

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

The project site is currently used for commercial purposes and contains a parking lot, a building and accessory sheds, and a small area with gravel, dirt, and grass. The site is not used for agricultural uses and is classified as “Urban and Built-Up Land” by the State Department of Conservation. Therefore, the implementation of the proposed project would not convert agricultural land to non-agricultural uses.

b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract? (No Impact)*

The project site is not zoned for agricultural uses and is not operated under a Williamson Act contract.

c) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use? (No Impact)*

Implementation of the proposed project would not result in the extension of infrastructure into an undeveloped area, the development of urban uses on a greenfield site, or other physical changes that would result in the conversion of farmland to non-agricultural uses. The project, which would increase housing in an already-urbanized area, could reduce development pressures in regional agricultural areas.

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

The main purpose of an air quality plan is to bring an area into compliance with the requirements of federal and State air quality standards. Such plans describe air pollution control strategies to be implemented by a city, county, or region. The project site and the City of El Cerrito are located in the San Francisco Bay air basin and are within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). The district has developed the Bay Area 2005 Ozone Strategy in order to bring the region into compliance with State and federal air quality standards.

BAAQMD has developed *CEQA Guidelines* that specify the degree of analysis necessary for the CEQA process. While vehicle trips associated with the development projects would result in the emission of ozone precursors and carbon monoxide, the BAAQMD generally does not recommend detailed analysis for projects generating less than 2,000 vehicle trips. The proposed project, which consists of 58 residential units and approximately 11,000 square feet of retail space would generate approximately 46 vehicle trips during the PM peak hour. The number of trips generated by the project would be well below the BAAQMD established threshold of 2,000 vehicle trips. Therefore, trips generated by the proposed project are not expected to result in a significant increase in ozone, carbon monoxide, or other pollutants associated with fuel combustion, or obstruct implementation of the Bay Area 2005 Ozone Strategy.

- b) *Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Potentially Significant Unless Mitigation Incorporated)*

The San Francisco Bay air basin is under nonattainment status for ozone (O₃), particulate matter, (PM₁₀), and fine particulate matter (PM_{2.5}), based on State standards. The air basin is also under non-attainment status for the federal 8-hour ozone standard.³ Air pollutant emissions associated with the proposed project would occur over the short term as a result of construction activities and over the long term due to vehicle trips associated with use of the project site. These activities could result in air quality violations generated by: construction equipment exhaust emissions; construction dust; long-term vehicular emissions; and local carbon monoxide hot spots. Expected sources of air pollution resulting from the proposed project are discussed below.

1. Construction Equipment Exhaust Emissions

Construction equipment emits carbon monoxide, ozone precursors, and particulate matter from diesel-fueled engines. Diesel exhaust is considered a toxic air contaminant (TAC). Both carbon monoxide and ozone precursors have been included in an emissions inventory, which serves as the basis for regional air quality plans. Therefore, the *CEQA Guidelines* advise that these short-term emissions are not expected to impede attainment of national or State standards for carbon monoxide and ozone.

In 1998, the California Air Resources Board (ARB) identified particulate matter from diesel-fueled engines as a toxic air contaminant (TAC). Since then, ARB completed a risk management process that identified potential cancer risks for a range of activities using diesel-fueled engines.⁴ High volume freeways, stationary diesel engines and facilities attracting heavy and constant diesel vehicle traffic (e.g., distribution centers and truck stops) were identified as having the highest associated risk.

Health risks from toxic air contaminants are a function of both concentration and duration of exposure. Unlike the above types of sources, construction diesel emissions are temporary, affecting an area for a period of days or weeks. Additionally, construction-related sources are mobile and transient in nature, and the bulk of the emission occurs within the project site at a substantial distance from nearby receptors. Because of the short duration of the construction period, associated health risks from emissions of diesel particulate would be considered a less-than-significant impact.

2. Construction Dust

Construction activities associated with the proposed project could result in the generation of emissions and dust that could contribute to the air basin's nonattainment status for PM₁₀ and PM_{2.5}. The dry, windy climate of the area during the summer months creates a high potential for dust generation when underlying soils are exposed. Sources of emissions and dust include construction period activities such as excavation, grading, vehicle travel on paved and unpaved surfaces, and vehicle and equipment exhaust.

³ San Francisco Air Quality Management District, 2006. Ambient Air Quality Standards and Bay Area Attainment Status. http://www.baaqmd.gov/pln/air_quality/ambient_air_quality.htm. February 24.

⁴ California Air Resources Board, 2000. *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*. October.

Construction activities associated with the proposed project would result in increased dustfall and locally elevated levels of particulates downwind of the project site. Construction dust has the potential to create a nuisance at nearby properties. In addition to nuisance effects, excess dustfall can increase maintenance and cleaning requirements and could adversely affect sensitive electronic devices.

Emissions of particulate matter or visible emissions are regulated by the BAAQMD under Regulation 6 "Particulate Matter and Visible Emissions." Specifically, visible particulate emissions are prohibited where the particulates are deposited on real property other than that of the person responsible for the emissions, and when these emissions cause annoyance.

The proposed project would also be subject to the above regulations as a result of the dust produced by the demolition of the existing building on the site. Additionally, dust particles from demolition may contain lead from lead-based paint (LBP) and asbestos, which was used in a wide variety of building products. Both materials were routinely used in construction prior to 1978, the year the Environmental Protection Agency (EPA) banned LBP and asbestos-containing materials from use in residential construction. Since the commercial structure formerly occupied by Apex Heating and Air Conditioning was built in the 1940s, it may contain both LBP and asbestos-containing materials.

If the building contains asbestos, it will be subject to District Regulation 11, Rule 2: Hazardous Materials; Asbestos Demolition, Renovation and Manufacturing. Airborne asbestos fibers pose a serious health threat and demolition which does not comply with the requirements would be considered to have a significant impact.

Implementation of the following mitigation measure would reduce the impacts of exposure to LBP and asbestos-containing materials to a less-than-significant level:

Mitigation Measure AIR-1: Implement Mitigation Measures HAZ-1 and HAZ-2.

Implementation of the following mitigation measure would reduce fugitive dust-related air quality impacts to a less-than-significant level:

Mitigation Measure AIR-2: Consistent with guidance from the BAAQMD, the following measures will be implemented on the project site during the construction period:

- Water all active construction areas at least twice daily.
- Cover all trucks hauling soil, sand, and other loose materials *or* require all trucks to maintain at least two feet of freeboard.
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- Sweep daily (preferably with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
- Sweep streets daily (preferably with water sweepers) if visible soil material is carried onto adjacent public streets.
- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas.

- Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles dirt, sand, etc.
- Limit traffic speeds on unpaved roads to 15 mph.
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Replant vegetation in disturbed areas as quickly as possible.

3. Long-Term Emissions

The BAAQMD has set thresholds of significance for operational period emissions. Below these thresholds, project operation emissions from mobile sources are anticipated to have a less-than-significant impact; however, projects within 20 percent of the threshold are required to undergo a more detailed analysis. The BAAQMD threshold of significance for the ozone precursor nitrogen oxide (NOx) is 80 pounds per day. Projects generating fewer than 2,000 vehicle trips per day are assumed to contribute NOx emissions below this threshold.

Implementation of the proposed project would result in the construction of 58 residential units and approximately 11,000 square feet of retail space. Based on ITE Trip Generation average rates, the project would generate a total of 46 PM peak hour trips to local roadways. The increase in long-term vehicular emissions generated by the proposed project is not anticipated to exceed the BAAQMD's operations threshold and would have a less-than-significant impact on local and regional air quality.

4. Local CO Hot Spots

The primary mobile source pollutant of local concern is carbon monoxide (CO). CO concentrations are a direct function of vehicle idling time caused by traffic flow conditions. While CO transport is limited, the pollutant disperses over time with distance from the source under normal meteorological conditions. Under certain extreme meteorological conditions, CO concentrations close to a congested roadway or intersection may reach unhealthy levels affecting local sensitive receptors (e.g., residents, school children, the elderly, and hospital patients).

Typically, high CO concentrations are associated with roadways or intersections operating at unacceptable levels of service or with extremely high traffic volumes. The State of California has set a 1-hour standard of 20 parts per million (ppm) for CO emissions, which is below the national 1-hour standard of 35 ppm. The BAAQMD CEQA Guidelines suggest carbon monoxide modeling for projects generating 10,000 or more vehicle trips per day. For projects generating fewer trips, manual calculations based on a simplified formula are recommended. The formula assumes worst case climatic conditions, resulting in the highest CO concentrations.

Based on the traffic study prepared for the project, all but five intersections in the study area will operate at LOS D or better under Cumulative plus Project Conditions. The Cumulative plus Project Conditions represent traffic conditions projected to occur in the year 2025 with the addition of the proposed project. Cumulative traffic volumes have been developed based on the most recent Contra Costa Transportation Authority (CCTA) travel demand model forecasts. The year 2025 volumes represent the expected traffic due to growth based on the City of El Cerrito General Plan land uses at build-out, or fully developed, conditions. Following guidance from BAAQMD, calculations for carbon monoxide concentrations at study intersections were performed. Baseline CO measurements at the San Pablo Air Monitoring Station indicate existing CO concentrations are 2.8 ppm and 1.3 ppm

for 1-hour and 8-hour averages respectively. These values are well below State standards of 9.0 ppm and 20 ppm, respectively. Based on the calculations, the potential increase in carbon monoxide would be minimal. Therefore, CO concentrations would remain well below established CO standards and therefore would not be significant.

- c) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Less-than-Significant Impact)*

See III b above. Based on long-term emission estimates, the proposed project would not result in substantial net increases of any criteria pollutant.

- d) *Expose sensitive receptors to substantial pollutant concentrations? (Potentially Significant Unless Mitigation Incorporated)*

Sensitive receptors are facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and persons with illnesses. The closest site with sensitive receptors is the senior apartment complex located directly across Knott Avenue from the project site. In addition, residential neighborhoods are located to the east of the project site.

Implementation of the proposed project would result in the construction of one mixed-use building and three residential buildings and would not generate substantial pollutant concentrations during the operational period. Air pollution associated with the proposed project would be primarily vehicle-related and would not necessarily be concentrated in the vicinity of the project site. Anticipated vehicle emissions would be below the significance thresholds established by the BAAQMD. Implementation of the following mitigation measure would reduce construction period emissions to a less-than-significant level:

Mitigation Measure AIR-3: Implement Mitigation Measure AIR-2.

- e) *Create objectionable odors affecting a substantial number of people? (Less-than-Significant Impact)*

The BAAQMD CEQA Guidelines list potential odor sources that could cause significant environmental impacts. The types of operations that would occur on the proposed project site are not included in this list and would not generate 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 within the project site.

Some objectionable odors could be generated from the operation of diesel-powered construction equipment and/or asphalt paving during the project construction period. However, these odors would be short-term in nature and would not result in permanent impacts to surrounding land uses, including sensitive receptors in the vicinity of the project site. Implementation of the proposed project would not create objectionable odors affecting a substantial number of people or subject persons to objectionable odors.

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

The project site, which is an underutilized infill site with a history of disturbance, has low habitat value for wildlife. Approximately 90 percent of the site is currently covered in either asphalt, gravel, or building structures. Wildlife species that do occupy the site are common species that easily adapt to disturbed, urban conditions. No protected species are known to occur within the project site. Imple-

mentation of the proposed project would not have a substantial direct or indirect effect on protected species.

- b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Potentially Significant Unless Mitigation Incorporated)*

No riparian habitat or wetlands are located within or in the immediate vicinity of the project site. However, the project site drains to San Francisco Bay, which hosts a variety of sensitive natural communities. Runoff from the project site could adversely impact water quality in the Bay and associated natural communities. Implementation of the following mitigation measure would reduce this impact to a less-than-significant level:

Mitigation Measure BIO-1: Implement Mitigation Measures HYD-1a and HYD-1b (see page 45).

- 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? (No Impact)*

Federally-protected wetlands, as defined by Section 404 of the Clean Water Act, are not located on the project site.

- 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? (Less-than-Significant Impact)*

The project site has been subject to human disturbance for over 100 years. Wildlife associated with the project site is generally adapted to disturbed urban sites and would not be substantially affected by the proposed project. The project site is not used by native resident or migratory fish or wildlife species. In addition, implementation of the proposed project would not destroy, impede the use of, or otherwise modify native wildlife nursery sites. Therefore, implementation of the proposed project would not substantially interfere with the movement of native or migratory wildlife species, or adversely affect native resident or migratory wildlife corridors or native wildlife nursery sites.

- e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (No Impact)*

The proposed project would not conflict with any local policies or ordinances protecting biological resources. The City does not have a tree protection 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? (No Impact)*

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

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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V. **CULTURAL RESOURCES.** Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

The following section is based on a cultural and paleontological resources study for the project site conducted by LSA Associates, Inc.⁵ This study was prepared based on a records search, archival research, communication with historic resources agencies and stakeholders, a site reconnaissance, and building evaluations.

- a) *Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5? (Potentially Significant Unless Mitigation Incorporated)*

Two potential historical cultural resources were identified within the project site: 1) the building located at 1925 Kearney Street (Apex Heating and Air Conditioning) and 2) historical archaeological deposits associated with the former Mayfair Market at 11600 San Pablo Avenue. Based on an evaluation of these buildings conducted by LSA Associates, Inc., *these resources are not considered historical resources* as defined by CEQA Guidelines Section 15064.5. However, it is possible that historic archaeological resources, as defined by Section 15064.5, could be encountered during construction activities. The following section includes a discussion of: CEQA's historic resource criteria; the historical significance of the two identified resources; and the potential for archaeological resources to be encountered during the construction period.

⁵ LSA Associates, Inc., 2006. A Cultural and Paleontological Resources Study for the El Cerrito del Norte Mixed Use Project, El Cerrito, Contra Costa County, California. March.

Historic Resources Under CEQA

CEQA defines a “historical resource” as a resource which meets one or more of the following criteria:

- Listed in, or eligible for listing in, the California Register;
- Listed in a local register of historical resources (as defined at Public Resources Code Section 5020.1(k));
- Identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code; or
- Determined to be a historical resource by a project's lead agency (CCR Title 14(3) § 15064.5(a)).

A historical resource consists of “Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California . . . Generally, a resource shall be considered by the lead agency to be ‘historically significant’ if the resource meets the criteria for listing on the California Register of Historical Resources” (CCR Title 14(3) § 15064.5(a)(3)). Archaeological resources may also be considered historic resources.

A cultural resource is evaluated under four California Register criteria to determine its historical significance. A resource must be significant at the local, State, or national level in accordance with one or more of the following criteria:

- Criterion 1: Is associated with events that have made a significant contribution to the broad pattern of California’s history and cultural heritage;
- Criterion 2: Is associated with the lives of persons important in our past;
- Criterion 3: Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Criterion 4: Has yielded, or may be likely to yield, information important in prehistory or history.

In addition to meeting one or more of the above criteria, the California Register requires that sufficient time must have passed to allow a “scholarly perspective on the events or individuals associated with the resource.” Fifty years is used as a general estimate of the time needed to understand the historical importance of a resource. The State of California Office of Historic Preservation recommends documenting, and taking into consideration in the planning process, any cultural resource that is 45 years or older.

The California Register also requires a resource to possess integrity, which is defined as “the authenticity of a historical resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association.”

Resources that are significant, meet the age guidelines, and possess integrity will generally be considered eligible for listing in the California Register.

1925 Kearney Street

The concrete block building in the northeast portion of the project site, Apex Heating and Air Conditioning, was constructed in 1946. Letters on file at the City of El Cerrito Building Division indicate that a sheet metal storage shed was added to the building by 1957. Various signs have been added and removed from the building over the years. In 1982, the building's interior was renovated, and the windows and roof were replaced.

This building, which is not listed on the California Historical Resources Information Center – Historical Properties Data File for Contra Costa County, does not appear to be eligible for listing on the California Register. Under Criterion 1, although the building was constructed during the post World War boom, the building did not make a significant contribution to the broad patterns of California's history and cultural heritage. Under Criterion 2, the building is not associated with any persons important in history. The original owners of the building were Pete R. Lopez and J.C. Datzman, both of whom were from Richmond. Under Criterion 3, the building is a typical example of a common resource type and does not represent the work of a master. Although the marquee is an interesting Art Deco architectural detail, it does not date to the Art Deco period (generally considered to be from 1920 to 1939). The building itself does not possess high artistic value. Under criterion 4, the building does not appear able to answer questions important in history. In addition, the building is not listed in a local register of historic resources, is not considered significant in a historical resource survey, and is not considered a historical resource by the City. Therefore, the building located at 1925 Kearney Street is not considered a significant historic resource pursuant to CEQA. The demolition of this building would not result in a significant impact to historic resources.

11600 San Pablo Avenue (Remains of Mayfair Market)

A dwelling and detached garage are the earliest known structures on the southeast portion of the proposed project site, as depicted on the 1926 Sanborn Company Map. Two stores were later built in the southwest corner of the project site, as depicted on the 1930 Sanborn Company Map. By 1949, the dwelling was removed and the two stores appear to have consolidated into a single store, the Mayfair Market. The market was a unique store for its time because it contained a variety of stores within the general store, as indicated by the permits for signs. For example, a 1954 permit for a neon sign lists the Mayfair Coffee Shop and Andrew William's Market. The market was closed in 1972 and demolished in 1980. Since then, the property has been used as a parking lot, and to display new and used cars for sale and leasing.

Currently, the project site includes areas of painted and stamped concrete structure pads, two tiled sections, and a low foundation wall associated with the Mayfair Market. The historical archaeological deposits of the Mayfair Market do not appear to be eligible for listing on the California Register. Under Criterion 1, although the market was constructed during a period of growth in El Cerrito, the market did not make a significant contribution to the broad patterns of California's history and cultural heritage. Additionally, it was one of many markets in El Cerrito. Under Criterion 2, the market is not associated with any persons important in history. Under Criterion 3, the market buildings were a typical example of a common resource type and did not represent the work of a master. Under criterion 4, the market remains do not appear able to answer questions important in history. In addition, the remains of the Mayfair Market are not listed in a local register of historic resources, are not considered significant in a historical resource survey, and are not considered a historical resource by the City. Therefore, the remains of the Mayfair Market are not considered a

significant historic resource pursuant to CEQA. The removal of these features would not result in a significant impact to historic resources.

Other Archaeological Resources

The remains of the Mayfair Market are considered non-significant archaeological resources, as described above. Three prehistoric archaeological sites have been recorded within ½-mile of the project site (these sites include bedrock mortars in rock outcrops and a shell midden). Because of the proximity of these resources to the project site, and historic uses on the site (dating to before construction of the Mayfair Market), it is possible that the project site could contain unidentified archaeological resources. Contact with these resources during the construction period could result in significant impacts to archaeological resources. Implementation of the following mitigation measure would reduce this impact to a less-than-significant level:

Mitigation Measure CULT-1: If deposits of prehistoric or historical archaeological materials are encountered during project activities, all work within the vicinity shall be redirected and a qualified archaeologist contacted to assess the finds and make recommendations. It is recommended that such deposits be avoided by project activities. If such deposits cannot be avoided, they shall be evaluated for their significance in accordance with the California Register of Historical Resources. If the deposits are not eligible for listing on the California Register, avoidance is not necessary. If the deposits are eligible, they shall be avoided by project activities or adverse effects shall be mitigated. Upon completion of the archaeological assessment, the archaeologist should prepare a report documenting methods and results, and provide recommendations for the treatment of archaeological materials discovered. The report shall be submitted to the project proponent, the appropriate City of El Cerrito agencies, and the Northwest Information Center.

- b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? (Potentially Significant Unless Mitigation Incorporated)*

The historical remains of the Mayfair Market are considered an archaeological resource. However, pursuant to CEQA Guidelines section 15064.5 and as defined by CEQA section 21083.2(g), they are not considered unique archaeological resources. It is possible that unique archaeological resources, as defined by CEQA section 21083.2(g), could be encountered during construction of the project. Implementation of the following mitigation measure would reduce impacts to potential archaeological resources to a less-than-significant level:

Mitigation Measure CULT-2: Implement Mitigation Measure CULT-1.

- c) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Potentially Significant Unless Mitigation Incorporated)*

The Late Pleistocene alluvium that underlies the project area has a high potential for containing fossil resources, and there is the possibility that significant paleontological resources will be discovered during project ground-disturbing activities below the approximately five-foot deep soil layer. Contact with these fossil resources during the construction period could result in significant impacts to paleontological resources. Implementation of the following mitigation measures would reduce this impact to a less-than-significant level:

Mitigation Measure CULT-3: To avoid adverse effects to paleontological resources, a qualified paleontologist shall monitor initial project ground-disturbing activities. Prior to ground disturbance, pre-field preparation by the paleontologist shall take into account specific details of project construction plans, and information from available paleontological, geological, and geotechnical studies. Limited subsurface investigations may be appropriate for defining areas of paleontological sensitivity prior to ground disturbance. The paleontologist shall monitor initial project ground disturbing activities at or below 5 feet from the original ground surface. The paleontologist can then determine if further monitoring, periodic site reviews, or no further monitoring is appropriate.

Paleontological monitors shall be empowered to halt construction activities at the location of a discovery to review the possible paleontological material and to protect the resource while it is being evaluated. Monitoring shall continue until, in the paleontologist's judgment, paleontological resources are not likely to be discovered.

Upon project completion, the paleontologist shall prepare a report documenting the methods and results of the monitoring. The report shall be submitted to the project applicant and the City of El Cerrito.

Mitigation Measure CULT-4: If paleontological resources are discovered during project activities, all work within the vicinity of the discovery shall be redirected until the paleontological monitor has assessed the situation and made recommendations regarding their treatment. If paleontological resources are discovered during project activities and a paleontological monitor is not present, all work within the vicinity of the discovery shall be redirected until a qualified paleontologist has assessed the situation and made recommendations regarding their treatment. Project personnel shall not move or collect any paleontological resource.

It is recommended that adverse effects to paleontological resources be avoided by project activities. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, project activities shall avoid disturbing the deposits, or the adverse effects of disturbance shall be mitigated.

Upon completion of the paleontological assessment, a report shall be prepared documenting the methods, results, and recommendations of the assessment. The report shall be submitted to the project applicant and the City of El Cerrito.

- d) *Disturb any human remains, including those interred outside of formal cemeteries? (Potentially Significant Unless Mitigation Incorporated)*

Because American Indian prehistoric remains have been identified within a ½ mile of the project site, there is the possibility that prehistoric human remains could be uncovered during the project construction period. Implementation of the following mitigation measure would reduce this impact to a less-than-significant level:

Mitigation Measure CULT-5: If human remains are encountered during construction of the proposed project, work within the vicinity of the discovery shall be redirected and the County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation. Project personnel shall not collect or move any human remains or associated materials. If the human remains are of Native American origin, the Coroner shall notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission shall identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report shall be submitted to the project applicant, the appropriate City of El Cerrito agencies, and the Northwest Information Center.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The following section is based on a geotechnical investigation for the project site conducted by Terrasearch, Inc.⁶ This study was prepared based on a field reconnaissance, evaluation of the general geology and seismicity of the site, drilling and sampling of the subsurface soils, and laboratory testing of the samples obtained.

- 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? (Potentially Significant Unless Mitigation Incorporated)*

i) Fault Rupture. The San Francisco Bay region is a seismically active region that is subject to large earthquakes; there are 30 known faults in the Bay Area that are considered capable of generating earthquakes. The Hayward Fault is the nearest active fault to the project site and is located approximately 1 mile east of the site. The project site is not located within an Alquist-Priolo zone, but is within a Seismic Hazard Zone.

The project site is not located in close proximity to other faults. Other faults around the project site include: the Rogers Creek fault, approximately 11 miles from the site; and the Concord-Green Valley and Calaveras faults, approximately 16 miles from the site. Since surface faulting or ground rupture tends to occur along previous fault lines and identified fault lines are not located within the site, implementation of the proposed project would not adversely affect persons or structures due to the rupture of a known earthquake fault.

ii) Ground-shaking. Earthquakes on any of the faults within the Bay Area could cause strong ground shaking at the project site depending upon the magnitude of the earthquake, the distance of the project site from the earthquake epicenter, the type of geologic materials that underlie the site, as well as other factors. Because it affects a much broader area, ground shaking, rather than surface fault rupture, is the cause of most damage during earthquakes.

Structural damage to buildings results from the transmission of these vibrations through the ground. A large earthquake on either the Hayward Fault or the San Andreas Fault would result in strong

⁶ Terrasearch, Inc., 2005. Geotechnical Investigation on Proposed Residential Development, Corner of Knott Avenue and San Pablo, El Cerrito, California for the Olson Company. August.

ground shaking at the project site. The Uniform Building Code (UBC) Chapter 16, Division IV Earthquake Design requires that structures be designed using certain earthquake design criteria.

The proposed project would be designed in accordance with the geotechnical report and applicable building codes. Implementation of the following mitigation measure would reduce the impact of ground-shaking to a less-than-significant level:

Mitigation Measure GEO-1: Implement the earthquake design criteria discussed in the geotechnical report for the project site.

iii) Ground Failure and Liquefaction. Soil liquefaction is a phenomenon primarily associated with saturated soil layers located close to the ground surface. Soils that are most susceptible to liquefaction are relatively loose, uniformly graded, cohesionless soils. These soils lose strength during ground shaking and become incapable of supporting overlying soils or structures. Due to the loss of strength, the soil acquires “mobility” sufficient to permit both horizontal and vertical movements. The underlying soils on the site include Late Pleistocene alluvium (Qpa) consisting of weakly consolidated, slightly weathered, poorly sorted, irregular interbedded clay, silt, sand, and gravel. Based on evaluation of the penetration resistance, the soil gradation, the relative density of the materials, and the groundwater level, the liquefaction potential of the site is negligible. Implementation of the proposed project would not adversely impact persons or structures due to ground failure or liquefaction.

iv) Landslides. The project site is relatively flat and is not located in a hillside area. Therefore, the site is not susceptible to landslides.

b) Result in substantial soil erosion or the loss of topsoil? (Potentially Significant Unless Mitigation Incorporated)

The potential for soil erosion exists during the period of earthwork activities and between the time when earthwork is completed and new vegetation is established or hardscape is installed. Previous uses on the site have disrupted the topsoil through building construction, laying of asphalt, and remediation of the underground storage tanks through soil excavation.

A Storm Water Pollution Prevention Plan (SWPPP) and Erosion Control Plan are a routine requirement of projects requiring grading permits. The SWPPP identifies best management practices to protect the quality of stormwater runoff, and the Erosion Control Plan, which is required for the grading permit, provides the details of the erosion control measures to be applied on the site. Implementation of the following mitigation measure would reduce impacts on soil erosion or loss of topsoil to a less-than-significant level:

Mitigation Measure GEO-2: Implement Mitigation Measure HYD-1.

- 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? (Potentially Significant Unless Mitigation Incorporated)*

The site is subject to expansion and shrinkage but is not prone to landslides or liquefaction. Implementation of the following mitigation measure would reduce ground instability impacts to a less-than-significant level:

Mitigation Measure GEO-3: Implement the recommendations in the geotechnical report related to demolition/clearing, grading, drainage, foundations, post-tensioned slab foundation, concrete flatwork, and retaining walls.

- 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? (Potentially Significant Unless Mitigation Incorporated)*

The project site has moderately to highly expansive soils near the surface. The heaving and shrinking of the soil in response to moisture changes must be carefully considered in the design of flatwork areas on the site. Implementation of the following mitigation measure would reduce expansive soils impacts to a less-than-significant level:

Mitigation Measure GEO-4: Implement the recommendations in the geotechnical report related to demolition/clearing, grading, drainage, foundations, post-tensioned slab foundation, concrete flatwork, and retaining walls.

- e) *Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? (Less-than-Significant Impact)*

Sewer infrastructure is available on the site and septic tanks or alternative waste water disposal systems would not be used.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The following section is based on a Phase I Environmental Site Assessment Report for the project site conducted by SECOR.⁷ This study was prepared based on a field reconnaissance, evaluation of the general geology and seismicity of the site, drilling and sampling of the subsurface soils, and laboratory testing of the samples obtained.

- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Less-than-Significant Impact)*

Implementation of the proposed project would result in the development of new residential units and retail space. Although small quantities of commercially-available hazardous materials could be used within the proposed buildings and in landscaped areas in the project site, these materials would not be used in sufficient quantities to pose a threat to human or environmental health. All toxic materials used during the construction period would be handled in compliance with hazardous materials

⁷ SECOR International, Inc., 2006. Phase I Environmental Site Assessment Report: San Pablo Avenue and Cutting Avenue, El Cerrito, CA. March.

regulations. Therefore, implementation of the proposed project would not 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? (Potentially Significant Unless Mitigation Incorporated)*

A gas station historically operated in the northwest corner of the project site. Four underground storage tanks (USTs) were installed in 1967 (three for gasoline and one for waste oil). The tanks were removed in 1986 and quarterly and bi-annual groundwater monitoring reports were completed until 1997, when case closure was granted by the California Regional Water Quality Control Board, San Francisco Region. Soil was excavated from the site at the time the tanks were removed and in 1989 seven monitoring wells were installed to measure the extent of hydrocarbons in the soil and groundwater beneath the site. At the time of the final monitoring report in 1997, 10 of the 11 monitoring wells had non-detectable levels of petroleum hydrocarbons. The remaining well exhibited detectable hydrocarbon and benzene levels. According to the toxicologist's report, the detectable levels of hydrocarbons and benzene did not pose a human health risk for residential development because the contaminants were present at concentrations below Tier 1 Risk-Based Corrective Action screening levels. The proposed project would not create a significant hazard to the public through reasonably foreseeable upset involving the release of hazardous materials, given that the contaminated soils had been previously excavated, the detectable levels of contaminants are below threshold levels of risk, and groundwater underlying the project site would not be extracted and used.

All of the permanent structures at the project site were constructed prior to the 1980s, and therefore may contain lead-based paint (LBP) and/or asbestos-containing materials. Demolition of these structures may have the potential to release lead particles and asbestos fibers into the air, where they could potentially pose a health risk to construction workers and the general public.

Implementation of the following mitigation measure would reduce the impacts of exposure to LBP to a less-than-significant level:

Mitigation Measure HAZ-1: Prior to demolition of structures that may contain LBP, a comprehensive EPA/HUD-level Lead Based Paint survey shall be conducted. If any LBP is identified, it shall be removed from the site in accordance with all applicable regulations, including OSHA guidelines.

Implementation of the following mitigation measure would reduce the impacts of exposure asbestos-containing materials to a less-than-significant level:

Mitigation Measure HAZ-2: Prior to demolition, a complete Asbestos Hazard Emergency Response Act-level pre-demolition Asbestos Survey shall be conducted. A licensed asbestos abatement contractor shall be retained to abate identified asbestos-containing material in accordance with all applicable regulations.

- c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (**Potentially Significant Unless Mitigation Incorporated**)*

Windrush Elementary School, the closest school to the project site, is located approximately ¼ mile from the site. No new schools are proposed within ¼ mile of the project site. As described in Section VII.a, the proposed project includes the construction of residential units and retail space, and would not result in the routine use, transport, or disposal of substantial quantities of hazardous materials. As described in Section VII.b, the proposed project has the potential to expose sensitive receptors to lead-based paint and asbestos-containing materials. Implementation of the following mitigation measure would reduce this impact to a less-than-significant level:

Mitigation Measure HAZ-3: Implement Mitigation Measures HAZ-1 and HAZ-2.

- 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, would it create a significant hazard to the public or the environment? (**Less-than-Significant Impact**)*

A portion of the project site had been listed under the LUST, HIST UST, Cortese, and Contra Costa County List databases. However, the site has been remediated and granted closure by the California Regional Water Quality Control Board, San Francisco Region. Therefore, the project site would not create a significant hazard to the public or environment.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (**No Impact**)*

The site is not located within an airport land use plan and is not within 2 miles of a public airport.

- f) *For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (**No Impact**)*

The project is not located within the vicinity of a private airstrip.

- g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (**Less-than-Significant Impact**)*

The proposed project is the redevelopment of a commercial site with residential and retail uses within an existing City block. It would not impair implementation or physically interfere with an adopted emergency plan or emergency evacuation plan.⁸

⁸ Capps, Bill, 2006. Fire Marshall, City of El Cerrito Fire Department. Personal communication with LSA Associates, Inc. March 17.

- 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? (Less-than-Significant Impact)*

Areas of “Very High Fire Hazard Severity” are designated in the General Plan. These areas are located near East Bay Regional Park District open space and certain City parks. The proposed project site is located in a developed urban area that is not within the vicinity of a wildfire hazard area. Therefore, the project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding of as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) <i>Violate any water quality standards or waste discharge requirements? (Potentially Significant Unless Mitigation Incorporated)</i>				

Water quality in surface and groundwater bodies is regulated by the State and Regional Water Quality Control Boards. The project site is under the jurisdiction of the San Francisco Bay Regional Water Quality Control Board (RWQCB), which is responsible for implementation of State and federal water quality protection guidelines in the Bay Area (including the project site). The RWQCB is responsible for implementing the Water Quality Control Plan (Basin Plan),⁹ a master policy document for managing water quality issues in the region. The Basin Plan establishes beneficial water uses for waterways and water bodies within the region.

Runoff water quality is regulated by the federal National Pollutant Discharge Elimination System (NPDES) Nonpoint Source Program (established through the Clean Water Act); the NPDES program objective is to control and reduce pollutants to water bodies from nonpoint discharges, such as polluted runoff from parking lots.

The City of El Cerrito is a participant in the Contra Costa Clean Water Program (CCCWP), which administers the County's NPDES permit. The CCCWP, which includes representatives of Contra Costa County, 19 incorporated cities in the County, and the Contra Costa County Flood Control and Water Conservation District, maintains compliance with the NPDES Storm Water Discharge Permit and promotes storm water pollution prevention within that context. County compliance with the NPDES permit is mandated by State and federal laws, statutes, and regulations.

Participating agencies (including the City of El Cerrito) must comply with the provisions of the County permit by ensuring that new development and redevelopment mitigate, to the maximum extent practicable, water quality impacts to storm water runoff both during construction and operation periods of projects. In February 2003, the San Francisco Bay RWQCB and the Central Valley Region

⁹ San Francisco Bay Regional Water Quality Control Board, 1995. *Water Quality Control Plan*, June 21.

RWQCB revised Provision C.3 in the NPDES permit governing discharges from the municipal storm drain systems of Contra Costa County and cities and towns within the County. The new permit provision is being phased in from 2004 through 2006.

Revisions that apply to the proposed project include Provision C.3, which specifies that "Permittees shall require Group 1 Projects to implement appropriate source control and site design measures and to design and implement storm water treatment measures, to reduce the discharge of storm water pollutants to the maximum extent practicable. Implementation of this requirement shall begin February 15, 2005." The proposed project would be considered a "Group 1 Project," because it would create or replace more than 1 acre of new impervious surfaces.

In addition, projects disturbing more than 1 acre of land during construction are required to file a Notice of Intent (NOI) with the RWQCB to be covered under the State NPDES General Construction Permit for discharges of storm water associated with construction activity. A developer must propose control measures that are consistent with the State General Permit. A Storm Water Pollution Prevention Plan (SWPPP) must be developed and implemented for each site covered by the general permit. A SWPPP should include Best Management Practices (BMPs) designed to reduce potential impacts to surface water quality through the construction and life of the project.

The proposed project includes several features intended to improve stormwater quality on the site, including pervious paving and infiltration planters. However, construction and operation of the proposed project could cause a deterioration of water quality due to fuel leaks, tire wear, sediment release, and the exposure of polluted soil to rain. Implementation of the following two-part mitigation measure would reduce this impact to a less-than-significant level:

Mitigation Measure HYD-1a: The project applicant shall prepare a Stormwater Pollution Prevention Plan (SWPPP) designed to reduce potential impacts to surface water quality through the construction period of the project. It is not required that the SWPPP be submitted to the RWQCB, but must be maintained on-site and made available to RWQCB staff upon request. The SWPPP shall include specific and detailed Best Management Practices (BMPs) designed to mitigate construction-related pollutants. At minimum, BMPs shall include practices to minimize the contact of construction materials, equipment, and maintenance supplies (e.g., fuels, lubricants, paints, solvents, adhesives) with storm water. The SWPPP shall specify properly designed centralized storage areas that keep these materials out of the rain. The SWPPP shall specify a monitoring program to be implemented by the construction site supervisor, and must include both dry and wet weather inspections.

Mitigation Measure HYD-1b: The project applicant shall design Best Management Practices into the project to reduce potential impacts to surface water quality associated with operation of the project. These features shall be included in the final development drawings. Specifically, the final design shall include measures designed to mitigate potential water quality degradation of runoff from all portions of the completed development, and to detain and treat 75 percent of the runoff from a major storm event. The design team for the development project shall review

and incorporate as many concepts as practicable from *Start at the Source, Design Guidance Manual for Stormwater Quality Protection*.¹⁰

The mitigation measure listed above is consistent with the requirements of the NPDES Storm Water Discharge Permit. Therefore, implementation of the proposed project would not result in a substantial adverse effect to water quality.

- 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)? (Less-Than-Significant Impact)*

Approximately 90 percent of the project site is currently covered with impervious surfaces. The proposed project would include approximately 8,700 square feet of pervious paving and 5,200 square feet of planting areas. Therefore, after project implementation, approximately 83 percent of the project site would be covered with impervious surfaces, which is a decrease in the overall amount of impervious surface in the site. This reduction in impervious surfaces would increase infiltration of surface runoff into the groundwater system, and would incrementally enhance groundwater supplies and groundwater recharge.

- 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? (Less-Than-Significant Impact)*

The project site slopes generally to the west, and surface runoff from the site drains to San Francisco Bay. The project site does not contain a canal, creek, or other open-air waterway. Implementation of the proposed project would slightly increase the coverage of pervious surfaces within the project site, due to the installation of landscape planters, pervious pavement, and infiltration planters. Therefore, the proposed project would reduce the site's contribution to local flooding. In addition, implementation of the project would not involve extensive earth-shaping operations or other activities that would alter the existing drainage or flooding pattern of the 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 which would result in flooding on- or off-site? (Less-Than-Significant Impact)*

Refer to Section VIII.c.

¹⁰ Bay Area Stormwater Management Agencies Association, 1999. *Start at the Source, Design Guidance Manual for Stormwater Quality Protection*.

- 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? (Potentially Significant Unless Mitigation Incorporated)*

The proposed project would increase pervious surfaces within the site from approximately 10 percent to 17 percent of total site area. Therefore, the proposed project would incrementally increase stormwater infiltration on the site and would not require new off-site storm drain infrastructure.¹¹ The closest daylighted creek to the project site runs through Canyon Trail Park and is located approximately 0.25 miles to the northeast of the project site. The creek would not receive runoff from the project site. Refer to Section VIII.a for a description of the project's potential impacts on stormwater quality.

However, construction and operation of the proposed project could provide substantial additional sources of polluted runoff due to fuel leaks, tire wear, sediment release, and the exposure of polluted soil to rain. Implementation of the following mitigation measures would reduce this impact to a less-than-significant level:

Mitigation Measure HYD-2: Implement Mitigation Measure HYD-1a and HYD-1b.

- f) *Otherwise substantially degrade water quality? (Less-Than-Significant Impact)*

Seven groundwater monitoring wells were installed in the site in 1989 to measure the geographic area of historic hydrocarbon contamination. The final groundwater monitoring report in May 1997 indicated that hydrocarbons in groundwater underlying the project site were present at concentrations below risk-based screening levels.¹² No groundwater extraction would occur as part of construction or operation of the proposed project. No other elements of the project would cause substantial degradation of 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? (No Impact)*

Flood Insurance Rate Maps issued by the Federal Emergency Management Agency indicate that the only portion of El Cerrito within the 100-year flood zone is south of Central Avenue and west of San Pablo Avenue. The project site is not located within this area and therefore, the project would not place housing within a 100-year flood hazard area.

- h) *Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (No Impact)*

See VIII. G, above.

¹¹ King, Bruce, 2006. Maintenance and Engineering Manager, City of El Cerrito Public Works Department. Personal Communication with LSA Associates, Inc. March 3.

¹² SECOR International, Inc., 2006. Phase I Environmental Site Assessment Report: San Pablo Avenue and Cutting Avenue, El Cerrito, CA. March.

- i) *Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding of as a result of the failure of a levee or dam? (No Impact)*

The project site is not located in a flood-prone zone, including an area subject to flooding as a result of dam or levee failure.

- j) *Inundation by seiche, tsunami, or mudflow? (No Impact)*

The project site is not located in an area subject to inundation by a seiche, tsunami, or mudflow. Seiches and mudflows are not considered hazards in most areas of El Cerrito, including the project site. Tsunamis are only likely to substantially affect portions of El Cerrito that are within close proximity to San Francisco Bay. However, even in these areas the risk is not considered significant.

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

- a) *Physically divide an established community? (Less-than-Significant Impact)*

The project would redevelop an underutilized infill site and would not divide an established community. The site currently contains a parking lot, one building and several accessory sheds, and a vacant lot containing asphalt, gravel, and grass. The project site is surrounded by senior apartments with ground-floor retail uses on the northwest; BART elevated tracks and parking area to the northeast; and the BART station and parking lots to the southeast. The project would retain existing sidewalks along the perimeter of the site and would not diminish public access in the vicinity of the site or 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? (Less-than-Significant Impact)*

The General Plan assumes future commercial and residential growth along the San Pablo Corridor. The policies and strategies of the plan, in addition to the policies of the 2003 Housing Element, support development of these underutilized parcels.

Land uses proposed as part of the project are consistent with the existing General Plan designation of Commercial/Mixed Use. The City is currently updating the Zoning Ordinance. The proposed project is consistent with the proposed zoning designation of Transit-Oriented Mixed Use (TOM). The project satisfies the TOM goal for ground-floor, pedestrian-friendly retail sales with upper floors used for residential units. Project uses, which include multi-family residential and retail uses, are all permitted in the district. However, the current zoning on the site is Central Commercial District (C-2) and Heavy Commercial and Light Industrial District (C-3). Certain retail uses are permitted outright and multi-family residential uses are permitted by a use permit.

Section 19.32 of the Municipal Code allows the Planning Commission to grant exceptions to some of the required development standards and regulations as a way to provide incentives for more desirable projects via approval of a Commission Use Permit. The exceptions/incentives being requested are briefly discussed below.

The project proposes a density of 37 dwelling units per acre. The General Plan allows for 35 units per acre for Mixed Use development but permits 45 units per acre with city incentives or affordable housing bonuses. The building height would be a maximum of 47 feet, which is greater than the allowable height of 35 feet for the district. The three-story project would also be higher than the two-story minimum height requirement. The project would meet or exceed on-site parking requirements for proposed residential and retail uses. See *Requested Approvals* for further discussion of compliance with zoning requirements.

- c) *Conflict with any applicable habitat conservation plan or natural community conservation plan? (No Impact)*

The site is not subject to a habitat conservation plan or a natural community conservation plan.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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X. MINERAL RESOURCES. Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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