td>11.9</td>
<td>B</td>
</tr>
<tr>
<td>2</td>
<td>San Pablo Ave</td>
<td>Schmidt Ln</td>
<td>Signal</td>
<td>18.1</td>
<td>B</td>
</tr>
<tr>
<td>3</td>
<td>Kearney St</td>
<td>Manila Ave</td>
<td>TWSC</td>
<td>1.3/11.3</td>
<td>A/B</td>
</tr>
<tr>
<td>4</td>
<td>Kearney St</td>
<td>Schmidt Ln</td>
<td>TWSC</td>
<td>2.8/10.4</td>
<td>A/B</td>
</tr>
<tr>
<td>5</td>
<td>Kearney St</td>
<td>Project Access</td>
<td>TWSC</td>
<td>4.5/8.4</td>
<td>A/A</td>
</tr>
</tbody>
</table>


1 Delay and LOS for signalized intersections are the intersection averages. For two-way stop-controlled (TWSC) intersections, both the intersection average/worst movement delays and LOS are reported.

2 The MUTCD Peak Hour Signal Warrant was used in this analysis. A full signal warrant analysis should be conducted prior to any signalization.
Figure 3.7-2
Traffic Volumes
Existing Plus Project
Figure 3.7-3
Traffic Volumes
Baseline Plus Project
As shown, with the addition of project trips, all study intersections would continue to operate at LOS B or better during the peak hours under both the Existing plus Project scenario and the Baseline plus Project scenario.

Currently, the City of El Cerrito does not have adopted policies governing the threshold of when impacts to the performance of the circulation system would be considered “significant” and in need of mitigation; however, the City’s General Plan calls for achievement of LOS D or better conditions. Furthermore, San Pablo Avenue is a Regional Route as subject to Multimodal Transportation Service Objectives set by the West County Action Plan for Routes of Regional Significance – 2009 Update (discussed under the Regulatory Framework subsection above). The objective for San Pablo Avenue is to “maintain LOS E or better at all signalized intersections along San Pablo Avenue.”

Because the study intersections would continue to operate at LOS B or better during the peak hours under both Existing plus Project scenario and Baseline plus Project scenario, the proposed project would not conflict with any regional or City policy establishing measures of effectiveness for the performance of the circulation system. This impact would be less than significant.

Mitigation Measures

None required.

Impact 3.7.21 The proposed project would not conflict with the CCTA’s congestion management program, including Multimodal Transportation Service Objectives for Routes of Regional Significance. Therefore, this impact would be less than significant.

As discussed in detail under the Regulatory Framework subsection above, the Congestion Management Program (CMP) utilizes the Action Plans for Routes of Regional Significance to assess existing and future travel conditions on regional routes and identify specific actions to be undertaken by each participating agency to achieve the objectives set for each Regional Route (i.e., Multimodal Transportation Service Objectives). The only route of regional significance in the project area is San Pablo Avenue. The primary traffic-related objective for San Pablo Avenue is to maintain a minimum LOS standard of E for signalized intersections. As discussed under Impact 3.7.20, the signalized intersections along San Pablo Avenue would continue to operate at LOS B or better after project implementation. Therefore, the proposed project would not conflict with the CMP. Impacts would be less than significant.

Mitigation Measures

None required.

Impact 3.7.22 The project includes adequate access and does not include any design features that would substantially increase hazards.

It is anticipated that the vehicular access on Kearney Street, which is limited to right-in and right-out movements due to the one-way directionality of the roadway, would be sufficient to accommodate inbound and outbound traffic without significantly affecting traffic on Kearney Street. Site distance is sufficient at the site access driveway. Therefore, site and emergency access at the project site would be adequate and no traffic hazards would occur. This impact would be less than significant.
Mitigation Measures

None required.

Impact 3.7.23  The project would not conflict with adopted policies, plans, or programs regarding bicycle or pedestrian facilities, nor would it decrease the performance or safety of such facilities. This impact would be less than significant.

Pedestrian Facilities

Pedestrian facilities are generally provided in the project area in the form of sidewalks along the project frontage on San Pablo Avenue, Kearney Street, Manila Avenue, and Schmidt Lane. With the exception of the south leg of the Schmidt Lane intersection, pedestrian countdown signals and marked crosswalks are provided at the two study intersections on San Pablo Avenue to connect the project site to bus stops and shops along the commercial corridor. At the Kearney Street intersections, marked crosswalks are provided on all but the east leg of the Manila Avenue intersection, while only present on the north leg of the Schmidt Lane intersection. The City’s Circulation Plan for Bicyclists and Pedestrians (2007) designates San Pablo Avenue and Schmidt Lane as pedestrian routes. Pedestrian routes are paths of travel that have a safe, accessible, and comfortable walking environment. Field observations taken in the site vicinity revealed moderate levels of pedestrian activity along the study area roadways during the morning and afternoon peak hours.

Pedestrian access for the project site would be provided directly onto San Pablo Avenue, allowing residents and visitors convenient access to shops and transit services along the corridor. Pedestrian access would also be provided on the east side of the building, providing access to the parking lot and Kearney Street. The proposed project would provide continuous sidewalks along the project frontage on San Pablo Avenue while incorporating existing tree wells. Sidewalks would also be provided on Kearney Street, which would comply with Americans with Disability Act (ADA) guidelines. Therefore, impacts associated with pedestrian facilities would be less than significant.

Bicycle Facilities

Ohlone Greenway is a multi-use path that runs under the BART tracks through the length of El Cerrito. The Class I facility continues south through Albany to downtown Berkeley and north to San Pablo Avenue in Richmond. The Greenway, located just one block east of the project site, offers recreational opportunities for both pedestrians and bicyclists. It may be accessed from both Manila Avenue and Schmidt Lane.

While there are currently no other bicycle facilities in the project vicinity, the Circulation Plan for Bicyclists and Pedestrians (2007) identifies a system of planned bicycle facilities in the city that is intended to provide a network of bike routes linking residential, commercial, recreational, and employment areas. In the project vicinity, Class III signed bikeways are planned for the full length of Schmidt Lane providing connection to the Hillside Natural Area and on Manila Avenue between San Pablo Avenue and the Ohlone Greenway. Class II bicycle lanes are also planned along San Pablo Avenue to offer an alternative to the Ohlone Greenway for experienced riders. Currently, the level of bicycle activity is relatively low during the morning and afternoon peak hours on all study area roadways.

Eden Housing  City of El Cerrito
Draft Environmental Impact Report  August 2013
Because the vehicular access would be located on Kearney Street, project traffic would not interfere with the planned future bicycle facility on San Pablo Avenue. Driveway access design would ensure sight distance would be adequate to allow a clear view of bicyclists for both inbound and outbound vehicles. Considering the minimal traffic generated by the project, there would be minimal potential for conflict with bicyclists on Kearney Street. Therefore, impacts associated with bicycle facilities would be less than significant.

Mitigation Measures

None required.

Utilities and Service Systems

Impact 3.7.24 The proposed project would not exceed wastewater treatment requirements of the Regional Water Quality Control Board. This impact would be less than significant.

Wastewater generated by the proposed project would be collected by the Stege Sanitary District and treated at EBMUD’s Main Wastewater Treatment Plant. The Stege Sanitary District assumes the design sanitary flow to be 100 gallons per person per day (SSD 2006). With approximately 76 residents at the project, it would generate approximately 7,600 gallons of wastewater per day. The current average daily flow to the Main Wastewater Treatment Plant is 73 million gallons per day. Assuming ten employees at the retail/cafe space and clinic, those uses would generate an additional 1,000 gallons of wastewater per day. The proposed project flows represent approximately 0.01 percent of the average daily flows to the treatment plant. Because the proposed project represents a minor amount of the treatment plant’s capacity, project flows would not cause an exceedance of wastewater treatment requirements established by the Regional Water Quality Control Board. This impact would be considered less than significant.

Mitigation Measures

None required.

Impact 3.7.25 The proposed project would be adequately served by existing water and wastewater infrastructure and would not require or result in the construction of new or expanded water or wastewater treatment facilities. This impact would be considered less than significant.

Existing utility infrastructure, including sanitary sewer lines, serves the project site. The Stege Sanitary District provides wastewater collection services in the city; wastewater generated in El Cerrito is treated at the East Bay Municipal Utility District (EBMUD) Water Treatment Plant in Oakland. EBMUD’s Main Wastewater Treatment Plant treats domestic, commercial, and industrial wastewater for an 83-square-mile area that includes the Stege Sanitary District. EBMUD provides primary treatment for up to 320 million gallons per day (mgd) and secondary treatment for a maximum flow of 168 mgd. Current average daily flow is 73 mgd.

As discussed above, the proposed project represents a minor amount of the total treatment capacity of the treatment plant; the relatively minor increase in flows would not result in the need for expanded wastewater treatment facilities. There is an existing 673-foot-long, 6-inch-diameter sewer line in San Pablo Avenue, which serves development from Schmidt Lane to Jefferson Avenue, with a capacity of 0.18 mgd. The proposed project’s wastewater generation of 7,600
gallons per day represents approximately 4.2 percent of the capacity of the line. It is anticipated that the existing sewer lines can accommodate the estimated increase in effluent from the proposed project. Prior to the issuance of a building permit, the Stege Sanitary District requires that applicants provide information regarding the existing capacity of the line, post-development capacity, percentage of pipe at peak flow, and adequacy of the line for existing and future flows.

Using EBMUD’s 2009 average household demand of 179 gallons per day (EBMUD 2011, the proposed project would generate a residential water demand of approximately 11,277 gallons per day. It should be noted that the EBMUD demand rate is an average for all types of residential units in the EBMUD service area, including single-family units with landscaping and with more persons per household than would be accommodated by the project. Thus, the demand estimated for the residential portion of the project is conservative. Assuming approximately 71 gallons per 1,000 square feet of commercial (City of El Cerrito 2010), the remainder of the project would generate demand for an additional 219 gallons per day. The project’s water demand would be approximately 11,496 gallons per day. The Urban Water Management Plan (UWMP), adopted by the EBMUD Board of Directors on June 28, 2011, projects a water demand of 229 million gallons per day in 2030. The proposed project’s demand would be an insignificant fraction of this estimated demand and would not result in the need for new or expanded water supply facilities. This impact would be considered less than significant.

Mitigation Measures

None required.

Impact 3.7.26 The proposed project would not require new or expanded stormwater drainage facilities. Therefore, impacts would be less than significant.

As previously discussed, the proposed project would tie into existing stormwater facilities adjacent to the site. The proposed project would not alter flows such that new or expanded stormwater drainage facilities would be required. This impact would be considered less than significant.

Mitigation Measures

None required.

Impact 3.7.27 The proposed project would be served by a landfill with adequate capacity and would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, this impact would be less than significant.

The East Bay Sanitary Company provides garbage collection services in El Cerrito. The West Contra Costa Integrated Waste Management Authority (WCCIWMA), a joint powers agency created by the cities of El Cerrito, Hercules, Pinole, Richmond, and San Pablo, serves El Cerrito. The WCCIWMA provides waste processing services (landfilling, recyclables processing, composting, etc.) of the franchised waste stream in western Contra Costa County. The WCCIWMA uses a number of landfills in the Bay Area, including, but not limited to, the Pacheco Pass Landfill and the Hays Road Landfill. The Pacheco Pass Landfill is not expected to reach capacity until 2066, and the Hays Road Landfill is not expected to reach capacity until 2077. These landfills have an estimated remaining capacity of 21,814,578 cubic yards and 40,600,000 cubic yards, respectively (CalRecycle 2013a).
Assuming 0.42 tons of solid waste generated per resident per year (CalRecycle 2013b), the residential portion of the project would generate approximately 32 tons per year. Business waste disposal rates are 0.3 tons per employee per year for general merchandise stores and 1.5 tons per employee per year for medical services (CalRecycle 2013c). Assuming two employees for the retail/cafe and three employees for the clinic, the nonresidential portion of the project would generate 5.1 tons of solid waste per year.

The project would generate a total of approximately 37.1 tons of solid waste per year, which represents a small fraction of any landfill used by the WCCIWMA. While solid waste generated by the proposed project could shorten the life span of the landfill, it would not itself require any landfill expansion. Existing landfills in the area have sufficient permitted capacity to accommodate the project’s solid waste generation. Furthermore, the City must divert at least 50 percent of its solid waste through reduction, recycling, composting, and other activities. In order to achieve this goal, the City offers recycling services and requires new development projects to comply with Zoning Ordinance provisions regarding recycling. The project would comply with all statutes and regulations related to solid waste. For these reasons, solid waste impacts would be less than significant.

Mitigation Measures

None required.

3.8 POTENTIALLY SIGNIFICANT IMPACTS THAT CAN BE AVOIDED THROUGH IMPLEMENTATION OF MITIGATION MEASURES

AIR QUALITY

Impact 3.8.1 The project would require air pollutant control measures to ensure consistency with BAAQMD air quality standards. This impact would be potentially significant.

The project site is located in the Contra Costa County portion of the San Francisco Bay Area Air Basin (SFBAAB). The SFBAAB comprises a single district, the BAAQMD, which encompasses Napa, Marin, San Francisco, Contra Costa, Alameda, San Mateo, and Santa Clara counties, the southern portion of Sonoma County, and the western portion of Solano County. The SFBAAB is currently designated as nonattainment for the California ambient air quality standards (CAAQS) and federal ambient air quality standards for ground-level ozone and PM₂.₅ (particulate matter sized less than 2.5 microns in diameter) as well as the CAAQS for PM₁₀ (particulate matter sized less than 10 microns but greater than 2.5 microns in diameter). The BAAQMD prepares plans to attain ambient air quality standards in the air basin and prepares ozone attainment plans for the national ozone standard and clean air plans for the California standard, in coordination with both the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG). Most recently, the BAAQMD prepared the Bay Area 2010 Clean Air Plan to address the SFBAAB’s nonattainment status with the national 1-hour ozone standard and the CAAQS.

The emissions inventories contained in the Clean Air Plan are based on projected population growth and vehicle miles traveled (VMT) for the region. These inventories are largely based on the predicted growth identified in regional and community general plans, including associated development projects. Projects that result in an increase in population or employment growth beyond that identified in regional or community plans could result in increases in VMT and
subsequently increase mobile source emissions that would not have been accounted for in the BAAQMD’s air quality plans, making those projects inconsistent with the plans.

The proposed project is consistent with the land use designation of the City’s General Plan; therefore, the proposed project would not result in an increase in population or employment growth, and thus VMT, beyond that anticipated in the Clean Air Plan. In addition, as discussed in more detail below, the proposed project would not result in construction-generated or operational-related criteria air pollutants and/or precursor emissions that would exceed the BAAQMD thresholds of significance. Therefore, the proposed project would not conflict with or obstruct implementation of the Clean Air Plan.

A project is also determined to be consistent with these air quality plans if the project includes applicable control measures in the plans and does not disrupt or hinder implementation of any control measures. In addition to not resulting in construction-generated or operational-related air pollutants that would exceed the BAAQMD thresholds of significance, project adherence to the BAAQMD’s basic construction measures from Table 8-1, Basic Construction Mitigation Measures, of the BAAQMD CEQA Air Quality Guidelines (2011) would implement BAAQMD air pollutant control measures, further reduce project emissions, and thereby ensure project consistency with the air quality plans. Therefore, to ensure consistency with BAAQMD air quality standards, mitigation measure MM AQ-1 is required.

Mitigation Measures

**MM AQ-1**

During all phases of project development, the project shall adhere to BAAQMD’s Basic Construction Mitigation Measures from Table 8-1 of the BAAQMD’s CEQA Air Quality Guidelines (2011), which include the following:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

4. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

5. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure, Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

6. All construction equipment shall be maintained and properly tuned in accordance with manufacturers’ specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
7. A publicly visible sign shall be posted with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District’s phone number shall also be visible to ensure compliance with applicable regulations.

Timing/Implementation: Prior to construction

Enforcement/Monitoring: City of El Cerrito Planning and Building Division

The proposed project would not result in vehicle trips greater than those projected in the Clean Air Plan, would support the goals of the Clean Air Plan because it includes feasible control measures as identified under mitigation measure MM AQ-1, and is not projected to surpass significance thresholds (see below). Therefore, the project would be considered consistent with BAAQMD air quality plans, and this impact would be reduced to a less than significant level.

Localized Carbon Monoxide

Localized carbon monoxide (CO) concentrations near roadway intersections are a function of traffic volume, speed, and delay. Transport of CO is extremely limited because carbon monoxide disperses rapidly with distance from the source.

Based on BAAQMD guidance, projects meeting all of the following screening criteria would be considered to have a less than significant impact to localized carbon monoxide concentrations:

1. The project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, regional transportation plans, and local congestion management agency plans.

2. The project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour.

3. The project traffic would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway).

The traffic report prepared for the project estimates an average of 493 trips per day generated as a result of the project. In addition, the project would not increase traffic volumes at any intersection to more than 44,000 vehicles per hour or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited. As such, the proposed project would not exceed the BAAQMD’s significance thresholds for carbon monoxide and impacts would be less than significant.

Mitigation Measures

None required.
Toxic Air Contaminants

There are many different types of toxic air contaminants (TACs), with varying degrees of toxicity. Sources of TACs potentially affecting the project site include commercial operations, such as gasoline stations and dry cleaners. Mobile sources of air toxics include freeways and major roadways. These roadways are sources of diesel particulate matter, which the California Air Resources Board (CARB) has listed as a toxic air contaminant.

The proposed project would not be a source of TACs. However, there is a potential that the project site could be exposed to TAC emissions from stationary and/or mobile sources.

The BAAQMD evaluated local risks and hazards for new receptors at the proposed project site from existing sources of air pollution, including permitted stationary sources and roadway sources within 1,000 feet of the project (see Appendix E). Roadway impacts were assessed for San Pablo Avenue, the only roadway within 1,000 feet of the proposed project with more than 10,000 annual average daily trips (AADT). Risks and hazards calculated were compared to the BAAQMD’s thresholds of significance for cancer risk, for non-cancer hazard, and for PM$_{2.5}$.

According to the BAAQMD’s analysis, there are four permitted sources of TACs within 1,000 feet of the project site, including a fueling station, a dry cleaner, and two generators associated with El Cerrito Fire Department operations. These facilities are regulated by BAAQMD Regulation 2, Rule 5, which provides for the review of TAC emissions in order to evaluate potential public exposure and health risk, to mitigate potentially significant health risks resulting from these exposures, and to provide net health risk benefits by improving the level of control when existing sources are modified or replaced. Pursuant to BAAQMD Regulation 2, Rule 5, stationary sources having the potential to emit TACs, including gas stations and dry cleaners, are required to obtain permits from the BAAQMD. Permits may be granted to these operations provided they are operated in accordance with applicable BAAQMD rules and regulations. Given that compliance with applicable standards and regulations is required as part of the normal permit procedure, TAC emissions from the one fueling station, one dry cleaner, and two generators in the project vicinity would not be anticipated to result in a risk to future sensitive receptors of the proposed project.

In terms of potential TAC impacts from roadways, the BAAQMD analysis (BAAQMD 2011) states that the highest concentrations of TACs occurs within the travel lanes of San Pablo Avenue, and concentrations decrease with distance. The lowest concentrations were predicted on the northeasterly corner of the property where the farthest northern residents and parking lots are proposed. According to the BAAQMD analysis, all risk and hazard estimates were below the BAAQMD’s single-source and cumulative thresholds.

For the reasons noted above, future residents of the project would not be negatively affected by TACs generated at any of the existing stationary sources or major transportation facilities in the vicinity. Impacts to sensitive receptors are considered to be less than significant.

Mitigation Measures

None required.

BIOLOGICAL RESOURCES

Impact 3.8.2 The proposed project does not provide suitable habitat for the majority of special-status species identified in the project vicinity; however, the project
does have the potential to impact migratory birds, raptors, and bats. This is a **potentially significant** impact.

The project site is fully developed and located in a highly developed and urbanized mixed-use commercial district. Other than ornamental landscaping, there is no vegetation on or in the vicinity of the project site. A PMC biologist conducted a query of available data and literature from local, state, federal, and non-governmental agencies, including the following:

- USFWS Sacramento Office Species Lists (USFWS 2012)
- USFWS Critical Habitat Portal (USFWS 2013b)
- California Natural Diversity Database (CNDDB; CDFW 2013a)
- California Native Plant Society’s Inventory of Rare, Threatened, and Endangered Plants of California (CNPS 2013)

The results of the USFWS, CNDDB, and CNPS database queries identified several special-status species with the potential to be impacted by the proposed project. **Table 3.8-1** provides a summary of all species identified in the search results, a description of the habitat requirements for each species, and conclusions regarding the potential for each species to be impacted by the proposed project. As shown, the urban land uses on and adjacent to the proposed project do not provide suitable habitat for the majority of special-status species identified.

### Table 3.8-1

**SENSITIVE HABITAT AND PLANT AND WILDLIFE SPECIES POTENTIALLY OCCURRING IN THE STUDY AREA**

<table>
<thead>
<tr>
<th>Scientific Name</th>
<th>Common Name</th>
<th>Federal Status</th>
<th>State Status</th>
<th>CNPS Rare Plant Rank</th>
<th>General Habitat Characteristics</th>
<th>Potential to Be Affected by the Project</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Amsinckia lunaris</em></td>
<td>bent-flowered fiddleneck</td>
<td>-</td>
<td>-</td>
<td>1B.2</td>
<td>Coastal bluff scrub, cismontane woodland, valley &amp; foothill grassland (CNPS 2013).</td>
<td>None. The entire project site is characterized by commercial development. No natural lands occur on-site capable of supporting special-status plants.</td>
</tr>
<tr>
<td><em>Arctostaphylos pallida</em></td>
<td>pallid manzanita</td>
<td>T</td>
<td>E</td>
<td>1B.1</td>
<td>Siliceous shale, sandy or gravelly soil. Broadleafed upland forest, closed-cone coniferous forest, chaparral, cismontane woodland, coastal scrub (CNPS 2013).</td>
<td></td>
</tr>
<tr>
<td><em>Astragalus tener var. tener</em></td>
<td>alkali milk-vetch</td>
<td>-</td>
<td>-</td>
<td>1B.2</td>
<td>Alkaline soils. Playas, valley &amp; foothill grassland (adobe clay), vernal pools (CNPS 2013).</td>
<td></td>
</tr>
<tr>
<td><em>California macrophylla</em></td>
<td>round-leaved filaree</td>
<td>-</td>
<td>-</td>
<td>1B.1</td>
<td>Clay soils. Cismontane woodland, valley &amp; foothill grassland (CNPS 2013).</td>
<td></td>
</tr>
<tr>
<td><em>Calystegia purpurata ssp. saxicola</em></td>
<td>coastal bluff morning-glory</td>
<td>-</td>
<td>-</td>
<td>1B.2</td>
<td>Coastal dunes, coastal scrub, north coast coniferous forest (CNPS 2013).</td>
<td></td>
</tr>
<tr>
<td>Scientific Name</td>
<td>Common Name</td>
<td>Federal Status</td>
<td>State Status</td>
<td>CNPS Rare Plant Rank</td>
<td>General Habitat Characteristics</td>
<td>Potential to Be Affected by the Project</td>
</tr>
<tr>
<td>-----------------</td>
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<td>---------------------------------------</td>
</tr>
<tr>
<td>Chloropyron maritimum ssp. palustre</td>
<td>Point Reyes bird’s-beak</td>
<td>-</td>
<td>-</td>
<td>1B.2</td>
<td>Marshes &amp; swamps (coastal salt) (CNPS 2013).</td>
<td></td>
</tr>
<tr>
<td>Cirsium andrewsii</td>
<td>Franciscan thistle</td>
<td>-</td>
<td>-</td>
<td>1B.2</td>
<td>Mesic, sometimes serpentine soils. Broadleafed upland forest, coastal bluff scrub, coastal prairie, coastal scrub (CNPS 2013).</td>
<td></td>
</tr>
<tr>
<td>Dirca occidentalis</td>
<td>western leatherwood</td>
<td>-</td>
<td>-</td>
<td>1B.2</td>
<td>Mesic soils. Broadleafed upland forest, closed-cone coniferous forest, chaparral, cismontane woodland, north coast coniferous forest, riparian forest, riparian woodland (CNPS 2013).</td>
<td></td>
</tr>
<tr>
<td>Helianthella castanea</td>
<td>Diablo helianthella</td>
<td>-</td>
<td>-</td>
<td>1B.2</td>
<td>Broadleaf upland forest, chaparral, cismontane woodland, coastal scrub, riparian woodland, valley &amp; foothill grassland (CNPS 2013).</td>
<td></td>
</tr>
<tr>
<td>Hoita strobilina</td>
<td>Loma Prieta hoita</td>
<td>-</td>
<td>-</td>
<td>1B.1</td>
<td>Usually serpentine, mesic soils. Chaparral, cismontane woodland, riparian woodland (CNPS 2013).</td>
<td></td>
</tr>
<tr>
<td>Holocarpha macradenia</td>
<td>Santa Cruz tarplant</td>
<td>T</td>
<td>E</td>
<td>1B.1</td>
<td>Clay, sandy soil. Coastal prairie, coastal scrub, valley &amp; foothill grassland (CNPS 2013).</td>
<td>None. The entire project site is characterized by commercial development. No natural lands occur on-site capable of supporting special-status plants.</td>
</tr>
<tr>
<td>Meconella oregana</td>
<td>Oregon meconella</td>
<td>-</td>
<td>-</td>
<td>1B.1</td>
<td>Coastal prairie, coastal scrub (CNPS 2013).</td>
<td></td>
</tr>
<tr>
<td>Streptanthus albidus ssp. peramoenus</td>
<td>most beautiful jewel-flower</td>
<td>-</td>
<td>-</td>
<td>1B.2</td>
<td>Serpentine soils. Chaparral, cismontane woodland, valley &amp; foothill grassland (CNPS 2013).</td>
<td></td>
</tr>
<tr>
<td>Suaeda californica</td>
<td>California seablite</td>
<td>E</td>
<td>-</td>
<td>1B.1</td>
<td>Marshes &amp; swamps (coastal salt).</td>
<td></td>
</tr>
<tr>
<td>Trifolium hydrophilum</td>
<td>saline clover</td>
<td>-</td>
<td>-</td>
<td>1B.2</td>
<td>Marshes &amp; swamps, valley &amp; foothill grassland (mesic, alkaline), vernal pools (CNPS 2013).</td>
<td></td>
</tr>
</tbody>
</table>
### Invertibrates

<table>
<thead>
<tr>
<th>Scientific Name</th>
<th>Common Name</th>
<th>Federal Status</th>
<th>State Status</th>
<th>CNPS Rare Plant Rank</th>
<th>General Habitat Characteristics</th>
<th>Potential to Be Affected by the Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Speyeria callippe callippe</td>
<td>callippe silverspot butterfly</td>
<td>E</td>
<td>-</td>
<td></td>
<td>Host plant: violet (<em>Viola pedunculata</em>) (Essig 2012).</td>
<td>None. Host plant does not occur on-site.</td>
</tr>
</tbody>
</table>

### Fish

<table>
<thead>
<tr>
<th>Scientific Name</th>
<th>Common Name</th>
<th>Federal Status</th>
<th>State Status</th>
<th>CNPS Rare Plant Rank</th>
<th>General Habitat Characteristics</th>
<th>Potential to Be Affected by the Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acipenser medirostris</td>
<td>green sturgeon</td>
<td>T (NMFS)</td>
<td>T</td>
<td></td>
<td>Oceanic waters, bays, and estuaries during non-spawning season. Spawning habitat = deep pools in large, turbulent, freshwater mainstems (NMFS 2005).</td>
<td>None. No aquatic or marine habitat occurs on-site.</td>
</tr>
<tr>
<td>Eucyclogobius newberryi</td>
<td>tidewater goby</td>
<td>E</td>
<td>E</td>
<td></td>
<td>Brackish water, shallow lagoons &amp; lower stream reaches, still water (USFWS 1995).</td>
<td></td>
</tr>
<tr>
<td>Hypomesus transpacificus</td>
<td>Delta smelt</td>
<td>T</td>
<td>E</td>
<td></td>
<td>Brackish water below 25°C non-spawning season. Spawning habitat = shallow, fresh or slightly brackish backwater sloughs with good water quality and substrate (USFWS 1995).</td>
<td></td>
</tr>
<tr>
<td>Oncorhynchus mykiss</td>
<td>Central California coastal steelhead</td>
<td>T (NMFS)</td>
<td>T</td>
<td></td>
<td>Spawning habitat = gravel-bottomed, fast-flowing, well-oxygenated rivers and streams. Non-spawning = estuarine, marine waters (Busby et al. 1996).</td>
<td>None. No aquatic or marine habitat occurs on-site.</td>
</tr>
</tbody>
</table>
### 3.0 Environmental Analysis

<table>
<thead>
<tr>
<th>Scientific Name</th>
<th>Common Name</th>
<th>Federal Status</th>
<th>State Status</th>
<th>CNPS Rare Plant Rank</th>
<th>General Habitat Characteristics</th>
<th>Potential to Be Affected by the Project</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Amphibians</strong></td>
<td>Rana draytonii</td>
<td>California red-legged frog</td>
<td>T</td>
<td>-</td>
<td>Ponds/streams in humid forests, woodlands, grasslands, coastal scrub, and streamside with plant cover in lowlands or foothills. Breeding habitat = permanent or ephemeral water sources; lakes, ponds, reservoirs, slow streams, marshes, bogs, and swamps. Ephemeral wetland habitats require animal burrows or other moist refuges for estivation when the wetlands are dry. From sea level to 5,000 feet (1,525 m.) (Nafis 2013).</td>
<td>None. No habitat on-site.</td>
</tr>
<tr>
<td>Critical habitat, California red-legged frog</td>
<td>X</td>
<td>-</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Reptiles</strong></td>
<td>Emys marmorata</td>
<td>western pond turtle</td>
<td>-</td>
<td>SSC</td>
<td>Ponds, lakes, rivers, streams, creeks, marshes, and irrigation ditches, with abundant vegetation, and either rocky or muddy bottoms, in woodland, forest, and grassland. Logs, rocks, cattail mats, and exposed banks are required for basking (Nafis 2013).</td>
<td>None. No habitat on-site.</td>
</tr>
<tr>
<td>Masticophis lateralis euryxanthus</td>
<td>Alameda whipsnake [=striped racer]</td>
<td>T</td>
<td>T</td>
<td></td>
<td>Canyons, rocky hillsides, chaparral scrublands, open woodlands, pond edges, stream courses (Nafis 2013).</td>
<td>None. No habitat on-site.</td>
</tr>
<tr>
<td>Critical habitat, Alameda whipsnake</td>
<td>X</td>
<td>-</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Scientific Name | Common Name | Federal Status | State Status | CNPS Rare Plant Rank | General Habitat Characteristics | Potential to Be Affected by the Project
---|---|---|---|---|---|---
**Birds**

**Athene cunicularia** | burrowing owl | - | SSC | | Open areas with mammal burrows. Habitats include dry open rolling hills, grasslands, fallow fields, sparsely vegetated desert scrub with gullies, washes, arroyos, and edges of human disturbed lands. Inhabit golf courses, airports, cemeteries, vacant lots, and road embankments, with friable soils (Bates 2006). | None. Entire parcel characterized by commercial development. No natural lands exist that are capable of supporting these special-status bird species.

**Branta hutchinsii leucopareia** | Cackling (=Aleutian Canada) goose | D | - | | Breeds in coastal marshes, along tundra ponds and streams, and steep turf slopes above rocky shores (Cornell Lab of Ornithology 2013). | None. Entire parcel characterized by commercial development. No natural lands exist that are capable of supporting these special-status bird species.

**Charadrius alexandrinus nivosus** | western snowy plover | T | - | | Barren to sparsely vegetated sand beaches, dry salt flats in lagoons, dredge spoils deposited on beach or dune habitat, levees and flats at salt-evaporation ponds, river bars, along alkaline or saline lakes, reservoirs, and ponds (Cornell Lab of Ornithology 2013). | None. Entire parcel characterized by commercial development. No natural lands exist that are capable of supporting these special-status bird species.

**Circus cyaneus** | northern harrier | - | SSC | | Typically nest in the upper third of trees that may be 10–160 feet tall. These can be open-country trees growing in isolation, or at the edge of or within a forest (Cornell Lab of Ornithology 2013). | None. Entire parcel characterized by commercial development. No natural lands exist that are capable of supporting these special-status bird species.

**Elanus leucurus** | white-tailed kite (nesting) | - | FP | | | |
### Scientific Name | Common Name | Federal Status | State Status | CNPS Rare Plant Rank | General Habitat Characteristics | Potential to Be Affected by the Project
--- | --- | --- | --- | --- | --- | ---
*Haliaeetus leucocephalus* | bald eagle | D | E |  | Typically nest in forested areas adjacent to large bodies of water, staying away from heavily developed areas when possible. Bald eagles are tolerant of human activity when feeding, and may congregate around fish processing plants, dumps, and below dams where fish concentrate. For perching, bald eagles prefer tall, mature coniferous or deciduous trees that afford a wide view of the surroundings. In winter, bald eagles can also be seen in dry, open uplands if there is access to open water for fishing (Cornell Lab of Ornithology 2013). | special-status bird species. |
*Laterallus jamaicensis coturniculus* | California black rail | - | T |  | Nests in high portions of salt marshes, shallow freshwater marshes, wet meadows, and flooded grassy vegetation (Cornell Lab of Ornithology 2013). | |
*Melospiza melodia pusillula* | Alameda song sparrow | - | SSC |  | Tidal salt marshes (Shuford and Gardali 2008). | |
*Melospiza melodia samuelis* | San Pablo song sparrow | - | SSC |  | Tidal salt marshes (Shuford 2008). | |
*Pelecanus occidentalis californicus* | California brown pelican | E | - |  | Warm coastal marine and estuarine environments. Rare inland. Breeds primarily on islands (Cornell Lab of Ornithology 2013). | |
*Rallus longirostris obsoletus* | California clapper rail | E | E |  | Saltmarshes and mangrove swamps (Cornell Lab of Ornithology 2013). | |
*Sternula antillarum (=Sterna, =albifrons) browni* | California least tern | E |  |  | Seacoasts, beaches, bays, estuaries, lagoons, lakes and rivers, breeding on sandy or gravelly beaches and banks of rivers or lakes, rarely on flat rooftops of buildings (Cornell Lab of Ornithology 2013). | None. Entire parcel characterized by commercial development. No natural lands exist that are capable of supporting these special-status bird species. |
<table>
<thead>
<tr>
<th>Scientific Name</th>
<th>Common Name</th>
<th>Federal Status</th>
<th>State Status</th>
<th>CNPS Rare Plant Rank</th>
<th>General Habitat Characteristics</th>
<th>Potential to Be Affected by the Project</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Mammals</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Antrozous pallidus</td>
<td>pallid bat</td>
<td>-</td>
<td>SSC</td>
<td></td>
<td>Day roosts are in caves, crevices, mines, and occasionally in hollow trees and buildings (CDFW 2013b).</td>
<td>On-site abandoned buildings have potential to provide roosting habitat.</td>
</tr>
<tr>
<td>Micromus californicus sanpabloensis</td>
<td>San Pablo vole</td>
<td>-</td>
<td>SSC</td>
<td></td>
<td>Salt marshes (NatureServe 2013).</td>
<td>None. No habitat on-site.</td>
</tr>
<tr>
<td>Nyctinomops macrotis</td>
<td>big free-tailed bat</td>
<td>-</td>
<td>SSC</td>
<td></td>
<td>Rock crevices in canyon settings in arid, high relief landscapes (Bolster 1998).</td>
<td>On-site abandoned buildings have potential to provide roosting habitat.</td>
</tr>
<tr>
<td>Reithrodontomys raviventris</td>
<td>salt marsh harvest mouse</td>
<td>E</td>
<td>E</td>
<td></td>
<td>Salt marshes with dense stands of pickleweed; adjacent to upland, salt-tolerant vegetation (USFWS 1984).</td>
<td>None. No habitat on-site.</td>
</tr>
</tbody>
</table>

**Key**

Federal & State Status

- (E) Endangered – Listed as being in danger of extinction.
- (T) Threatened – Listed as likely to become endangered within the foreseeable future.
- (SSC) Species of Special Concern
- (FP) Fully Protected
- (NMFS) Species under the Jurisdiction of the National Oceanic & Atmospheric Administration Fisheries Service
- (X) Critical habitat designated for this species.

CNPS Rare Plant Rank

- (1A) Presumed Extinct in California
- (1B) Rare, Threatened, or Endangered in California and Elsewhere
- (2) Rare, Threatened, or Endangered in California, But More Common Elsewhere
- (3) More Species Information Needed
- (4) Limited Distribution

Threat Ranks

- (0.1) Seriously threatened in California
- (0.2) Fairly threatened in California
- (0.3) Not very threatened in California

The proposed project does, however, have the potential to impact migratory birds, raptors, and bats. The vacant structures on the project site may provide suitable nesting habitat for birds.
protected under the MBTA, as well Fish and Game Code Sections 3503.5 and 3800-3806. In addition, the vacant structures on-site have the potential to provide suitable roosting habitat for bats. Therefore, the demolition of these structures could result in noise, dust, human disturbance, and other direct or indirect impacts to nesting birds and roosting bats on or in the vicinity of the project site.

Potential nest abandonment and mortality to eggs and chicks of protected bird species, as well as the potential mortality of roosting bat species during construction, would be considered a potentially significant impact.

Mitigation Measures

**MM BIO-1 Preconstruction Surveys for Migratory Birds and Raptors.** If clearing and/or construction activities shall occur during the migratory bird and raptor nesting season (January 15 – August 15), preconstruction surveys for active nest sites shall be conducted by a qualified biologist, up to 14 days before initiation of construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds.

If active nest(s) are identified during the preconstruction survey, a qualified biologist shall monitor the nest(s) to determine when the young have fledged. Monthly monitoring reports, documenting the nest status, shall be submitted to the City Planning Department until the nest(s) is deemed inactive. The biological monitor shall have the authority to cease construction if there is any sign of distress to a raptor or migratory bird. Reference to this requirement and the Migratory Bird Treaty Act shall be included in the construction specifications.

**Timing/Implementation:** Prior to construction

**Enforcement/Monitoring:** City of El Cerrito Planning and Building Divisions

**MM BIO-2 Surveys for Bird Nests in Structures.** If demolition of vacant structures shall take place during of the migratory bird nesting season (April 15 – August 15), a survey for nesting migratory birds (e.g., swallows, phoebes, etc.) shall precede demolition. If bird nests are discovered in the structure, the building shall not be removed until the nest(s) become inactive.

**Timing/Implementation:** Prior to construction

**Enforcement/Monitoring:** City of El Cerrito Planning and Building Divisions

**MM BIO-3 Surveys of Potential Bat Roosts.** Demolition of abandoned structures shall be preceded by a survey for bat presence. Structures being used by bats shall not be removed until it has been determined that bats are no longer using the site or until demolition can be carried out without harming any bats.

**Timing/Implementation:** Prior to construction

**Enforcement/Monitoring:** City of El Cerrito Planning and Building Divisions
3.0 ENVIRONMENTAL ANALYSIS

Implementation of mitigation measures MM BIO-1 through MM BIO-3 will reduce impacts to a less than significant level.

CULTURAL RESOURCES

Impact 3.8.3 Implementation of the project could result in the potential disturbance of currently undiscovered archaeological resources. This impact would be considered potentially significant.

Given that the project site has been previously disturbed and is completely developed, the project site is not considered sensitive for archaeological resources. Even so, there is a small possibility of unanticipated and accidental archaeological discoveries during ground-disturbing activities during project construction, which can appear unexpectedly in construction trenches or excavations for foundations. If discovered, these resources would require special treatment.

Mitigation Measures

MM CUL-1 In the event an archaeological resource is encountered during project construction activities, the construction contractor shall halt construction within 25 feet of the find and immediately notify the City of El Cerrito. The City shall notify a qualified archaeologist meeting the Secretary of Interior’s Professional Qualifications Standards in prehistoric or historical archaeology immediately to evaluate the resource(s) encountered and recommend the development of mitigation measures for potentially significant resources consistent with Public Resources Code Section 21083.2(i). Construction activities could continue in other areas. The archaeologist shall evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered cultural resources. The City and the project applicant will consider the recommendations of the qualified archaeologist and consult and agree upon implementation of a measure or measures that the City, the qualified archaeologist, and the project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project applicant, the qualified project archaeologist, and the City, as well as the Native American tribal representative if relevant, as to the appropriate preservation or mitigation measures.

Timing/Implementation: During ground-disturbing activities

Enforcement/Monitoring: City of El Cerrito Planning and Building Divisions

Implementation of mitigation measure MM CUL-1 would ensure that any archaeological resources inadvertently discovered during project construction activities would be protected consistent with the recommendations of a qualified archaeologist. Impacts would be reduced to a less than significant level.

Impact 3.8.4 Implementation of the project could result in the potential disturbance of currently undiscovered paleontological resources. This impact would be considered potentially significant.
Although the project site has been previously developed and there is no documentation that suggests paleontological resources are present within or in the vicinity of the project site, there is a possibility that construction activities could uncover paleontological resources buried at deeper depths. Therefore, it is possible that project-related ground-disturbing activities could uncover previously unknown paleontological resources within the site.

Mitigation Measures

**MM CUL-2**

In the event any paleontological resources (i.e., fossils) are uncovered during project construction activities, all work in the immediate vicinity shall be halted or diverted to other areas on the site and the City of El Cerrito shall be immediately notified. A qualified paleontologist shall be retained to evaluate the find and recommend appropriate mitigation measures for the inadvertently discovered paleontological resources. The City and the project applicant shall consider the recommendations of the qualified paleontologist and consult and agree upon implementation of a measure or measures that the City, the qualified paleontologist, and the project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project applicant, qualified paleontologist, and the City as to the appropriate preservation or mitigation measures.

*Timing/Implementation:* During ground-disturbing activities

*Enforcement/Monitoring:* City of El Cerrito Planning and Building Divisions

Implementation of mitigation measure **MM CUL-2** would ensure that any paleontological resources inadvertently discovered during project construction activities would be protected consistent with the recommendations of a qualified paleontologist. Impacts would be reduced to a less than significant level.

**HAZARDS AND HAZARDOUS MATERIALS**

**Impact 3.8.5**

The proposed project would not be expected to create a significant hazard to the public or to the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. However, historical uses on the site could pose a threat to construction workers or future residents. This impact is considered potentially significant.

As discussed above, the proposed project would not result in the routine transport, use, disposal, handling, or emission of any hazardous materials that would create a significant hazard to the public or to the environment. Implementation of Title 49, Parts 171–180, of the Code of Federal Regulations would reduce any impacts associated with the potential for accidental release during construction or occupancy of the proposed project or by transporters picking up or delivering hazardous materials to the project site. These regulations establish standards by which hazardous materials would be transported within and adjacent to the proposed project. Where transport of these materials occurs on roads, the California Highway Patrol is the responsible agency for enforcement of regulations.
The project would require demolition of existing structures on site, which have been determined to contain asbestos, lead, and other potentially hazardous materials. Prior to any building demolition, CCR Title 8 Sections 1529 and 5208 require that a state-certified risk assessor conduct a risk assessment and/or paint inspection of all structures constructed prior to 1978 for the presence of asbestos. If such hazards are determined to exist on site, the risk assessor would prepare a site-specific hazard control plan detailing asbestos-containing building materials (ACBM) removal methods and specific instructions for providing protective clothing and gear for abatement personnel. If necessary, the project sponsor would be required to retain a state-certified ACBM removal contractor (independent of the risk assessor) to conduct the appropriate abatement measures as required by the plan. Wastes from abatement and demolition activities would be disposed of at a landfill(s) licensed to accept such waste. Once all abatement measures have been implemented, the risk assessor would conduct a clearance examination and provide written documentation to the City that testing and abatement have been completed in accordance with all federal, state, and local laws and regulations.

Several regulations and guidelines pertain to abatement of and protection from exposure to lead-based paint. These include Construction Safety Order 1532.1 from Title 8 of the CCR and lead-based paint exposure guidelines provided by the US Department of Housing and Urban Development (HUD). In California, lead-based paint abatement must be performed and monitored by contractors with appropriate certification from the California Department of Health Services.

A comment on the Notice of Preparation noted that a portion of the project site, now an asphalt parking lot, was formerly used as a nursery to supply some of the cut flowers, so soils in this area could contain residual chemicals, such as pesticides, associated with nursery uses. Although it has not been determined that any contaminants are present, disturbance of the underlying soils could result in exposure of chemicals, if they are present in soils. This is a potentially significant impact. The following mitigation measure requires testing of underlying soils to determine if contaminants are present, and if present, disposal at an appropriate facility.

**Mitigation Measures**

**MM HAZ-1**

Prior to ground disturbance, the project applicant shall have the site inspected by a licensed/certified hazardous waste materials expert (as approved by the City of El Cerrito) who shall submit a report for the City’s review that addresses the presence or absence of extractable total petroleum hydrocarbons, organochlorine pesticides, or isolated areas of elevated arsenic and other pesticides in the soil. If the soil is contaminated, a soil test shall be conducted to determine the extent of contamination and, based on the contaminants present, the report shall also provide for the appropriate method of disposal for contaminated soils.

**Timing/Implementation:** Prior to ground disturbance

**Enforcement/Monitoring:** City of El Cerrito Planning and Building Divisions

Compliance with existing regulations, as well as implementation of the above mitigation measures, would ensure impacts related to hazardous materials exposure would be reduced to less than significant.
3.0 ENVIRONMENTAL ANALYSIS

NOISE

Impact 3.8.6 The project could exceed applicable interior noise criteria. This impact is considered potentially significant.

Existing Noise Environment

The project site is bound by San Pablo Avenue to the west and Kearney Street to the east and abuts the Village at Town Center multi-family development and City Hall properties to the south and north, respectively. Elevated BART tracks are located approximately 280 feet east of the project. The dominant noise sources are traffic along San Pablo Avenue and intermittent BART train pass-bys; traffic along other local roadways is a minor noise source. To quantify the existing noise environment, two long-term continuous noise measurements were conducted at the project site between March 27 and April 1, 2013 (Charles M. Salter Associates, Inc., 2013). The monitors were all located about 12 feet above grade. The measurement results and locations are summarized in Table 3.8-2.

Table 3.8-2
PROJECT SITE NOISE MEASUREMENTS

<table>
<thead>
<tr>
<th>Monitor</th>
<th>Location</th>
<th>Ldn</th>
<th>Lmax30</th>
<th>L_eq (1 hour)*</th>
</tr>
</thead>
<tbody>
<tr>
<td>L1</td>
<td>Along the east side of San Pablo Avenue, at the project site,</td>
<td>73 dB</td>
<td>89 dB</td>
<td>72 dB</td>
</tr>
<tr>
<td></td>
<td>approximately 50 feet from the centerline, 12 feet above grade</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>L2</td>
<td>Along the west side of Kearney Street, at the project site,</td>
<td>70 dB</td>
<td>87 dB</td>
<td>67 dB</td>
</tr>
<tr>
<td></td>
<td>approximately 20 feet from the roadway centerline, approximately 280</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>feet from centerline of elevated BART tracks, 12 feet above grade</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


* Typical daytime hourly average noise level.

Applicable Interior Noise Standards

The following standards apply to environmental noise intrusion to the project interior:

- The State and City standard of DNL 45 dB in residences
- The City standard of typical maximum instantaneous noise intrusion of 50 dBA in bedrooms and 55 dBA in other rooms (Lmax30) of residences
- The City and State (CALGreen) standards of L_eq 45 dB and L_eq 50 dB (hourly average), respectively, in commercial and office buildings

Based on the existing noise environment as described above, the environmental noise assessment prepared for the project (Charles M. Salter Associates, Inc., 2013) determined that the project could expose future residents to interior noise levels in excess of the above standards. In order to reduce impacts to a less than significant level, the façades of the project would need to be sound-rated.
Mitigation Measures

**MM N-1**
In order to ensure that project residences meet the interior noise standard of DNL 45 dB, the project shall provide exterior sound-rated operable windows and doors with the minimum sound ratings for exterior window, door, and wall assemblies as identified in Figure 2 and Tables 5 and 6 of the environmental noise assessment prepared for the project (Charles M. Salter Associates, Inc., 2013). It is important to note that the Sound Transmission Class (STC) ratings required are for full operable window assemblies (glass and frame) rather than just the glass itself. Tested sound-rated assemblies shall be used.

*Timing/Implementation:* During final design phase

*Enforcement/Monitoring:* City of El Cerrito Planning and Building Divisions

**MM N-2**
Consistent with City Building Code requirements, the project shall supply an alternative method of supplying fresh air (e.g., mechanical ventilation) where windows need to be closed to achieve an indoor DNL of 45 dB.

*Timing/Implementation:* During final design phase

*Enforcement/Monitoring:* City of El Cerrito Planning and Building Divisions

**MM N-3**
In order to ensure that the commercial component of the project meets City and state interior noise standards, ground-floor commercial spaces shall provide sound-rated windows and doors. At the locations listed below, exterior windows and doors shall have the following minimum STC ratings:

- Along San Pablo Avenue (e.g., clinic, retail): STC 35
- Setback (>100 feet) from San Pablo Avenue (e.g., lobby, sunroom): STC 30
- Facing residential courtyard/Kearney Street: STC 29

*Timing/Implementation:* During final design phase

*Enforcement/Monitoring:* City of El Cerrito Planning and Building Divisions

The above mitigation measures would ensure that the project would meet all applicable interior standards. Impacts would be reduced to a less than significant level.

**Impact 3.8.7**
The project could result in a permanent increase in ambient noise levels. This impact is considered potentially significant.

**Traffic Noise**
As outlined in Table 3.8-3, the projected traffic volume increases associated with the project are expected to increase noise by less than 1 dB on nearby roadways. This would not be a perceptible increase in noise levels and would not have the potential for adverse community impact. The traffic noise impact would be less than significant, and no mitigation is required.
### 3.0 ENVIRONMENTAL ANALYSIS

#### Table 3.8-3
**Traffic Noise Analysis Summary**

<table>
<thead>
<tr>
<th>Roadway</th>
<th>Calculated Noise Level (L_{eq})</th>
<th>Projected Increase from Project</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Existing/Baseline</td>
<td>With Project</td>
</tr>
<tr>
<td>San Pablo Avenue</td>
<td>72.88/72.94</td>
<td>72.94/72.99</td>
</tr>
<tr>
<td>Kearney Street</td>
<td>62.33*</td>
<td>62.98</td>
</tr>
<tr>
<td>Manila Avenue</td>
<td>61.61*</td>
<td>62.15</td>
</tr>
<tr>
<td>Schmidt Lane</td>
<td>64.43*</td>
<td>64.75</td>
</tr>
</tbody>
</table>


*Existing and baseline traffic volumes are the same for these roadway segments.*

### Mechanical Equipment Noise

Although mechanical equipment associated with the project, such as air conditioning and exhaust equipment, has not yet been selected, there is the potential for the equipment to exceed City noise standards. Therefore, the following mitigation is required.

#### Mitigation Measures

**MM N-4**

To reduce equipment noise associated with the project, equipment shall be selected and located specifically to meet the noise standards. A qualified acoustical professional shall be involved during the design phase of the project to advise the design team regarding effective noise reduction measures, and if necessary, additional mitigation measures such as rooftop noise barriers, acoustical louvers, or equipment noise attenuators shall be employed.

*Timing/Implementation:* During final design phase

*Enforcement/Monitoring:* City of El Cerrito Planning and Building Division

Implementation of mitigation measure **MM N-4** would ensure that mechanical equipment associated with the project would not result in a permanent increase in ambient noise levels in the project area. Impacts would be reduced to a **less than significant** level.

**Impact 3.8.8**

Project construction could result in a substantial temporary increase in ambient noise levels and groundborne vibration in the project vicinity above levels existing without the project. This impact is considered **potentially significant.**

Construction of the project might result in temporary elevated noise levels and groundborne vibration at existing adjacent land uses, which includes residences. Construction activities are expected to include demolition, grading, minor excavation, concrete foundation, structural framing for upper levels, exterior finishes, interior framing, and interior finishes. The highest noise levels are expected when heavy machinery is in use. Typical noise levels from these activities range from 80 to 90 dBA at 50 feet. Framing involves the use of pneumatic tools such as nail guns and other tools such as hammers and saws. The final phase is interior work, which tends to be less intrusive since the noise occurs indoors. **Table 3.8-4** shows typical noise levels from various construction activities.
TABLE 3.8-4
TYPICAL CONSTRUCTION NOISE LEVELS

<table>
<thead>
<tr>
<th>Construction Phase</th>
<th>Noise Level ($L_{eq}$) at 50 feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Demolition</td>
<td>89 dBA</td>
</tr>
<tr>
<td>Ground Clearing</td>
<td>84 dBA</td>
</tr>
<tr>
<td>Excavation</td>
<td>89 dBA</td>
</tr>
<tr>
<td>Foundation</td>
<td>78 dBA</td>
</tr>
<tr>
<td>Erection</td>
<td>85 dBA</td>
</tr>
<tr>
<td>Exterior Finishing</td>
<td>89 dBA</td>
</tr>
</tbody>
</table>


Neither the City’s General Plan nor the Municipal Code address construction noise, as it is temporary in nature and is generally considered to be a necessary part of an active and evolving urban community. Municipal Code Section 16.02.080 limits hours of construction to between 7:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturday and prohibits construction on Sundays and holidays. The intent of Municipal Code Section 19.21.050 is to protect the noise environment in existing residential areas. Section 19.21.050 requires the evaluation of mitigation measures for projects where the project would cause the $L_{dn}$ to increase 3 dBA or more; result in an $L_{dn}$ greater than 60 dBA; or if the $L_{dn}$ already exceeds 60 dBA; or if the project has the potential to generate significant adverse community response. The project could temporarily increase noise levels during construction of the project that would exceed these levels and affect the nearby residents. Without mitigation, this would be inconsistent with the City Code, which is a potentially significant impact. The following mitigation measure shall be implemented to comply with the Municipal Code.

Mitigation Measures

**MM N-5**
To reduce construction noise and groundborne vibration, the following measures shall be implemented:

1. Post signs at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a day and evening contact number for the City in the event of problems.

2. Notify the City and neighbors in advance of the schedule for each major phase of construction and expected loud activities.

3. When feasible, select “quiet” construction methods and equipment.

4. Locate noisy stationary equipment (e.g., generators and compressors) and material unloading and staging areas away from the most sensitive adjacent uses, such as residences to the south.

5. The construction contractor shall maintain all construction equipment in good working order and mufflers shall be inspected to be installed and functioning properly. Avoid unnecessary idling of equipment and engines.
6. Designate a construction noise coordinator. This coordinator would be available to respond to complaints from neighbors and take appropriate measures to reduce noise.

Timing/Implementation: During construction

Enforcement/Monitoring: City of El Cerrito Planning and Building Divisions

Implementation of mitigation measure MM N-5 would reduce impacts associated with temporary construction noise increases and groundborne vibration and would provide additional measures to reduce noise levels from construction. The measure also includes a construction noise coordinator who would be alerted to any particular activities that affect neighbors. These measures ensure the project complies with Municipal Code Section 19.21.050, which would reduce this impact to a less than significant level.
REFERENCES


CARB (California Air Resources Board). 2010. Staff Report: Proposed Amendments to the Regulation for In-Use Off Road Diesel-Fueled Fleets and the OFFROAD Large Spark-Ignition Fleet Requirements.


3.0 ENVIRONMENTAL ANALYSIS


DTSC (Department of Toxic Substances Control). 2013.


Shuford, W. D., and T. Gardali, eds. 2008. *California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California*. Studies of Western Birds 1. Western Field Ornithologists, Camarillo, CA; and California Department of Fish and Game, Sacramento, CA.


4.0 **Other CEQA Considerations**
This section discusses the additional topics statutorily required by the California Environmental Quality Act (CEQA). The topics discussed include significant unavoidable environmental impacts and growth-inducing impacts.

4.1 CUMULATIVE IMPACTS

CEQA requires that an EIR contain an assessment of the cumulative impacts that could be associated with project implementation. This assessment involves examining project-related effects on the environment in the context of similar effects that have been caused by past or existing projects, and the anticipated effects of future projects. Although project-related impacts may be individually minor, the cumulative effects of these impacts, in combination with the impacts of other projects, could be significant under CEQA and must be addressed (CEQA Guidelines Section 15130(a)).

An EIR must discuss the “cumulative impacts” of a project when its incremental effect will be cumulatively considerable. This means that the incremental effects of an individual project would be considerable when viewed in combination with the effects of past projects, the effects of other current projects, and the effects of probable future projects (CEQA Guidelines Section 15065(c)).

CEQA Guidelines Section 15355 defines cumulative impacts as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” This section states further that “individual effects may be changes resulting from a single project or a number of separate projects. The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.”

Section 15130(a)(3) also states that an EIR may determine that a project’s contribution to a significant cumulative impact will be rendered less than cumulatively considerable, and thus not significant, if a project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact.

Section 15130(b) indicates that the level of detail of the cumulative analysis need not be as great as for the project impact analyses, that it should reflect the severity of the impacts and their likelihood of occurrence, and that it should be focused, practical, and reasonable.

For the purpose of this EIR analysis, the cumulative impacts analysis relies on the assumptions in the General Plan and the cumulative analysis provided in the General Plan EIR (SCH# 1999022058) because the project is consistent with the land use assumptions included in the General Plan. The analysis also considers the Ohlone Gardens residential development, which is a pending/approved project located south of the project area at 6495 Portola Drive. Other projects that have occurred since adoption of the General Plan have been captured in the existing condition. Since the proposed project is consistent with the land use assumptions analyzed in the General Plan EIR, the General Plan EIR has already considered the impacts of the project as part of the cumulative analysis. For instance, where the project would increase demand for public services that are served by entities whose service area is the city, the cumulative discussion in the General Plan EIR takes into account all development that would occur within the city.
AESTHETICS

As discussed in Section 3.0, Environmental Analysis, the project area is a built-out urban environment. Future development would be in the form of redevelopment that would not fundamentally change the urban nature of the area. Because the project site is not located within a designated scenic vista and there are no state scenic highways in the vicinity of the project site, cumulative development would result in no impact related to changes that would affect scenic vistas or state scenic highways. Similarly, although the project would include lighting, the project would be required to comply with Section 19.21.050.A of the El Cerrito Municipal Code, which requires all exterior lights to be designed, located, installed, directed, and shielded in such a manner as to prevent glare across property lines.

AGRICULTURAL/FOREST RESOURCES

El Cerrito is largely urban in nature so cumulative development in the city would not have a significant cumulative effect on agricultural or forest resources. Because the project site is in an urban area and is not located in the vicinity of existing forestland or active or fallow agricultural land uses, the project would have no cumulative contribution to the loss of these resources.

AIR QUALITY

Air quality in the project area is related to activities that take place throughout the San Francisco Bay Area Air Basin (SFBAAB). The Bay Area Air Quality Management District (BAAQMD) is the public agency entrusted with regulating stationary sources of air pollution in the SFBAAB. As discussed in Section 3.0, Environmental Analysis, according to the BAAQMD, for projects that do not individually have significant operational air quality impacts, the determination of significant cumulative impact should be based on an evaluation of the consistency of the project with the local general plan. With implementation of mitigation measure MM AQ-1, the project would implement BAAQMD control measures and would be consistent with the Clean Air Plan. The proposed project would be consistent with the City’s General Plan, and based on project-related emissions estimates, project emissions would be substantially below the significance criteria of any criteria pollutant. Therefore, the project would not result in a considerable contribution to this impact.

BIOLOGICAL RESOURCES

The project site is currently fully developed and does not contain natural habitat that supports special-status plant or animal species. However, vacant structures on the project site may provide suitable nesting habitat for birds and suitable roosting habitat for bats. Mitigation measures MM BIO-1 through MM BIO-3 require preconstruction surveys for birds and bats that would ensure those species are not impacted by the project. Implementation of these measures would ensure the project’s contribution to any cumulative impacts on these species would not be considerable.

CULTURAL RESOURCES

Federal, state, and local laws protect cultural resources and would be applicable to the proposed project as well as cumulative projects that would occur in El Cerrito. The project site is completely covered with structures or paving, so no archaeological or paleontological resources are evident on the project site, nor is evidence of human remains. Mitigation measures (MM CUL-1 and MM CUL-2) identified for the proposed project would protect any significant...
archaeological or paleontological resources or human remains, if present, to ensure that the project’s incremental contribution to these cumulative effects would be not be cumulatively considerable.

**GEOLOGY AND SOILS**

Because each project site has a unique set of geologic considerations, the geographic context for the analysis of impacts resulting from geologic hazards generally is site-specific, rather than cumulative in nature. As such, the potential for cumulative impacts to occur is limited. As discussed in Section 3.0, the design-controllable aspects of building foundation support, protection from seismic ground motion, and soil or slope instability are governed by existing regulations of the State of California or the City of El Cerrito, which require that project designs reduce potential adverse soils, geology, and seismicity effects to less than significant levels. Because compliance with these regulations is required, not optional, and compliance must be demonstrated by a project applicant to have been incorporated in the project’s design before permits for project construction would be issued, there would be no cumulative impacts related to geological hazards.

**GREENHOUSE GAS EMISSIONS**

Because a single project could not generate enough greenhouse gas (GHG) emissions to noticeably change the global average temperature, the discussion regarding GHGs in Section 3.0 provides a discussion of the project’s contribution to the cumulative effect on climate change. As discussed in Section 3.0, the project is consistent with the City’s Climate Action Plan, which addresses GHG emissions city-wide. The project’s GHG emissions would be below the recommended thresholds for project construction and operation. Implementation of measure MM AQ-1 and, at a minimum, the diversion of 50 percent of construction waste from landfills, would minimize construction-related GHG emissions, consistent with AB 32 GHG reduction goals, so the project’s contribution to global climate change would not be considerable.

**HAZARDS AND HAZARDOUS MATERIALS**

Potentially adverse environmental effects associated with the use, storage, use, transportation, and disposal of hazardous materials usually are generally site-specific; therefore, individual incidents at the project site, if they were to occur, generally would not combine with similar effects that could occur with other projects in the city. In addition, the use, storage, and transportation of hazardous materials are subject to stringent local, state, and federal regulations, the intent of which is to minimize the public’s risk of exposure. These regulations would apply to the project and other cumulative development in the city. Based on compliance with the existing regulations and mitigation measure MM HAZ-1, which requires an investigation to determine if unknown contaminants are present in soils, the proposed project would not result in a considerable contribution related to a threat to public safety, during either construction or operation of the project.

**HYDROLOGY AND WATER QUALITY**

The project site is located in an urban area that is served by a storm drain system, so the context for hydrology and water quality would be the area that contributes to drainage in that system. As discussed in the Regulatory Framework subsection in Section 3.0, existing regulations require projects to implement measures to protect water quality and prevent erosion by minimizing sediment and other pollutants in site runoff and so that post-project runoff will not exceed pre-
4.0 OTHER CEQA CONSIDERATIONS

project rates and durations. These measures would have a mitigating effect related to hydrology of future development in the area. The project site is currently covered with impervious surfaces, so there would be no change in the amount of runoff from the project. In addition, the project includes pervious hardscape and on-site stormwater filtration to reduce effects on stormwater. Consequently, the project’s contribution to effects on hydrology would not be considerable.

LAND USE AND PLANNING

The project would have no impacts regarding division of an established community and farmland conversion, and there are no foreseeable projects in the vicinity of the project that would change the existing type of land uses adjacent to the project site, so there would be no cumulative impact related to land use compatibility. Therefore, the project would have no potential to contribute to cumulative impacts regarding these issues. Conflicts with adopted land use plans and policies would be project-specific rather than cumulative, and as such, there would be no contribution to any potential conflicts with plans or policies. Therefore, the project would not result in a considerable contribution to land use impacts.

MINERAL RESOURCES

Although some mining for minerals has occurred in the city, there are no known mineral resources at the project site and the site has not been used for mineral extraction. Therefore, the proposed project would not contribute to the loss of availability of a known mineral resource and this would not be considered cumulatively considerable.

NOISE

The General Plan considers the placement of noise-sensitive uses in areas with impacted noise levels. The placement of other residential uses in areas in El Cerrito with noise levels that exceed standards would not have an additive effect when combined with the proposed project; there would be no cumulative contribution to this effect. With regard to temporary noise associated with construction, there are no proposed or approved projects in the vicinity of the project that would combine with the project to result in a cumulative effect. Therefore, the project would not result in a cumulative impact related to construction noise. With regard to permanent noise increases in the project vicinity, as discussed in the noise assessment (Charles M. Salter Associates, Inc., 2013), the project would result in noise increases ranging from 0.06 dB to 0.65 dB. As discussed in the noise assessment, except in carefully controlled laboratory experiments, a change of only 1 dB in sound level cannot be perceived (Charles M. Salter Associates, Inc., 2013). Because the project’s contribution to the overall noise environment would not be a perceptible change, the project’s contribution would not be considerable.

POPULATION AND HOUSING

The General Plan designates the site for mixed use, including residential. The 76 residents added by the project would not be considered a considerable contribution to growth in the city, and because the proposed project is consistent with the General Plan designation, the General Plan assumed population growth on the site. Therefore, the project would not contribute to growth that was not previously considered. The site is currently unoccupied and had been occupied with primarily nonresidential uses, so the project would not contribute to elimination of housing or displacement of residents.
PUBLIC SERVICES

The project site is on an area that is currently served by fire and police services. Although the project could result in additional calls for police and fire services, with police and fire stations immediately north of the project site, the project would not contribute to the need for new or expanded stations that would result in physical impacts. As a senior housing development, the project would not contribute to the need for additional schools.

RECREATION

The city has 182 acres of parks and open space, including 32 acres of publicly owned parks, 100 acres of public open space, 23 acres of recreation facilities, and 27 acres of school district-owned recreation areas. The General Plan identifies a level of service standard of 5 acres of publicly owned parkland per 1,000 residents. Based on an estimated city population of 23,549, El Cerrito has approximately 7.7 acres of parkland per 1,000 residents. The proposed project would be required to provide on-site open space and recreational facilities for residents or a combination of in-lieu fees and on-site facilities. Payment of in-lieu fees would ensure the project’s contribution to cumulative impacts on parkland is not considerable.

TRANSPORTATION/TRAFFIC

Given the size and type of project (63 senior apartments with ground-floor clinic and retail/cafe space), the project would generate 26 and 48 vehicle trips during the AM and PM peak hours, respectively. This amounts to 2 to 3 percent of the existing peak-hour traffic volumes on San Pablo Avenue. As shown with the analysis under both existing and near-term conditions, this increase in traffic due to the project results in level of service (LOS) B or better at the analysis locations with a change in delay of less than 2 seconds associated with the addition of project traffic. Under cumulative conditions with additional background traffic from future growth in El Cerrito as well as in the surrounding areas, the project’s contribution to cumulative traffic volumes on San Pablo Avenue would be even less than the existing 2 to 3 percent, which is already within normal daily fluctuations in volumes on this regional corridor. Therefore, the project contribution to future conditions is not considered to be cumulatively considerable.

UTILITIES AND SERVICE SYSTEMS

Water supply to the project would be provided by East Bay Municipal Utilities District (EBMUD), which, in its 2040 Demand Study (EBMUD 2009), used a land-use-based method to project average annual water demands to year 2040. Because the proposed project is consistent with the land use in the water demand projections, the project’s demand was considered by EBMUD for its cumulative demand scenario. Consequently, the project would not increase demand beyond that previously considered by EBMUD, and given that EBMUD provides water to 1.3 million people, the demand from the project’s 76 residents would not represent a considerable contribution.

Wastewater from the project would be treated at EBMUD’s Main Wastewater Treatment Plant, which provides primary treatment for up to 320 million gallons per day (mgd) and secondary treatment for a maximum flow of 168 mgd. Current average daily flow is 73 mgd. The proposed project’s wastewater flows would represent approximately 0.01 percent of the average daily flows to the treatment plant, which would not result in or substantially contribute to exceedances in water treatment requirements or the need for new or expanded wastewater facilities. This would not be considered cumulatively considerable.
4.0 OTHER CEQA CONSIDERATIONS

Future development in the city would increase the amount of waste deposited at landfills used by the West Contra Costa Integrated Waste Management Authority (WCCIWMA). All cumulative development would be required to comply with all applicable federal, state, and local statutes and regulations related to solid waste, including compliance with Assembly Bill (AB) 939, which requires a 50 percent diversion of all solid waste from disposal in local landfills. These regulations would reduce the impact of cumulative development on landfills. There are many landfills in the region that would be available to accept solid waste from the proposed project without substantially affecting capacity (CalRecycle 2013). The project’s contribution would therefore not be considerable.

4.2 SIGNIFICANT AND UNAVOIDABLE IMPACTS

Section 15126.2(b) of the CEQA Guidelines requires that an EIR describe any significant impacts that cannot be avoided, even with the implementation of feasible mitigation measures. The environmental effects of the proposed project on various aspects of the environment are discussed in detail in Section 3.0 of this Draft EIR. As discussed in Section 3.0, the proposed project would have no significant and unavoidable impacts.

4.3 ALTERNATIVES

Pursuant to CEQA Guidelines Section 15126.6, project alternatives are developed to reduce or eliminate the significant or potentially significant adverse environmental effects identified as a result of the proposed project, while still meeting most if not all of the basic project objectives. An EIR must evaluate a reasonable range of alternatives to the proposed project or to the location of the proposed project that could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives (CEQA Guidelines Section 15126.6). However, as discussed throughout this DEIR, the proposed project would not result in any significant effects that could not be reduced to a less than significant level with mitigation imposed upon the project. Mitigation measures have been identified for any project-specific effects that were identified as significant, reducing such effects to a less than significant level. Due to the absence of significant and unavoidable effects of the proposed project, an analysis of alternatives that address different ways to reduce impacts to less than significant is not required. Nonetheless, this Draft EIR briefly describes alternatives typically analyzed in EIRs to reduce project impacts.

An off-site alternative avoids on-site impacts, but in many cases results in similar impacts at the off-site location. Given the urban nature of the site, and of El Cerrito in general, construction of the project in a different urban location would result in similar construction and operational effects at that location. Due to the project site’s location relative to transit and other amenities, for an off-site location to provide benefits not provided by the project, the location would also need to be located near transit. In addition, the City or the project applicant would need to control any off-site property that could accommodate the project. However, given the project site’s location in an area identified in the General Plan as an area of significant reuse opportunity to rehabilitate or replace obsolete buildings as they are vacated, an off-site location would not have a significant advantage over the proposed project due to the lack of significant impacts of the project.

A reduced intensity alternative (fewer residential units) would result in fewer residents and therefore less demand for services and utilities, and a reduction in vehicle trips and associated air emissions. Depending on demand for senior housing in the city, a reduction in units available at this site could necessitate construction of senior housing at a different location which would
result in physical effects at that location. While a reduced intensity project would reduce impacts compared to those of the proposed project, because the project would not result in any significant and unavoidable impacts, it would not avoid any project impacts that would have otherwise been significant for the project.

Reducing the footprint of the project would reduce the ground disturbance effects of the project. Given the size of the project site, constructing all the units on a smaller footprint would result in a density that exceeds City standards. In addition, because the project site is an infill site that has been previously disturbed, and the project avoids significant impacts to the former Contra Costa Florist/Mabuchi House complex on the site, a reduction in footprint would not avoid impacts on resources that have not already been avoided under the proposed project. Therefore, a reduced footprint alternative would not provide substantial environmental benefits compared to the project.

4.4 Growth-Inducing Impacts

CEQA Guidelines Section 15126.2(d) requires that an environmental impact report (EIR) evaluate the growth-inducing impacts of a proposed action. A growth-inducing impact is defined by the CEQA Guidelines as:

…the ways in which a proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth…It must not be assumed that growth in an area is necessarily beneficial, detrimental, or of little significance to the environment.

A project can have direct and/or indirect growth inducement potential. Direct growth inducement would result if a project, for example, involved construction of new housing. A project would have indirect growth inducement potential if it established substantial new permanent employment opportunities (e.g., commercial, industrial, or governmental enterprises) or if it would involve a construction effort with substantial short-term employment opportunities that would indirectly stimulate the need for additional housing and services to support the new employment demand. Similarly, a project would indirectly induce growth if it would remove an obstacle to additional growth and development, such as removing a constraint on a required public service. A project providing an increased water supply in an area where water service historically limited growth could be considered growth inducing.

The CEQA Guidelines further explain that the environmental effects of induced growth are considered indirect impacts of the proposed action. These indirect impacts or secondary effects of growth may result in significant, adverse environmental impacts. Potential secondary effects of growth include increased demand on other community and public services and infrastructure, increased traffic and noise, and adverse environmental impacts such as degradation of air and water quality, degradation or loss of plant and animal habitat, and conversion of agricultural and open space land to developed uses.

Growth inducement may constitute an adverse impact if the growth is not consistent with or accommodated by the land use plans and growth management plans and policies for the area affected. Local land use plans provide for land use development patterns and growth policies that allow for the orderly expansion of urban development supported by adequate urban public services, such as water supply, roadway infrastructure, sewer service, and solid waste service.
COMPONENTS OF GROWTH

The timing, magnitude, and location of land development and population growth in a community or region are based on various interrelated land use and economic variables. Key variables include regional economic trends, market demand for residential and nonresidential uses, land availability and cost, the availability and quality of transportation facilities and public services, proximity to employment centers, the supply and cost of housing, and regulatory policies or conditions. Since the general plan of a community defines the location, type, and intensity of growth, it is the primary means of regulating development and growth in California.

GROWTH EFFECTS OF THE PROJECT

As required by Government Code Section 65300, the City’s General Plan is intended to serve as the overall plan for the physical development of El Cerrito. While the General Plan does not specifically propose any development projects, it does regulate the location and type of future development and thus controls future population and economic growth of the city that would result in indirect growth-inducing effects.

The General Plan identifies the midtown area, extending from south of Moeser Lane to north of Manila Avenue, as an area of significant reuse opportunity to rehabilitate or replace obsolete buildings as they are vacated. The project site is in the midtown area. The General Plan designates the project site Mixed Use Commercial, which is intended primarily for all types of commercial uses and secondarily for residential uses or a combination of the two. The designation is intended to encourage ground-floor, pedestrian-friendly retail sales and service uses with upper floors of office and residential uses. The Mixed Use Commercial designation allows for a floor area ratio of 3.0 with City incentives and up to 70 dwelling units per acre through a City density bonus incentive program for housing for elderly and handicapped persons. The project is located in an area identified in the General Plan for redevelopment and is within the development intensities identified in the General Plan. Because the site was assumed for development in the General Plan with uses and intensities currently proposed, the project would not induce growth in the area that was not previously considered or desired.

ELIMINATION OF OBSTACLES TO GROWTH

Growth in an area may result from the removal of physical impediments or restrictions to growth, as well as the removal of planning impediments resulting from land use plans and policies. In this context, physical growth impediments may include nonexistent or inadequate access to an area or the lack of essential public services (e.g., water service), while planning impediments may include restrictive zoning and/or general plan designations.

The City’s General Plan assumes redevelopment of this area of El Cerrito, which could intensify the uses relative to those now existing on the site. The project would be developed in an area that contains established land uses and supporting infrastructure (roads, water distribution, wastewater and drainage collection, and energy distribution). Construction of the proposed project would tie into existing infrastructure and would not require substantial modification and/or replacement of existing infrastructure in the project vicinity that would provide additional capacity to increase growth beyond that anticipated in the General Plan.

An established transportation network exists in the project area that offers local and regional access to the project site. The existing roadways adjoining the site—San Pablo Avenue, Schmidt Lane, Kearney Street—all provide access to the project site. On-site circulation would be minimal and would not require construction of internal streets. No improvements to streets adjacent to
the project site would be required in order to serve the population generated by the proposed project.

Water service, sanitary sewer, electricity, and natural gas transmission infrastructure presently exists on and in the vicinity of the project site. Development of the project would necessitate the connection to existing infrastructure.

ENVIRONMENTAL EFFECTS OF GROWTH

The proposed project would result in increased population in El Cerrito. This would in turn result in increased traffic, air pollutant emissions, operational and traffic noise, and increased demand for services. While growth in the midtown area of the city is an intended consequence of the proposed project, growth induced directly and indirectly by the proposed project could affect the greater Bay Area. Potential impacts associated with induced growth in the area could include traffic congestion; air quality deterioration; loss of habitat and wildlife; impacts on utilities and services, such as fire and police protection, water, recycled water, wastewater, solid waste, energy, and natural gas; and increased demand for housing. Specifically, an increase in population-growth-induced housing demand in the Bay Area could cause significant environmental effects, as new residential development would require governmental services, such as schools, libraries, and parks. Indirect and induced employment and population growth would further contribute to the loss of open space because it would encourage conversion to urban uses for housing and infrastructure.

While the proposed project would contribute to direct, indirect, and induced growth in the area, the physical effects of that growth would likely be negligible.
REFERENCES


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