ENVIRONMENTAL COMPLIANCE CHECKLIST

Baxter Creek Apartments Project

Prepared for
City of El Cerrito

Prepared by
Circlepoint

February 2019
## Baxter Creek - 11965 San Pablo Avenue

### CEQA Environmental Checklist

<table>
<thead>
<tr>
<th>Project Title</th>
<th>Baxter Creek Apartments at 11965 San Pablo Avenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lead agency name and address:</td>
<td>City of El Cerrito Planning Division 10890 San Pablo Avenue El Cerrito, CA 94530</td>
</tr>
<tr>
<td>Contact person and phone number</td>
<td>Sean Moss (510) 215-4359</td>
</tr>
<tr>
<td>Project Location:</td>
<td>11965 San Pablo Avenue El Cerrito, CA 94530</td>
</tr>
<tr>
<td>File Number:</td>
<td>PL17-0028</td>
</tr>
<tr>
<td>Project sponsor’s name and address:</td>
<td>Charlie Oewel, 11965 San Pablo, LLC 1606 Juanita Lane, Suite A Tiburon, CA 94920</td>
</tr>
<tr>
<td>Property Owner:</td>
<td>11965 San Pablo, LLC 1606 Juanita Lane, Suite A Tiburon, CA 94920</td>
</tr>
<tr>
<td>General Plan Designation:</td>
<td>Transit-Oriented Higher-Intensity Mixed Use (TOHIMU)</td>
</tr>
<tr>
<td>Zoning:</td>
<td>Transit-Oriented Higher-Intensity Mixed Use (TOHIMU)</td>
</tr>
<tr>
<td>Description of project:</td>
<td>The project would include demolition of the one existing structure and parking lot and construction of a new 107,990 square foot, 8-story, 85-foot tall (^1) multi-family residential building with a total of 144 dwelling units and 77 parking spaces.</td>
</tr>
<tr>
<td>Surrounding land uses and setting briefly describe the project’s surroundings:</td>
<td>The project site is bordered by a trail to the north, which connects with the Ohlone Greenway across San Pablo Avenue. There are several commercial uses including a church and restaurant across the trail. San Pablo Avenue borders the project site to the east, across which there is a grocery store, associated parking lot, and laundromat, as well as the Baxter Creek Gateway Park and Ohlone Greenway. The project site is bordered to the south by the Richmond Greenway Trail and Bay Area Rapid Transit (BART) tracks, beyond which are commercial uses including big-box stores, undeveloped land, and Interstate 80 (I-80).</td>
</tr>
<tr>
<td>Other public agencies whose approval is required (e.g. permits, financial approval, or participation agreements):</td>
<td>None.</td>
</tr>
</tbody>
</table>

\(^1\) Measured from the finished grade to bottom of parapet along San Pablo Avenue.
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1 Introduction

This checklist and attached supporting documentation have been prepared to analyze the potential environmental impacts of the Baxter Creek Apartments (the project) in relationship to the prior environmental review conducted for the project site in the City of El Cerrito’s San Pablo Avenue Specific Plan Environmental Impact Report (Specific Plan EIR). This analysis considers whether the environmental impacts of the project have already been analyzed under the California Environmental Quality Act (CEQA) (Pub. Resources Code (PRC), Section 21000, et seq.).

This document has been prepared in accordance with the relevant provisions of CEQA and the CEQA Guidelines as implemented by the City of El Cerrito (City). According to Section 15168(c)(2) of the 2017 CEQA Guidelines, a program EIR can be used to address the effects of a subsequent activity so long as the activity is within the scope of the project covered by the program EIR, no new effects are found, and no new mitigation measures would be required. As supported by the analysis in this document, the project would not result in new or substantially more severe significant environmental effects than what was analyzed in the Specific Plan EIR.

1.1 Project Background and Prior CEQA Documentation

In 2007, the City began the process to prepare a Specific Plan for San Pablo Avenue. The major goals of the Specific Plan were to articulate a vision for the future of San Pablo Avenue, identify improvements, and adopt context-sensitive regulations that could be applied along its length and to adjacent areas.

In 2014, the City certified the Specific Plan EIR (State Clearinghouse #2014042025) and adopted the San Pablo Avenue Specific Plan. The Specific Plan includes (1) a Form-Based Code (FBC) to provide clear signals to developers as to the type, location, and shape of desired development; (2) multimodal transportation goals and policies including streetscape design improvements, and design standards as part of the Complete Streets Plan; and (3) infrastructure improvements to support new development.

1.2 CEQA Requirements

CEQA Guidelines Section 15168(c)(4) recommends using a written checklist or similar device to confirm whether the environmental effects of a subsequent activity were adequately covered in a program EIR. This checklist confirms the project at 11965 San Pablo Avenue would be within the planning area of the Specific Plan EIR and would have no new significant environmental effects nor substantially increase the severity of previously identified significant effects, and no new mitigation measures are required beyond those identified in the Specific Plan EIR. As such, the City finds that impacts resulting from implementation of the project would be within the scope of the Specific Plan EIR and no supplemental environmental document is required. Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15168, the project does not require any further review under CEQA.
2 Project Description

2.1 Project Location and Setting

The project site is at 11965 San Pablo Avenue (APNs 513-340-059 and 513-340-046) within the cities of El Cerrito and Richmond, respectively, in Contra Costa County, California (Figure 1). The project site consists of two parcels located along the Municipal Boundaries of El Cerrito and Richmond, with a parcel in each city. El Cerrito is the project lead agency per the California Environmental Quality Act (CEQA). The 0.65 acre project site is largely flat. The eastern side of the project site has frontage on San Pablo Avenue, and the south and west sides of the project site abut elevated BART tracks. The El Cerrito parcel contains an existing one-story vacant commercial building built in 1998, an asphalt parking lot, and perimeter landscaping and has historically been part of a nursery operation. The Richmond parcel is developed with driveway access that serves the existing building on the El Cerrito parcel.

Commercial properties, including a take-out restaurant, church, and auto body shop, are located north of the project site. Across San Pablo Avenue, additional commercial properties are located in proximity to the project site including a grocery store to the northeast, a laundromat to the southeast, and a home improvement store to the south across the BART tracks. I-80 is located to the west of the site, and the Richmond parcel abuts the project site to the south and northeast. Across the BART tracks, the project site is bordered by vacant, undeveloped land. Surrounding land uses are depicted in Figure 2.

The project site is located within the Specific Plan area and has a land use designation of Transit-Oriented Higher-Intensity Mixed Use (TOHIMU) as shown in Figure 3 and Figure 4. The zoning for the project site is also TOHIMU. Multi-family residential land use is permitted for TOHIMU per Section 2.03.03 of the Specific Plan. The El Cerrito Del Norte BART station is located 0.4 miles east of the project site, and the El Cerrito Plaza Bart Station is located 2.27 miles southeast. As described in further detail herewith in, there have been no substantial changes in environmental circumstances at or around the project site since certification of the Specific Plan EIR.

The majority of project improvements would occur on the El Cerrito parcel (APN 513-340-059), including construction of the proposed residential building. Minor project improvements would occur within Richmond (APN 513-340-046) and would entail driveway reconfiguration and landscaping activities. The Richmond parcel is zoned CM-3, Commercial Mixed-Use, and the land use designation is Medium Intensity Mixed Use.

The Richmond Greenway Trail is south of the project site and connects to Baxter Creek Gateway Park and the Ohlone Greenway across San Pablo Avenue. An additional trail is located directly north of the project site which provides a connection to Baxter Creek Gateway Park and the Ohlone Greenway.

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2 Joe DeCredico Studio, project plans, 2017.
2.2 Specific Plan Development Capacity

The Specific Plan provides the framework for future development along San Pablo Avenue. As shown in Table 1, the Specific Plan EIR analyzed a maximum development capacity of 1,706 new residential units and 243,112 square feet of new commercial space. Since approval of the Specific Plan, 1,286 residential units and 63,893 square feet of commercial space are under construction, have been proposed, or are undergoing City approval process.

Table 1 San Pablo Avenue Specific Plan Area Development Capacity 2013-2040

<table>
<thead>
<tr>
<th></th>
<th>Residential Units</th>
<th>Commercial (Square Feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Specific Plan Existing Conditions (2013)</td>
<td>1,340</td>
<td>2,016,370</td>
</tr>
<tr>
<td>Specific Plan Development – Net New (2040)</td>
<td>1,706</td>
<td>243,112</td>
</tr>
<tr>
<td>Total Future—Existing (2013) + Net New (2040)</td>
<td>3,046</td>
<td>2,259,482</td>
</tr>
<tr>
<td>Development Capacity Remaining (2017)</td>
<td>420</td>
<td>179,219</td>
</tr>
</tbody>
</table>

Source: San Pablo Avenue Specific Plan Area: Development Proposed, Under Construction or Recently Completed, City of El Cerrito, September 2018.

2.3 Project Characteristics

The project would include demolition of the one existing structure on site and construction of a new eight story, 85-foot tall^{3} multi-family residential building with a total of 144 dwelling units, as shown on Figure 5, Figure 6, and Figure 7. The project would be an affordable housing project, with 10 percent of the units rented to very low income tenants. This affordable housing component would allow the project to make use of the State Affordable Housing Density Bonus as implemented by the San Pablo Avenue Specific Plan, for a maximum permitted building height of 85 feet. The proposed residential units would include a combination of studios, 1-bedroom, and 2-bedroom units. The gross building area would be 107,990 square feet, plus a 16,446-square-foot underground parking garage. Implementation of the project would require removal of ten trees onsite. Construction of the project is expected to be completed in one phase and last approximately 20 months.

The parking garage would include 77 parking spaces, 220 long-term bicycle parking spaces, and 8 electric vehicle charging stations. Auto access to the project would be provided via an approximately 24-foot wide driveway along the northern side of the project site connecting to San Pablo Avenue. The 77 parking spaces would provide a parking ratio of 0.5 spaces per unit, consistent with TOHIMU regulations in the Specific Plan which set forth a parking maximum of 1 space per unit.

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^{3} Measured from the finished grade to bottom of parapet along San Pablo Avenue.
The project would be accessible by automobiles, public transit, bicycles, and walking. Bus stops are located at the corner of San Pablo Avenue and Macdonald Avenue, approximately 0.1 miles south of the project site, and the El Cerrito Del Norte BART station is located approximately 0.4 miles east. The project would enhance pedestrian and bicycle access by updating the sidewalk along the project perimeter on San Pablo Avenue and installing 220 long-term bicycle storage spaces for tenants. Eight short-term bicycle parking spaces would be provided along San Pablo Avenue.

The building would be set back a minimum of 14 feet from the curb line of San Pablo Avenue on the ground floor and would have a 10-foot set back from the property boundary along the BART tracks. All exterior lighting would be Dark Sky certified. Landscaping would be provided along San Pablo Avenue, along the perimeters of the project site, and in several public and private open spaces, as shown in Figure 8.

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4 The International Dark Sky Association (IDA) is a premier authority on light pollution. IDA maintains a database of lighting products certified to minimize glare, reduce light pollution, and protect the night sky.
Baxter Creek Apartments Project

Figure 1

Regional Location Map

Legend

🌟 Project Location
🔺 El Cerrito City Limits
🔵 Contra Costa County

Source: Google Earth, 2017
Figure

Project Site Map

Legend

- Project Site

Source: Google Earth, 2017
Legend

- **Project Site**
- **Transit Oriented High Intensity Mixed Use (TOHIMU)**
- **Low Density**
- **Medium Density**
- **High Density**
- **Commercial**
- **Institutional & Utility**
- **Parks & Open**

Source: City of El Cerrito
Baxter Creek Apartments Project

Figure 00

Source: Joe DeCredico Studio, project plans, 2018
Landscaping and Planting Plan

Source: Joe DeCredico Studio, project plans, 2018
3 Evaluation of Environmental Impacts

The following discussion addresses the potential level of impact relating to each aspect of the environment.

3.1 Aesthetics

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Significant Impact</th>
<th>Less than Significant with Mitigation Incorporated</th>
<th>Less-than-Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Have a substantial adverse effect on a scenic vista?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b) Substantially damage scenic resources, including but not limited to: trees, rock outcroppings, and historic buildings within a state scenic highway?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>c) Substantially degrade the existing visual character or quality of the site and its surroundings?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

Discussion

As noted in the Specific Plan EIR, implementation of the Specific Plan would enhance the visual and aesthetic character of the planning area by incorporating Form-Based Code and Complete Streets design guidelines and development standards. These guidelines and standards support and maintain a strong sense of place and visual identity on San Pablo Avenue. These design and development standards are included in Chapter 2, Form Based Code and Chapter 3, Complete Streets of the Specific Plan.

The City’s location between the I-80 freeway and the East Bay Hills affords views of the Golden Gate Bridge, San Francisco skyline, and Mt. Tamalpais. The primary potentially significant impact to scenic resources identified in the Specific Plan EIR was the potential for Specific Plan development to obstruct scenic views of Mt. Tamalpais, the Golden Gate Bridge, the San Francisco skyline, East Bay Hills, and Albany Hill from public rights-of-way, and areas of lower elevation such as hillside homes in El Cerrito.

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This impact was determined to be significant and unavoidable; however, the Specific Plan EIR requires individual development projects to complete further evaluation to determine if they meet the standards and guidelines set forth in the Specific Plan.

As a result of the topography and surrounding land uses, the project site is not visible from local parks. Views of the project site from public areas in the hills, such as Tassajara Park, are likely blocked by intervening development. However, as generally demonstrated by the visual simulations below, the project site does not dominate viewsheds and the project would be consistent with existing development in the City of El Cerrito.

The Specific Plan identifies scenic views of the San Francisco Bay Area from public viewpoints. Key scenic views include Mt. Tamalpais, the Golden Gate Bridge, Albany Hill, and the San Francisco skyline. A view corridor analysis was prepared for the project in February 2018 and features visual simulations depicting four viewpoints from local streets near the project site. These photos and simulations show that views through the project site of scenic features described in the Specific Plan are very limited and would generally not be affected by the project. The Golden Gate Bridge and San Francisco skyline are not currently visible from nearby viewpoints. As depicted in the view corridor analysis, the project would be visible at Gatto Avenue, Hagen Boulevard, and Macdonald Avenue. The project would be fully obscured at Barrett Avenue.

The photo simulations depict the project from vantage points including the Del Norte BART station platform and public rights-of-way which run east to west. The locations for these simulations were selected because the project site was visible and the locations represent views from surrounding residences and neighborhoods. From locations higher in elevation, visual presence of the project will be further limited, as the project will appear further below the horizon. As described above, the project would not have an impact on views of key features identified in the Specific Plan.

The Specific Plan EIR also determined potentially significant impacts could result from the introduction of new light and glare in the plan area (Impact 4-2), but concluded implementation of Mitigation Measure 4-2, which requires the installation of non-reflective building materials and windows, would reduce potential glare impacts of individual development projects to a less-than-significant level. With adherence to this mitigation measure, the project would not cause any new light and glare impacts.

Applicable Mitigation

Implementation of Mitigation Measure 4-2 would be required and would remain adequate to mitigate impacts as described in the Specific Plan EIR. No new mitigation measures would be required.

Conclusion

The project is generally consistent with the type and intensity of development analyzed in the Specific Plan EIR, is within the allowable height limits, would be consistent with policies related to visual character and design, and would not result in a substantial increase in light and glare. No substantial

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7 Joe DeCredico Studio, 2018. 11965 San Pablo Avenue View Corridor Memo, February 2018.
changes in environmental circumstances have occurred, and no new information that could not have been known at the time the Specific Plan EIR was certified has been identified which would lead to new or more severe significant impacts. Therefore, the Specific Plan EIR adequately evaluated impacts that would occur with implementation of the project and no new or more severe impacts would occur.
## 3.2 Agriculture and Forest Resources

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Significant Impact</th>
<th>Less than Significant with Mitigation Incorporated</th>
<th>Less-than-Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b) Conflict with existing zoning for agricultural use, or with a Williamson Act contract?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>c) Conflict with existing zoning for, or cause rezoning of, forest land (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))?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>d) Result in the loss of forest land or conversion of forest land to non-forest use?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

### Discussion

The Specific Plan EIR determined there are no agricultural or forestry resources located within or near the Specific Plan area.\(^8\) The Specific Plan area is predominantly urbanized and is classified as “Urban and Built-Up Land” by the State Department of Conservation. There is no land designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance within the Specific Plan area or the City. In addition, the City does not contain woodland, forestland cover, or land zoned for timberland production. The project is within the Specific Plan area and therefore is not located on land that is currently under a Williamson Act contract or any other type of agricultural or forestry land. Given this, no new impacts would occur.

### 3.3 Air Quality

<table>
<thead>
<tr>
<th>Impact</th>
<th>Significant Impact</th>
<th>Less than Significant with Mitigation Incorporated</th>
<th>Less-than-Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
</table>

Would the project:

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 non-attainment under federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?  
- □  □  □  ❌

d) Expose sensitive receptors to substantial pollutant concentrations?  
- □  □  □  ❌

e) Create objectionable odors affecting a substantial number of people?  
- □  □  □  ❌

**Discussion**

Specific Plan EIR Mitigation Measure 5-2 requires individual projects to undergo assessment for construction health risks, either through screening or refined modeling. Therefore, a project-specific Air Quality Analysis report was prepared for the project and included as Appendix A. The results of this analysis are provided below.

**Clean Air Plan Consistency**

An air quality plan describes air pollution control strategies to be implemented by a city, county, or region classified as a non-attainment area. 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.

The Bay Area Air Quality Management District (BAAQMD) guidelines were referenced to determine if the project would conflict with or obstruct implementation of an applicable air quality plan, which for the Specific Plan EIR was the 2010 Bay Area Clean Air Plan (CAP). The Specific Plan EIR found that since the Specific Plan would not cause significant increases in vehicle miles traveled (VMT) compared to service population growth, and would not interfere with CAP control measures, implementation of the Specific Plan would result in a less-than-significant impact related to consistency with the applicable clean air plan.
BAAQMD’s current clean air plan is the 2017 CAP, which was adopted on April 19, 2017. The 2017 CAP provides a regional strategy to protect public health and protect the climate. To protect public health, the plan describes how BAAQMD will continue progress toward attaining all State and federal air quality standards and eliminating health risk disparities caused by air pollution among Bay Area communities. To protect the climate, the plan defines a vision for transitioning the Bay Area to a post-carbon economy and provides a regional climate protection strategy that will put the Bay Area on a pathway to achieve ambitious greenhouse gas (GHG) reduction targets for 2030 and 2050.

The 2017 CAP includes a wide range of control measures designed to decrease emissions of the air pollutants that are most harmful to Bay Area residents. Such pollutants include particulate matter, ozone, and toxic air contaminants (TACs). Additionally, the 2017 CAP includes measures to reduce emissions of carbon dioxide by reducing fossil fuel combustion, as well as methane and other “super-GHGs” that have a larger greenhouse gas effect than carbon dioxide in the near-term.

Consistency with the CAP is determined by whether or not a proposed project would result in significant and unavoidable air quality impacts or hinder implementation of control measures (e.g., excessive parking or preclude extension of transit lane or bicycle path).

Implementation of the project would locate future residents within walking distance of public transportation, jobs, restaurants, and services, all of which would individually and collectively encourage residents to reduce their VMT. In addition, dwelling units constructed under the project would fall within the total development anticipated in the Specific Plan EIR.

As discussed in Section 2.0, Project Description and Section 3.13, Population and Housing, implementation of the project would not increase population, vehicle trips, or VMT above what was anticipated in the Specific Plan EIR. Trip generation anticipated under the project is discussed in detail in Section 3.16 Transportation/Traffic. Therefore, the project would support the goals of the CAP and would not conflict with any of the control measures identified in the CAP designed to bring the Bay Area into attainment. Consistent with the Specific Plan EIR, this impact would remain less than significant.

Construction-Related Impacts

The Specific Plan EIR determined construction from implementation of the Specific Plan would result in short-term emissions. Such activities would include site grading, asphalt paving, building construction, and architectural coating. Emissions commonly associated with construction activities include fugitive dust from soil disturbance, fuel combustion from mobile heavy-duty diesel- and gasoline-powered equipment, portable auxiliary equipment, and worker commute trips. During construction, fugitive dust is generated when wheels or blades disturb surface materials and can become a nuisance and potential health hazard to those living and working nearby. The Specific Plan EIR identified Mitigation Measure 5-1 which would require BAAQMD-recommended measures to control particulate matter emissions during construction. Implementation of Mitigation Measure 5-1 would reduce construction impacts to a less-than-significant level.

Development of the project would result in similar construction-related, short-term air quality impacts as those impacts identified in the Specific Plan EIR. Therefore, implementation of Mitigation Measure 5-1 would be required. With adherence to the mitigation measures, the project would not result in any new or more significant construction-related air quality impacts than those identified in the Specific Plan EIR.
Ambient Air Quality Impacts

As described in the Specific Plan EIR, monitoring data from all ambient air quality monitoring stations in the Bay Area indicate existing carbon monoxide (CO) levels currently meet State and national ambient air quality standards. Therefore, the Bay Area has been designated as an attainment area for CO emissions. At the time the Specific Plan EIR was certified, the highest measured CO levels at the closest monitoring station to the Specific Plan area over the previous three years were 1.3 parts per million (ppm) for eight-hour averaging periods, compared with State and Federal criteria of 9.0 ppm. Monitored CO levels have decreased substantially since 1990 as newer vehicles with greatly improved exhaust emission control systems have replaced older vehicles.

Even though CO levels in the Bay Area are well below ambient air quality standards, elevated levels of CO still warrant analysis. CO hotspots (occurrences of localized high CO concentrations) can occur near busy, congested intersections. Recognizing the relatively low CO concentrations experienced in the Bay Area, BAAQMD’s CEQA Air Quality Guidelines state that a project would have a less-than-significant impact if it would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour. As identified in the Specific Plan EIR, peak hour traffic volumes attributed to implementation of the Specific Plan would be far below this threshold. The project would not generate vehicle trips beyond what was considered and analyzed in the Specific Plan. Given this, impacts related to CO hotspots would remain less than significant. Further discussion of project trip generation is provided in Section 3.16, Transportation/Traffic.

Short-Term Exposure of Sensitive Receptors to Toxic Air Contaminants

Sensitive receptors are defined as residential uses, schools, daycare centers, nursing homes, and medical centers. The Specific Plan EIR determined construction activities could result in short-term emissions of diesel particulate matter (DPM), a known TAC. Individuals particularly vulnerable to DPM are children, whose lung tissue is still developing, and the elderly, who may have serious health problems that can be aggravated by exposure to diesel particulate matter. Exposure from diesel exhaust associated with construction activity contributes to both cancer and chronic non-cancer health risks.

The length of time sensitive receptors are exposed to TACs and the concentration of TACs during exposure are the primary factors used to determine health risk. Health risk is quantitatively evaluated by determining the potential for exposure to TAC emission levels that exceed applicable standards. Health-related risks associated with diesel-exhaust emissions are primarily linked to long-term exposure and the associated risk of contracting cancer. The calculation of cancer risk associated with exposure to TACs is typically based on a 70-year period of exposure. The use of diesel-powered construction equipment, however, would be temporary and episodic and would occur over a relatively large area.

Construction of the project may expose surrounding sensitive receptors to airborne particulates, as well as a small quantity of construction equipment pollutants (usually diesel-fueled vehicles and equipment). However, construction contractors would be required to implement the best management practices (BMPs) during construction, as required by Mitigation Measure 5-1. With implementation of BAAQMD-recommended measures to control particulate matter emissions during construction, Mitigation Measure 5-1 would ensure that project construction emissions would fall below BAAQMD’s significance thresholds as described in the Specific Plan EIR. Therefore, sensitive receptors would not be exposed to
substantial pollutant concentrations during project construction. The project would result in no new or more severe impacts related to short-term exposure to TACs than analyzed in the Specific Plan EIR, and further analysis is not required.

**Long-Term Exposure of Sensitive Receptors to Toxic Air Contaminants**

Implementation of the Specific Plan would result in the placement of new sensitive receptors in the Specific Plan area, as well as new non-residential land uses that would be potential new emissions sources. The roadway screening analysis tables from the Specific Plan EIR indicate health risk from high volume surface streets such as San Pablo Avenue, Central Avenue, Carlson Boulevard, and Potrero Avenue would be less than significant at average daily traffic volumes (ADT) of 40,000 vehicles or less at a distance of 10 feet. The Specific Plan EIR determined that if individual projects are constructed under the Specific Plan in close proximity to surface streets with daily traffic volumes higher than 40,000 ADT, a potentially significant impact would occur. **Mitigation Measure 5-2** requires completion of a site-specific health risk assessment for projects within close proximity to these roadways. This analysis was completed in January 2019 and is included in Appendix A.

The project site is located within 330 feet of I-80 and 25 feet of San Pablo Avenue. Therefore, to comply with **Mitigation Measure 5-3**, a project-specific health risk assessment was prepared in January 2019 (Appendix A).

According to BAAQMD, a project would result in a significant impact if it would:

- Individually expose sensitive receptors to TACs resulting in an increased cancer risk greater than 10.0 in one million,
- Increase non-cancer risk of greater than 1.0 on the hazard index (chronic or acute), or
- Cause an annual average ambient particulate matter (PM$_{2.5}$) increase greater than 0.3 micrograms per cubic meter (μg/m$^3$).

A significant cumulative impact would occur if the project, in combination with other projects located within a 1,000-foot radius of the project site, would expose sensitive receptors to TACs resulting in an increased cancer risk greater than 100 in one million, an increased non-cancer risk of greater than 10.0 on the hazard index (chronic), or an ambient PM$_{2.5}$ increase greater than 0.8 μg/m$^3$ on an annual average basis. Impacts from substantial pollutant concentrations are discussed below.

The air quality assessment calculated TACs within a 1,000-foot radius of the project site. TAC emissions from traffic on nearby roadways including San Pablo Avenue and Macdonald Avenue, and TACs from stationary sources were calculated. Permitted stationary sources of air pollution near the project site were identified using BAAQMD’s Stationary Source Risk and Hazard Analysis Tool. This mapping tool identified the location of two stationary sources and their estimated risk and hazard impacts: a gasoline dispensing station approximately 350 feet north of the project site and a diesel generator approximately 100 feet west of the project site. The combined community risk levels at the project site from all sources (roadways and stationary sources) are summarized in **Table 2**.
**Table 2  Community Risk Levels**

<table>
<thead>
<tr>
<th>Source</th>
<th>Cancer Risk (per million)*</th>
<th>PM$_{2.5}$ Concentration (µg/m$^3$)</th>
<th>Acute and Chronic Hazard (HI)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highways – I-80 at 340 ft. west</td>
<td>18.2</td>
<td>0.25</td>
<td>0.02</td>
</tr>
<tr>
<td>Local Roadways – San Pablo Avenue at 35 ft., (2nd-story exposure) 16,350 ADT</td>
<td>4.5</td>
<td>0.17</td>
<td>0.01</td>
</tr>
<tr>
<td>Local Roadways – Macdonald Avenue at 330 ft., 9,205 ADT</td>
<td>0.5</td>
<td>0.02</td>
<td>&lt;0.01</td>
</tr>
<tr>
<td>Chevron gas station, at 4838 Macdonald Ave - 350 ft.</td>
<td>1.8</td>
<td>0.00</td>
<td>0.01</td>
</tr>
<tr>
<td>Home Depot diesel generator at 11939 San Pablo Ave – 85 ft.</td>
<td>12.5</td>
<td>0.04</td>
<td>0.01</td>
</tr>
<tr>
<td>**Total **</td>
<td>&lt;37.5</td>
<td>&lt;0.48</td>
<td>&lt;0.06</td>
</tr>
<tr>
<td>BAAQMD Thresholds –</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Source (Maximum)</td>
<td>10.0</td>
<td>0.3</td>
<td>1.0</td>
</tr>
<tr>
<td>Cumulative Source</td>
<td>100</td>
<td>0.8</td>
<td>10.0</td>
</tr>
<tr>
<td>Significant?</td>
<td>Yes – single source</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>No – cumulative source</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


* Cancer risk adjusted for the 2015 OEHHA methods

**Cumulative risks would be less than total since this table reports maximum impacts, which would not all occur at one location.

Combined health risks for all measured TACs are below BAAQMD cumulative thresholds. However, community risk levels from I-80 and Home Depot would exceed the single-source thresholds analyzed in the Specific Plan EIR. Therefore, additional mitigation measures are necessary.

1. **Project-Specific Condition of Approval:** The BAAQMD’s Planning Healthy Places recommend installation of air filters rated at a minimum efficiency reporting value (MERV) 13 or higher in exposed buildings associated with sensitive land uses (e.g. schools, residences, hospitals). Increased cancer risks from I-80 traffic at the project site is significant. Cancer risks is mostly the result of exposure to diesel particulate matter, although, gasoline vehicle exhaust contributes. The project shall include the following measures, as a condition of approval, to minimize long-term diesel particulate matter exposure, which leads to increased cancer risk, for new project occupants:
   - Install air filtration in residential buildings. Air filtration devises shall be rated MERV13 or higher. To ensure adequate health protection to sensitive receptors (i.e., residents), this ventilation system, whether mechanical or passive, all fresh air circulated into the dwelling units shall be filtered.
As part of implementing this measure, an ongoing maintenance plan for the buildings’ heating, ventilation, and air conditioning (HVAC) air filtration shall be required.

Ensure that the use agreement and other property documents: (1) require cleaning, maintenance, and monitoring of the affected buildings for air flow leaks, (2) include assurance that new owners or tenants are provided information on the ventilation system, and (3) include provisions that fees associated with owning or leasing a unit(s) in the building include funds for cleaning, maintenance, monitoring, and replacements of the filters, as needed.

**Odors**

The Specific Plan EIR concluded the Specific Plan area includes potential odor sources that could affect new sensitive receptors. However, most of these major existing sources are already buffered by existing uses. Responses to odors are subjective, and vary by individual and type of use. Sensitive land uses that include outdoor uses, such as residences and possibly daycare facilities, are likely to be affected most by existing odors. According to the Specific Plan, several land use types within the City are known to produce objectionable odors, such as a wastewater treatment facility, landfill, food processing facility, or chemical plant. The project site is not located within 1.0 miles of such odor-generating properties or land-use types. Restaurants are generally not considered to be odor-generating in the same manner as food processing facilities. Given this, the project site would not be subject to potential odor complaints or associated impacts. Similarly, the project would entail residential development and would not create a new source of objectionable odors.

**Applicable Mitigation**

Implementation of **Mitigation Measure 5-1** would be required and would remain adequate to mitigate impacts as described in the Specific Plan EIR. Mitigation Measures **5-2 and 5-3** have been fulfilled through preparation of the project air quality health risk assessment. No new mitigation measures would be required.

**Conclusion**

The project would be consistent with the development standards regarding air quality analyzed in the Specific Plan EIR. No substantial changes in environmental circumstances have occurred, and no new information that could not have been known at the time the Specific Plan EIR was certified has been identified which would lead to new or more severe significant impacts. Therefore, the Specific Plan EIR adequately evaluated impacts that would occur with implementation of the project and no new or more severe impacts would occur.
# 3.4 Biological Resources

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Significant Impact</th>
<th>Less than Significant with Mitigation Incorporated</th>
<th>Less-than-Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>c) Have a substantial adverse impact 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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>
Discussion

The Specific Plan EIR found that implementation of the Specific Plan would result in less-than-significant impacts to biological resources, because the Specific Plan area is almost entirely urbanized with approximately 90 percent of the land developed, recently disturbed, or ruderal. The Specific Plan EIR concluded the Plan area does not contain any plant or animal 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 Wildlife or US Fish and Wildlife Service (USFWS).

In addition, the Specific Plan area does not contain any federally protected wetlands. The only identified riparian habitat or other sensitive natural community within the Specific Plan area is riparian habitat adjacent to Cerrito Creek (near the El Cerrito Plaza Shopping Center parking lot and Ohlone Greenway) and Baxter Creek. Cerrito Creek is located approximately 2.43 miles south of the project site. Cerrito creek is separated from the project site by BART tracks, dense residential and commercial land uses and several local arterial roadways including Cutting Boulevard, Potrero Avenue, San Pablo Avenue, Carlson Boulevard, and Central Avenue, all of which have at least four travel lanes.

Baxter Creek at Gateway Park is located directly east of the project site, across the four-lane segment of San Pablo Avenue, a distance measuring approximately 88 feet. As discussed in the Specific Plan EIR, the Specific Plan area includes about 12 acres of park and open space. Much of the space is considered disturbed or ruderal, and often lacks necessary habitat characteristics suitable for special-status species.

Although Baxter Creek features lush greenery abutting the Ohlone Greenway as it travels southward, portions of the creek in proximity to Gateway Park are surrounded by commercial land uses. Gateway Park abuts a grocery store to the north and is bordered by a laundromat located approximately 28 feet south of the park. As discussed in the Specific Plan EIR, green spaces within the Specific Plan area often lack habitat characteristics suitable for special-status species. Due to the extremely small extent of such isolated vacant areas, they provide almost no permanent values to wildlife.9

As previously discussed, the realigned Richmond Greenway is located directly south of the project site, abutting the BART tracks. Given the developed nature and noise and vibration impacts associated with operation of the BART tracks, the paved trail does not likely feature any valuable habitat.

As it is unlikely for species to traverse the urban, built-up land uses and roadways between Cerrito Creek, Baxter Creek, and the project site, implementation of the project would not result in any direct or indirect impacts to these habitats or the species that may occur within these natural communities. The project site is covered in paved surfaces with no surface vegetation beyond street trees along the project perimeter. As such, the project site does not provide any valuable habitat beyond the street trees.

The Specific Plan EIR identified potential impacts associated with the removal of existing trees with implementation of the Specific Plan. Removal of existing trees containing nest or eggs of migratory birds, raptors or bird species during the nesting season would be considered an “unlawful take” under the federal Migratory Bird Treaty Act and USFW provisions protecting migratory and nesting birds. As

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the project would require removal of ten trees, adherence to Specific Plan EIR Mitigation Measure 6-1 would be mandatory. Mitigation Measure 6-1 avoids the removal of trees, shrubs, or weedy vegetation during the bird nesting season spanning February 1 through August 31. Implementation of Mitigation Measure 6-1 would be required to adequately minimize potentially significant impacts associated with tree removal on nesting birds to less-than-significant levels.

Applicable Mitigation

Implementation of Mitigation Measure 6-1 would adequately mitigate impacts as described in the Specific Plan EIR. No new mitigation measures would be required.

Conclusion

The project would be consistent with the type of development analyzed within the Specific Plan EIR. Tree removal activities would be conducted in conformance with Mitigation Measure 6-1. No substantial changes in environmental circumstances have occurred for this topic, and no new information that could not have been known at the time the Specific Plan EIR was certified has been identified which would lead to new or more severe significant impacts. Therefore, the Specific Plan EIR adequately evaluated impacts that would occur with implementation of the project and no new or more severe impacts would occur.
3.5 Cultural Resources

<table>
<thead>
<tr>
<th>Impact</th>
<th>Significant</th>
<th>Less than Significant</th>
<th>Less-than-Significant</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Impact</td>
<td>Mitigation</td>
<td>Impact</td>
<td></td>
</tr>
</tbody>
</table>

Would the project:

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, site, or unique geologic features?

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

Discussion

Historic Resources

The Specific Plan EIR identified properties or features within the Specific Plan area that may be eligible for listing in a local, State, or Federal register of historic resources. The Specific Plan EIR identified Mitigation Measure 7-1 to be applied to any individual discretionary project within the Specific Plan area that the City determines may involve a property that contains a potentially significant historic resource.10 Per Mitigation Measure 7-1, such a resource shall be evaluated by City staff, and if warranted, shall be assessed by a qualified professional on the California Historical Resources Information System (CHRIS) list of consultants who meet the Secretary of the Interior’s Professional Qualifications Standards to determine whether or not the property is a significant historic resource and whether or not the project may have a potentially significant adverse effect on the historic resource.

The project site contains an existing one-story vacant commercial building constructed in 1998 that is proposed for demolition. Given the construction date, the structure located on the project site does not meet any of the criteria for listing in the NRHP or the CRHR, and is thus not considered a historical resource for the purposes of CEQA.

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10 A potentially significant historic resource is defined as a property that is unrecorded and thus, has not been listed in or formally determined eligible or ineligible for listing in any local, state or federal register. Properties containing unrecorded buildings or structures over 45 years old are conservatively considered potentially significant and historic.
Archeological and Paleontological Resources

The Specific Plan EIR concluded potential impacts on cultural resources from development within the Specific Plan area, including archaeological and paleontological resources and human remains, would be less than significant with implementation of mitigation measures. Discovery and disturbance of previously unknown archaeological or paleontological resources, including human remains, could occur during grading and excavation at individual project sites. The Specific Plan EIR concluded Mitigation Measure 7-2 and Mitigation Measure 7-3 would reduce potential impacts on unknown cultural resources to less-than-significant levels.

In accordance with Specific Plan EIR Mitigation Measure 7-2, a non-confidential CHRIS records search was undertaken at the Northwest Information Center at Sonoma State University for the project site and vicinity (Included in Appendix B). The records search confirmed there are no recorded cultural resources on the project site, although several recorded sites are located within the project vicinity. The records search determined there is a moderately high potential of identifying Native American archaeological resources and a moderate potential of identifying historic-period archaeological resources within the project site and vicinity.

Implementation of Specific Plan EIR Mitigation Measure 7-2 and Mitigation Measure 7-3, which specify compliance with existing codes and regulations applicable to the accidental discovery of archaeological and paleontological resources and human remains during construction activities, would be required. These measures ensure that if archaeological resources are encountered during construction, work shall be temporarily halted in the vicinity of the discovered materials and workers shall avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. These mitigation measures would minimize any potentially significant impacts associated with accidental archaeological discoveries to a less-than-significant level.

Applicable Mitigation

Implementation of Mitigation Measure 7-2 and Mitigation Measure 7-3 would be required and would remain adequate to mitigate impacts as described in the Specific Plan EIR. Mitigation Measure 7-1 has been fulfilled upon results of the conducted project site CHRIS search. No new mitigation measures would be required.

Conclusion

The project would be consistent with the type of development analyzed within the Specific Plan EIR. Ground disturbing activities would be conducted in conformance with Specific Plan EIR Mitigation Measures 7-2 and Mitigation Measure 7-3. No substantial changes in environmental circumstances have occurred, and no new information that could not have been known at the time the Specific Plan EIR was certified has been identified which would lead to new or more severe significant impacts. Therefore, the Specific Plan EIR adequately evaluated impacts that would occur with implementation of the project and no new or more severe impacts would occur.

11 11965 San Pablo Avenue CHRIS Request, 2018.
### 3.6 Geology and Soils

<table>
<thead>
<tr>
<th>Impact</th>
<th>Significant</th>
<th>Less than Significant with Mitigation Incorporated</th>
<th>Less-than-Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
</table>

Would the project:

a) Expose people or structures to potential substantial adverse effects including the risk of loss, injury or death involving:

1. 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?  
   - [ ] Significant Impact  
   - [ ] Less than Significant with Mitigation Incorporated  
   - [ ] Less-than-Significant Impact  
   - [X] No New Impact

2. Strong seismic ground shaking?  
   - [ ] Significant Impact  
   - [ ] Less than Significant with Mitigation Incorporated  
   - [ ] Less-than-Significant Impact  
   - [X] No New Impact

3. Seismic-related ground failure, including liquefaction?  
   - [ ] Significant Impact  
   - [ ] Less than Significant with Mitigation Incorporated  
   - [ ] Less-than-Significant Impact  
   - [X] No New Impact

4. Landslides?  
   - [ ] Significant Impact  
   - [ ] Less than Significant with Mitigation Incorporated  
   - [ ] Less-than-Significant Impact  
   - [X] No New Impact

b) Would the project result in substantial soil erosion or the loss of topsoil?  
   - [ ] Significant Impact  
   - [ ] Less than Significant with Mitigation Incorporated  
   - [ ] Less-than-Significant Impact  
   - [X] No New Impact

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?  
   - [ ] Significant Impact  
   - [ ] Less than Significant with Mitigation Incorporated  
   - [ ] Less-than-Significant Impact  
   - [X] No New Impact

d) Be located on expansive soil, as defined in table 18-1b of the Uniform Building Code (1994), creating substantial risks to life or property?  
   - [ ] Significant Impact  
   - [ ] Less than Significant with Mitigation Incorporated  
   - [ ] Less-than-Significant Impact  
   - [X] No New Impact

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?  
   - [ ] Significant Impact  
   - [ ] Less than Significant with Mitigation Incorporated  
   - [ ] Less-than-Significant Impact  
   - [X] No New Impact
Discussion

The Specific Plan EIR concluded that geologic and soil impacts would be primarily related to potential ground shaking during seismic events and associated impacts related to ground failure. Since the Specific Plan area is not located within an Earthquake Fault Hazard Zone, the likelihood of surface fault rupture is minimal. The Specific Plan EIR determined slope instability hazards are minimal due to the absence of appreciable slopes in the Specific Plan area.

The Specific Plan area is susceptible to ground shaking from the Hayward Fault or one of the other active faults in the region. The Hayward Fault is the nearest active fault to the Specific Plan area, approximately 1 mile to the east. However, the Specific Plan EIR determined impacts related to ground shaking would be less than significant with compliance with the latest California Building Standards Code. The project would be designed and constructed in accordance with these requirements.

The Specific Plan EIR concluded grading and construction activities within the Specific Plan area may result in minor erosion or the minor loss of some topsoil. Although the project site is entirely covered in paved surfaces, and would be excavated to construct an underground parking garage, the Foundation Investigation and Recommendations report completed for the project (included in this document as Appendix C) determined that there are no areas of mass instability at or near the building site.12 Furthermore, implementation of City-required grading and construction-period erosion control techniques would mitigate potential impacts to a less-than-significant level.

Implementation of the Specific Plan would have potentially significant impacts related to earthquake-induced on-site liquefaction, differential settlement, lateral spreading, and subsidence, and associated damage to project buildings and other improvements within the Specific Plan area. However, potential impacts would be reduced to less-than-significant levels with implementation of Mitigation Measure 8-1, which requires preparation and implementation of the recommended measures of a site-specific design-level geotechnical study for individual development projects.

Expansive soil or soil with shrink-swell potential and low strength with variations in moisture content is a common cause of foundation distress. As indicated by the Foundation Investigation and Recommendation report completed for the project site in June 2017 (Appendix C), the project site is largely underlain by soils that are not susceptible to liquefaction, therefore, the soils at the project site would not pose a risk to new structures from liquefaction. Furthermore, with implementation of Mitigation Measure 8-1, the foundation recommendations of the site-specific geotechnical study will be implemented, reducing this potential impact to a less-than-significant level.

Liquefaction is a phenomenon where soils are subject to a loss of strength because of pressure from earthquakes. Soils found at the project site are a type generally not susceptible to liquefaction. Lateral spreading is a failure within a nearly horizontal soil layer that could occur due to liquefaction. Effects of lateral spreading from ground shaking would be reduced or avoided by designing structures to resist lateral forces in accordance with the 2016 California Building Code.

12 Lawrence B. Karp, 2017. 11965 San Pablo Avenue Foundation Investigation and Recommendations. June 2017
Applicable Mitigation

Implementation of Mitigation Measure 8-1 would be required and would remain adequate to mitigate impacts as described in the Specific Plan EIR. No new mitigation measures would be required.

Conclusion

The project design plans are consistent with development standards analyzed in the Specific Plan EIR and would be required to comply with the California Building Code, City-required erosion control techniques, and Specific Plan EIR Mitigation Measure 8-1. No substantial changes in environmental circumstances have occurred, and no new information that could not have been known at the time the Specific Plan EIR was certified has been identified which would lead to new or more severe significant impacts. Therefore, the Specific Plan EIR adequately evaluated impacts that would occur with implementation of the project and no new or more severe impacts would occur.
## 3.7 Greenhouse Gas Emissions

<table>
<thead>
<tr>
<th>Impact Level</th>
<th>Significant Impact</th>
<th>Less than Significant with Mitigation Incorporated</th>
<th>Less-than-Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
</table>

Would the project:

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

[ ] Yes  [ ] No  [ ] Uncertain  [X] No New Impact

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

[ ] Yes  [ ] No  [ ] Uncertain  [X] No New Impact

### Discussion

As identified in the Specific Plan EIR, BAAQMD CEQA Air Quality Guidelines contain methodology and thresholds of significance for evaluating GHG emissions. BAAQMD suggests applying a specific plan-level GHG efficiency threshold of 4.6 metric tons (MT) per year per capita. Specific plans with emissions above the threshold would be considered to have an impact that, cumulatively, would be significant.

To calculate GHG emissions, Specific Plan land use types, total square footage of anticipated development, and trip generation rates were input to CalEEMod. CalEEMod predicts emissions of GHGs in the form of equivalent carbon dioxide emissions (CO\(_2\)e). Specific Plan GHG emissions were computed using the California Emissions Estimator Model (CalEEMod) using projected operational emissions in 2040.

CalEEMod results showed that in the cumulative scenario year (2040), development under the Specific Plan would have per capita emissions between 3.9 and 3.7 MT of CO\(_2\)e per year. The modeled per capita emissions for the Specific Plan would not exceed BAAQMD specific plan-level threshold of 4.6 MT of CO\(_2\)e/year. Therefore, this impact was determined to be less than significant.

BAAQMD does not have adopted thresholds of significance for construction-related GHG emissions. Instead, BAAQMD encourages the incorporation of BMPs to reduce GHG emissions during construction where feasible and applicable, including, but not limited to: using local building materials of at least 10 percent, and recycling or reusing at least 50 percent of construction waste or demolition materials. The 2016 California Green Building Standards Code (CALGreen) requires a diversion rate of at least 65 percent of construction waste or demolition materials.
As documented in the Specific Plan EIR, implementation of the Specific Plan would be subject to new requirements under rule making developed at the State and local level regarding GHG emissions. The Specific Plan is also subject to local and General Plan policies aimed at reducing GHG emissions, including policies in the El Cerrito Climate Action Plan. Given this, the Specific Plan is consistent with and conforms to applicable GHG emission reduction plans.

The project would be required to adhere to the building guidelines in the Specific Plan, would be consistent with the El Cerrito Climate Action Plan, and would promote reductions in GHG emissions through mixed-use development in close proximity to transit. The project would result in no new or more severe impacts related to GHG emissions than analyzed in the Specific Plan EIR and further analysis is not required.

**Applicable Mitigation**

The Specific Plan EIR did not identify any mitigation measures for greenhouse gas impacts, and no new mitigation measures would be required.

**Conclusion**

The project is consistent with the type of development analyzed in the Specific Plan EIR and would be required to comply with the 2016 California Green Building Standards Code and El Cerrito Climate Action Plan. No substantial changes in environmental circumstances have occurred, and no new information that could not have been known at the time the Specific Plan EIR was certified has been identified which would lead to new or more severe significant impacts. Therefore, the Specific Plan EIR adequately evaluated impacts that would occur with implementation of the project and no new or more severe impacts would occur.
### 3.8 Hazards and Hazardous Materials

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Significant Impact</th>
<th>Less than Significant with Mitigation Incorporated</th>
<th>Less-than-Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>d) Be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and as a result, would it create a significant hazard to the public or the environment?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
<td>☐</td>
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</tr>
<tr>
<td>h) Expose people or structures to the risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?</td>
<td>☐</td>
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</tbody>
</table>
Discussion

The Specific Plan EIR concluded no significant impacts associated with hazards and hazardous materials would occur. The Specific Plan EIR did identify the potential for development to expose construction workers to existing spilled, leaked, or otherwise discharged hazardous materials or wastes during project construction due to the large number of auto-related businesses that previously operated in the Specific Plan area, including the project site. However, the Specific Plan EIR determined that compliance with all applicable City, regional, and State-mandated site assessment, remediation, removal, and disposal requirements for soil, surface water, and/or groundwater contamination would ensure potential impacts are less than significant.

The Specific Plan EIR determined residential, commercial, and open space uses proposed as part of the Specific Plan would not involve the routine transport, use, storage, or disposal of hazardous materials to the extent that a significant public or environmental hazard would occur. Operations in the Specific Plan area may involve the occasional transport, use, storage, or disposal of common hazardous substances such as fuel, paint, and solvents. These operations would be subject to local, state, and federal regulations. The Specific Plan EIR determined that implementation of these standard regulations would ensure potential impacts would be less than significant.

A Phase I Environmental Site Assessment (ESA) was prepared for the project site in January 2017 and is included as Appendix D. As part of the Phase I ESA, a close review of records obtained from Contra Costa County was completed along with searches of online databases maintained by the Department of Toxic Substances Control and the Water Board, and agency list searches were conducted. No agency listings were found for the project site. Nearby listed sites include but are not limited to the adjacent Home Depot property (11939 San Pablo Ave), Chevron gas station (4838 MacDonald Ave), the former dry-cleaning facility located at Bishop Center (now vacant), and a nearby manufacturing and auto repair facility. The Phase I ESA determined that based on distance apart, gradients and case closure status, there is a low potential that contamination from these facilities has impacted the project site.

Due to the long-term use of the subject site as part of a nursery operation, soil at the property may have been impacted by pesticides and herbicides. However, as documented in the ESA, it is likely that the issue of potential residual pesticide concentrations in shallow soils at the site would have been resolved during construction of the Taco Bell restaurant and associated parking areas when areas of soil were redistributed across the site during the construction and grading activities. Given this, the Phase I ESA recommended no further environmental investigations at the project site. As described in the Specific Plan EIR, a Phase II ESA will be required for sites with potential contamination, at the City’s discretion. This is not mitigation, but a standard condition of approval for projects in the City. The project will be required to complete a Phase II ESA prior to construction.

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The nearest school to the project site is King Elementary School located approximately 0.46 miles southwest of the project site.\textsuperscript{14} As the project site is located further than 0.25 miles from the school, no impacts related to handling hazardous materials in such close proximity to a school would occur. The project site is located approximately 14.22 miles northwest of the nearest public airport, Oakland International Airport. As the project site is not located within the Oakland International Airport Influence Area, no airport safety hazards would occur.\textsuperscript{15} According to the Specific Plan EIR, no private airstrips are located in the plan area vicinity. In addition, the Specific Plan area, including the project site, is not within or adjacent to wildland area and would not be subject to wildland fire risks.

**Applicable Mitigation**

The Specific Plan EIR did not identify any mitigation measures for hazards or hazardous material impacts, and no new mitigation measures would be required.

**Conclusion**

The project is consistent with the development standards regarding hazards and hazardous materials analyzed in the Specific Plan EIR. The project would be required to comply with existing regulations related to hazardous soil or groundwater conditions at the site during ground disturbing activities. No substantial changes in environmental circumstances have occurred, and no new information that could not have been known at the time the Specific Plan EIR was certified has been identified which would lead to new or more severe significant impacts. Therefore, the Specific Plan EIR adequately evaluated impacts that would occur with implementation of the project and no new or more severe impacts would occur.


## 3.9 Hydrology and Water Quality

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Significant Impact</th>
<th>Less than Significant with Mitigation Incorporated</th>
<th>Less-than-Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Violate any water quality standards or waste discharge requirements?</td>
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<tr>
<td>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?</td>
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<tr>
<td>c) Substantially alter the existing drainage patterns 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?</td>
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<tr>
<td>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?</td>
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<tr>
<td>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 run-off?</td>
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<tr>
<td>f) Otherwise substantially degrade water quality?</td>
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<tr>
<td>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?</td>
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</tbody>
</table>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?  

- Significant Impact
- Less than Significant with Mitigation Incorporated
- Less-than-Significant Impact
- No New Impact

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?  

- Significant Impact
- Less than Significant with Mitigation Incorporated
- Less-than-Significant Impact
- No New Impact

j) Inundation by seiche, tsunami, or mudflow?  

- Significant Impact
- Less than Significant with Mitigation Incorporated
- Less-than-Significant Impact
- No New Impact

**Discussion**

The Specific Plan EIR determined long-term water quality impacts associated with implementation of the Specific Plan could result in stormwater runoff contamination from petroleum and other motor vehicle contaminants. However, compliance with Water Board and jurisdictional City-required post-construction, non-point source pollution control measures would ensure that such impacts would be reduced to a less-than-significant level. In addition, the Specific Plan EIR determined compliance with applicable Water Board and City of El Cerrito water quality protection requirements and conditions of approval would ensure any potential construction-period and post-construction water quality impacts are less than significant.

Construction projects are required to prepare a Stormwater Control Plan, which requires implementation of BMPs to control stormwater peak flows and pollutant levels. This requirement is stipulated in Provision C.3 of the Contra Costa County National Pollutant Discharge Elimination System (NPDES) permit. 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. Consistent with Provision C.3 requirements, the project applicant has already submitted a Stormwater Control Plan as part of the project application materials. If the project is approved, the City will confirm that this plan conforms to all applicable local and State requirements as part of the development review process.

The project would include 26,555 square feet of impervious surface area once implemented. Therefore, the 10,000 square foot threshold would be triggered and the project must comply with C.3 requirements. Further, the City’s General Construction Permit requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP would include specifications for BMPs that would be implemented during project construction to control contamination of surface water flows and the potential discharge of pollutants. In addition, full compliance with the Contra Costa County NPDES permit guidelines for stormwater discharge would ensure that pollutant levels in stormwater runoff would be less than significant.
The Specific Plan EIR identified that a small portion of the southwest part of the plan area, near Central Avenue and I-80, is within a 100-year flood zone. The project site however is located within Zone X, an area of minimal flood hazard.\textsuperscript{16} Given this, implementation of the project would not place people or structures in a 100-year flood zone. The Specific Plan EIR determined the Specific Plan area is not subject to inundation by seiche or mudflow. The southwest portion of the Specific Plan along Central Avenue in the City of Richmond is located near a Tsunami Inundation Zone; however, the project site is approximately 2.3 miles from this area.

**Applicable Mitigation**

The Specific Plan EIR did not identify any mitigation measures for hydrology or water quality impacts, and no new mitigation measures would be required.

**Conclusion**

The project is consistent with the type of development analyzed in the Specific Plan EIR and would be consistent with the development standards required in the Specific Plan. No substantial changes in environmental circumstances have occurred, and no new information that could not have been known at the time the Specific Plan EIR was certified has been identified which would lead to new or more severe significant impacts. Therefore, the Specific Plan EIR adequately evaluated impacts that would occur with implementation of the project and no new or more severe impacts would occur.

3.10 Land Use and Planning

<table>
<thead>
<tr>
<th>Would the project:</th>
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</thead>
<tbody>
<tr>
<td>a) Physically divide an established community?</td>
</tr>
<tr>
<td>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?</td>
</tr>
<tr>
<td>c) Conflict with any applicable habitat conservation plan or natural community conservation plan?</td>
</tr>
</tbody>
</table>

Discussion

The Specific Plan EIR concluded implementation of the Specific Plan would provide for the expansion of housing choices by encouraging compact, transit-accessible, pedestrian-oriented housing and mixed-use development in the Plan area at densities and heights greater than currently permitted. The Specific Plan EIR determined implementation of the Specific Plan would result in beneficial effects related to land use and planning by revitalizing the San Pablo Avenue corridor. The Specific Plan facilitates development where services and infrastructure can be most efficiently provided by promoting higher residential densities near or within an existing shopping, service, employment, infrastructure, and public transportation centers.

The Specific Plan would not include construction of any new roadway systems or physical barriers, and would promote connectivity along the San Pablo Avenue corridor by encouraging compact, transit-accessible, pedestrian-oriented housing. Accordingly, implementation of the Specific Plan would not result in the division of an established community.

As previously discussed, the project site is designated TOHIMU in the City’s General Plan and Specific Plan. In addition, the site is also zoned as TOHIMU. The intent of the TOHIMU designation is to provide for a vibrant, walkable, transit-oriented higher density area within a half mile of Bay Area Rapid Transit.

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(BART) that allows a variety of uses including retail, commercial, residential, and public uses in the Downtown and Uptown areas.\(^\text{18}\) The TOHIMU designation allows for a 65-foot height limit (85 feet is permissible for projects subject to the State affordable housing bonus program) and requires a minimum height of three stories for residential uses. The project would comply with the standards of the TOHIMU designation and would develop the site with high-density residential uses in close proximity to transit as envisioned in the Specific Plan EIR, thus being consistent with the underlying zoning and land use of the project site.

The project would include construction of an 85-foot tall multi-family residential building. The project would include an affordable housing component, with 10 percent of the units rented to low income tenants. Including this affordable housing component would allow the project to make use of the City’s incentive for a maximum permitted building height of 85 feet. The City’s Design Review Board will consider the project site plan and make findings related to any project design elements, as contemplated by the form based code guidelines articulated in the Specific Plan.

The El Cerrito Del Norte BART station is located approximately 0.4 miles east of the project site, and the El Cerrito Plaza Bart Station is located approximately 2.27 miles southeast. Two bus stops are located within 0.10 miles of the project site, one located at the corner of Macdonald Avenue and the other at the intersection of Conlon Avenue and San Pablo Avenue.

**Applicable Mitigation**

As concluded in the Specific Plan EIR, the Specific Plan would result in beneficial land use and planning effects. The Specific Plan EIR did not identify any mitigation measures for land use and planning impacts, and no new mitigation measures would be required.

**Conclusion**

The project is consistent with the type of development analyzed in the Specific Plan EIR and would be consistent with the development standards envisioned in the Specific Plan. No substantial changes in environmental circumstances have occurred, and no new information that could not have been known at the time the Specific Plan EIR was certified has been identified which would lead to new or more severe significant impacts. Therefore, the Specific Plan EIR adequately evaluated impacts that would occur with implementation of the project and no new or more severe impacts would occur.

3.11 Mineral Resources

<table>
<thead>
<tr>
<th>Significant Impact</th>
<th>Less than Significant with Mitigation Incorporated</th>
<th>Less-than-Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
</table>

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?

                  □   □   □   □

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?

                  □   □   □   □

Discussion

As stated in the Specific Plan EIR, the El Cerrito General Plan determined that there are no mineral resources within the Specific Plan area. Accordingly, there are no identified resources in proximity to the project site.\(^\text{19}\) Given this, implementation of the project would have no impact on mineral resources.

3.12 Noise

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Significant Impact</th>
<th>Less than Significant with Mitigation Incorporated</th>
<th>Less-than-Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of the other agencies?</td>
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<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>b) Result in exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?</td>
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<td>☐</td>
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</tr>
<tr>
<td>c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>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 expose people residing or working in the project area to excessive noise levels?</td>
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<td>☐</td>
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</tr>
<tr>
<td>f) For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?</td>
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Discussion

This section compares construction and operational noise impacts from the project with impacts identified in the Specific Plan EIR. While the Specific Plan EIR addressed noise and vibration impacts more generally, a Noise Impact Study was completed for the project in October 2018.

Operational noise can be categorized as mobile source noise and stationary source noise. Mobile source noise would be attributable to the additional trips that would be generated by the project. Stationary source noise includes noise generated by the residential land use such as exterior mechanical
equipment (air conditioning systems, fans, etc.) Given the nature of the project, proposed dwelling units are not anticipated to introduce long-term operational vibration impacts to the surrounding area. In terms, existing sources of vibration within the project vicinity would not result in adverse impacts to residents.

Certain land uses are considered more sensitive to noise than others. Examples of these include residential areas, educational facilities, hospitals, childcare facilities, and senior housing. The project site is located within the San Pablo Avenue corridor that is predominantly developed with commercial, retail uses and multi-family residential uses. The closest sensitive receptors include a residence located approximately 250 feet southeast of the project site, opposite San Pablo Avenue. The project proposes the construction of 144 dwelling units, therefore introducing sensitive receptors to the project site.

Exterior Noise Environment

The Specific Plan EIR determined new residential land uses developed under the Specific Plan would be exposed to exterior noise levels of 70 A-weighted decibels (dBA) or greater, which exceed El Cerrito’s noise and land use compatibility standards. This was identified as a potentially significant impact. The Specific Plan EIR identified Mitigation Measure 13-1, which requires project-specific acoustical analyses to determine future exterior and interior noise levels and mitigate where possible. Mitigation Measure 13-1 requires projects to utilize site planning to minimize noise in residential outdoor activity areas by locating recreation areas “behind noise barriers, the buildings, in courtyards, or orienting the terraces to alleyways rather than streets, whenever possible”. The mitigation measure sets a goal of a maximum exterior noise level of 70 dBA from BART noise. The Specific Plan EIR concluded Implementation of these measures would reduce potential noise and land use compatibility impacts to a less-than-significant level.

A Noise Impact Study was conducted for the project in October 2018 to satisfy the City’s requirement for a project-specific noise impact analysis, per Specific Plan EIR Mitigation Measure 13-1. Future noise levels were estimated based on noise measurement data gathered at the project site and the surrounding area from January 29, 2018 and February 1, 2018. Future noise levels were also informed by peak hour trip generations for the proposed project. Noise measurement details are provided in Appendix E.

Under existing conditions, the exterior noise environment ranges from 74 to 87 dBA during the day and 59 to 85 dBA at night. This is based on long-term noise measurements taken at the project site in January and February 2018.

The project would include three public open spaces, one private podium-level courtyard open space, an open space on the second floor, and a 7th floor roof deck. Two of the public open spaces would be north of the building and the third would be south of the building adjacent to San Pablo Avenue. While these areas are identified as public open space, outdoor seating or other activities intended for extended outdoor use are not proposed in these spaces, and therefore they would not be subject to the City’s exterior noise thresholds.

The podium-level private courtyard would be in the center of the site with building facades on the north and east sides and a sound wall on the west to southwest sides. This outdoor space would be well shielded from traffic noise along San Pablo Avenue and fully shielded from BART pass-by noise as a result of the sound wall. Considering the noise shielding from these intervening structures, the future
exterior noise levels at this outdoor use space are expected to be 60 dBA Ldn or less. Full details on the anticipated construction materials and noise attenuation of the sound wall can be found in Appendix E.

Considering height and distance relationships to the BART tracks, the edge of the 7th level roof deck would be between 45 and 70 feet from the centerline of the BART tracks. A large portion of the roof deck would receive significant noise shielding from the sound wall, roof edge, and building structure, such that rooftop areas 5 feet from the edge of the roof will be exposed to future exterior noise levels below the conditionally acceptable threshold of 65 dBA Ldn or less, and areas greater than 10 feet from the roof edge will be exposed to the normally acceptable threshold of 60 dBA Ldn or less.

**Interior Noise Environment**

Interior noise levels within new multi-family residential units are required to be maintained at or below 45 dBA by City standards and below an annual average of 45 dBA community noise equivalent level under State standards. Additionally, the City of El Cerrito requires the interior noise levels of new residential units exposed to 60 dBA or greater should be limited to a maximum instantaneous noise level of 50 dBA in the bedrooms and 55 dBA in other rooms. Though the City does not specify whether these maximum levels absolute or recurring maximum levels, in keeping with accepted acoustical practice in areas where the noise sources which produce maximum noise events are relatively constant and repetitive in nature (such as BART pass-bys) this analysis considers the City standards to apply to the recurring maximum noise levels from passing BART trains.

Residences on the southwestern façade of the building will be the nearest to the BART tracks at a setback of about 25 feet from the track centerline. The project design is such that only two residences have exterior walls directly exposed to BART; one unit on the second floor and one on the eighth. However, neither of these units have any windows or doors in the exterior walls facing BART. Considering that the tracks are elevated, exterior-facing residential units on each floor would be exposed to future exterior noise levels of 89 dBA Ldn and recurring maximum instantaneous (Lmax30) noise levels ranging from 106 to 108 dBA. Based on typical construction materials and techniques in California, it is assumed that exterior walls will provide up to 44 dBA of sound attenuation. Thus, residential units without any exterior windows would be exposed to interior noise levels of 45 dBA Ldn and recurring maximum noise levels of 62 to 64 dBA. While the 45 dBA Ldn levels would be in compliance with General Plan Noise standards, the interior recurring maximum instantaneous noise levels would exceed interior maximum noise levels standards by 12 to 14 dBA in bedrooms and 7 to 9 dB in other rooms.

All other west and southwest facing residential units would be setback from BART opposite the main outdoor courtyard, behind and acoustically shielded by the proposed sound wall. Considering the

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20 Though the current project drawings do not give the exterior wall assemblies, it is expected that they would be single stud wood framed with cavity insulation and a single layer of gypsum board at the interior face, based on typical California construction techniques. Based on this and that the building elevations indicate that this façade will have a stucco exterior finish, the sound isolation rating of these exterior wall assemblies would be STC 46 for walls with 7/8” thick stucco (based on laboratory test number W-50-71 published by the U.S. National Bureau of Standards). Such a wall assembly, without window or door openings, would be expected to reduce exterior noise levels within residential interiors by 44 dBA.
varying setbacks of these units from the BART line and the noise shielding of the wall, the exterior facades of these units would be exposed to future exterior noise levels of between 62 and 64 dBA Ldn and recurring maximum instantaneous (Lmax30) noise levels ranging from 81 to 83 dBA. To allow interior average and maximum instantaneous noise levels standards to be met within all west and southwest facing residential units opposite the main outdoor courtyard, the composite exterior wall/window assembly at bedrooms will need to provide a minimum exterior to interior noise reduction of 33 dBA at bedrooms and 28 dBA at living rooms.

Exterior-facing residential units along the eastern building façade would have some exposure to BART pass-bys due to the elevation and alignment of the tracks and distance of 90 to 250 feet from the track centerline. Additionally, these building façades will have direct line-of-sight to vehicular traffic noise along San Pablo Avenue, with units set back approximately 45 feet from the roadway centerline. At these distances, the future exterior noise levels along the eastern building façade are expected to range from 73 to 80 dBA Ldn, with recurring instantaneous maximum noise levels ranging from 83 to 94 dBA. Based on project plans and typical construction assumptions, the eastern units would have interior noise levels of up to 50 dBA Ldn and would experience recurring instantaneous maximum noise levels of up to 67 dBA in living rooms, along with interior noise levels of up to 51 dBA Ldn and recurring instantaneous maximum noise levels of up to 68 dBA in bedrooms.

Exterior-facing residential units along the northern building façades would have limited exposure to BART pass-by noise and direct line-of-sight noise exposure to vehicular roadway traffic on San Pablo Avenue. This façade would be setback approximately 45 to 195 feet from the centerline of San Pablo Avenue, and approximately 75 to 135 feet from the center of the BART tracks. Noise from BART pass-bys would be significantly reduced due to noise shielding from the building. Considering these distances, the future exterior noise levels on the northern building façade is expected to range from 61 to64 dBA Ldn, with recurring maximum instantaneous noise levels ranging from 76 to 82 dBA. In living rooms along this facade, interior noise levels would be 36 dBA Ldn and recurring maximum instantaneous noise would be up to 54 dBA. In bedrooms, interior noise levels would be 33 dBA Ldn and recurring maximum instantaneous noise levels would be 52 dBA.

Based on the projected interior noise levels, additional noise reduction beyond the attenuation provided by standard construction would be needed to ensure average interior noise levels and instantaneous noise levels meet the applicable standards. To reduce interior noise, the following project-specific condition of approval is required:

2. **Project-Specific Condition of Approval:** The project design shall implement the following measures to achieve an interior noise level of 45 dBA Ldn or less, in compliance with City noise standards:

   a. **South and West Façade:**

      i. For units with exterior walls directly facing BART (on the 2nd and 8th floors), exterior walls must have a minimum STC rating of 61. Preliminary calculations indicate that the use of an internally insulated staggered wood stud assembly with two layers of 5/8” gypsum board at the interior face and 7/8” thick three coat stucco at the exterior would provide this STC rating; however, the STC rating may be achieved through other design approaches.
ii. For units with windows or other glazing on the southern and western façades (1st through 6th floors), bedroom windows must have a minimum STC rating of 32. and exterior wall materials and all windows must achieve an interior noise attenuation of 33 dBA in bedrooms and 28 dBA in living rooms.

b. **Eastern Façade:**
   i. Exterior walls must have a minimum STC rating of 61, all exterior windows on the eastern façade must have a minimum STC rating of 38, and all exterior doors on the eastern façade must have a minimum STC rating of 35.

c. **Northern Façade:**
   i. Exterior walls must have a minimum STC rating of 61, all exterior windows on the northern façade must have a minimum STC rating of 35, and all exterior doors on the northern façade must have a minimum STC rating of 32.

d. The STC ratings required by this condition shall be documented and submitted to the City for review before final building permits are granted

**Construction Noise**

Construction is permitted by the City between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday and between the hours of 8:00 a.m. and 5:00 p.m. on Saturday. No construction activity is allowed on Sundays or holidays. The highest construction noise levels would be generated during grading and excavation, with lower noise levels occurring during other construction activities. Large pieces of earth-moving equipment such as graders, scrapers, and bulldozers, generate maximum noise levels of 85 to 90 dBA at a distance of 50 feet. Typical hourly average construction-generated noise levels are about 65 to 88 dBA measured at a distance of 50 feet from the site during busy construction periods. These noise levels drop off at a rate of about 6 dBA per doubling of distance between the noise source and receptor. Intervening structures or terrain attenuate the noise, resulting in lower noise levels.

The Specific Plan EIR concluded that while construction noise would be temporary and localized to individual project sites, existing businesses and residences would be intermittently exposed to high levels of noise throughout Specific Plan implementation. The Specific Plan EIR concluded individual project construction would elevate noise levels at adjacent businesses and residences by 15 to 20 dBA or higher. Such a large increase in noise levels, although short-term in duration, was determined to be a potentially significant impact. The Specific Plan EIR identified **Mitigation Measure 13-3**, which provides mitigation for temporary construction noise at residential and commercial land uses. However, construction noise impacts remain significant and unavoidable.

Daytime ambient noise levels at the existing residence located southeast of the project site and the existing commercial uses located to the east, opposite San Pablo Avenue, range from 74 to 77 dBA Leq. The existing commercial uses located to the north range from 76 to 80 dBA Leq, and the commercial use located southwest, opposite the BART tracks, have daytime ambient noise levels ranging from 84 to 87 dBA Leq.

Noise generated by construction equipment would at times exceed 60 dBA at the existing residence and would at times exceed 70 dBA at commercial land uses. However, due to the high ambient levels at each
existing land use surrounding the project site, construction noise levels are not expected to exceed daytime ambient noise levels by 5 dBA or more.

Reasonable regulation of the hours of construction, as well as regulation of the arrival and operation of heavy equipment and the delivery of construction material, are necessary to protect the health and safety of persons, promote the general welfare of the community, and maintain the quality of life. **Mitigation Measure 13-3** of the SPASP DEIR provides mitigation for temporary construction noise where noise levels would exceed 60 dBA Leq at residential land uses or exceed 70 dBA Leq at commercial land uses when the noise would exceed the ambient noise environment by 5 dBA Leq or more for more than one year.

In addition to **Mitigation Measure 13-3**, implementation of the following condition of approval would further reduce noise levels in the vicinity of the construction site.

3. **Project-Specific Condition of Approval**: Develop a construction noise control plan, including, but not limited to, the above mitigation measures provided by **Mitigation 13-3** of the Specific Plan EIR, and the following controls:
   - Control noise from construction workers’ radios to a point where they are not audible from adjacent land uses.
   - Locate staging areas and construction materials areas as far away as possible from adjacent land uses.

Implementation of the above measures would reduce construction noise levels emanating from the site, limit construction hours, and minimize disruption and annoyance. With the implementation of these measures, the project would not result in a temporary increase in ambient noise levels beyond what was analyzed in the Specific Plan EIR.

**Construction-Related Vibration**

The Specific Plan EIR determined construction under the Specific Plan would in some cases be located directly adjacent to existing weakened structures. Depending on the proximity of existing structures to the construction site, the structural soundness of the surrounding existing buildings, and the methods of construction used, construction may cause vibration levels high enough to damage existing structures.

The Specific Plan EIR determined construction-related vibration impacts would be potentially significant and identified **Mitigation Measure 13-4**, which requires projects to avoid pile driving, vibratory rolling, and tampers wherever feasible, and requires site-specific vibration studies in areas where project construction is anticipated to include vibration-generating activities. Since avoiding all use of vibration-generating construction equipment may not be feasible, even with mitigation, this impact was found to be significant and unavoidable.

Implementation of **Mitigation Measure 13-4** would be required for the project. No historic buildings or buildings that are documented to be structurally weakened are adjacent to or adjoin the project site. Construction of the project may generate perceptible vibration when heavy equipment or impact tools (e.g. jackhammers, hoe rams) are used. Construction activities would include site preparation work, foundation work, and new building framing and finishing. Construction of the project would also involve demolition of one small concrete structure and excavation for an underground parking structure. Pile
driving, which can cause excessive vibration, is not anticipated to be required or used during project construction.

The nearest existing residential structure would be approximately 250 feet southeast of the project’s boundary. At this distance, vibration levels would be at or below 0.02 in/sec PPV, which is below the 0.3 in/sec PPV threshold. Additionally, commercial buildings surround the site to the north, opposite the BART tracks to the southwest, and opposite San Pablo Avenue to the east. The commercial buildings to the north would be 145 feet or more from the site, exposing these structures to vibration levels at or below 0.03 in/sec PPV. The commercial building to the southwest would be approximately 65 feet from the project site. At this distance, vibration levels would be up to 0.07 in/sec PPV. The commercial buildings to the east range from 115 to 215 feet from the project site, and at these distances, vibration levels would be at or below 0.04 in/sec PPV.

Therefore, vibration levels due to the use of construction equipment would not exceed the 0.3 in/sec PPV vibration threshold. The project would not result in any new or more significant construction-period vibration impacts than were described in the Specific Plan EIR.

**Permanent Stationary Source Noise Impacts**

The Specific Plan EIR determined new permanent mechanical equipment installed as a part of Specific Plan commercial development would generate noise, further increase the ambient noise environment and result in a potentially significant noise impact. The Specific Plan EIR identified **Mitigation Measure 13-2**, which requires site-specific analysis for proposed commercial uses to reduce long-term noise impacts to a less-than-significant level. The project would not introduce new commercial uses; therefore, this mitigation measure would not apply.

Multi-family residential buildings typically require various mechanical equipment including air conditioners, exhaust fans, and air handling equipment for ventilation of the buildings. A mechanical equipment room would be located in the basement level garage of the project building, and mechanical equipment would also be located on the rooftop.

According to the City’s General Plan, mechanical equipment noise must be maintained at or below 55 dBA Leq during daytime hours (7:00 a.m. to 10:00 p.m.) and at or below 45 dBA Leq during nighttime hours (10:00 p.m. to 7:00 a.m.) at sensitive receptors.

As described in the General Plan, if ambient noise levels exceed acceptable levels, the threshold for impacts to the noise environment shall be an increase in the ambient noise environment. Therefore, operation of the project must maintain an ambient noise level of 60 dBA Leq during daytime hours and at or below 56 dBA Leq during nighttime hours at the adjacent residences to meet the City’s stationary noise requirements.

The daytime ambient noise levels measured at the nearest residential receptor ranged from 74 to 77 dBA (average of 75 dBA), and the nighttime ambient noise levels ranged from 59 to 75 dBA (average of 68 dBA). The Maximum Allowable Noise Exposure Table for Stationary Noise Sources states in the notes that if the ambient noise levels exceed the stated thresholds then the ambient noise levels shall be used as the threshold. Therefore, for the nearest residence located southeast of the project site, mechanical equipment noise must be at or below 75 dBA during daytime hours and at or below 68 dBA during nighttime hours to meet the City’s stationary noise requirements.
Due to the high ambient noise levels generated by BART train passbys and the distance from the project site to the nearest noise-sensitive receptor, mechanical equipment noise is not expected to exceed the City’s daytime or nighttime thresholds at the nearest sensitive use. Given this, the project would not result in any new or more significant permanent noise impacts than were described in the Specific Plan EIR.

Mobile Source Noise Impacts

Implementation of the project would result in new daily trips on local roadways in the project site vicinity. The Specific Plan EIR found that cumulative traffic noise levels, with or without implementation of the Specific Plan, would not increase substantially along the roadways serving the Specific Plan area.

According to the City’s General Plan, a substantial increase would occur if a project would result in a 3 dBA increase over existing conditions or if any increase would result in noise levels greater than 60 dBA. Since existing ambient noise levels in the project vicinity exceeds 60 dBA, a significant impact would occur if traffic from the project would permanently increase ambient levels by 3 dBA.

For reference, a 3 dBA noise increase would be expected if the project would double existing traffic volumes along a roadway. During the peak AM hour, the project would generate 41 trips. During the peak PM hour, the project would generate 65 trips. Compared to the existing traffic volumes along San Pablo Avenue, this would be an increase in peak hour traffic volumes of less than 4 percent. This would result in a traffic noise increase of less than 1 dBA. Therefore, the project would not result in a permanent noise increase of 3 dBA or more.

Cumulative traffic noise increases would not be considered substantial, and the project would not make a cumulatively considerable contribution to increased noise levels. Therefore, this impact would remain less than significant and the project would not result in any new or more significant permanent noise impacts than were described in the Specific Plan EIR.

Aircraft Noise

The Specific Plan EIR did not address potential aircraft noise impacts because the Specific Plan area is not located within 2 miles of a public or public use airport. Oakland International Airport is the closest airport and is located approximately 14 miles southeast of the project site. Aircraft noise is occasionally audible at the project site; however, no portion of the project site lies within the 65 dBA CNEL noise contours of any public airport, and no portion of the project site is within 2 miles of any private airfield or heliport. Therefore, consistent with the Specific Plan EIR, the project would not result in the exposure of sensitive receptors to the excessive noise levels form aircraft noise sources.

Applicable Mitigation

Implementation of Mitigation Measure 13-3, Mitigation Measure 13-4, and the project-specific condition of approval would be required. Mitigation Measure 13-1 has been fulfilled through preparation of the project Noise Impact Study (Appendix E). No new mitigation would be required.

Conclusion

The project would be consistent with the type of development analyzed the Specific Plan EIR and consistent with development standards required in the Specific Plan. No substantial changes in environmental circumstances have occurred, and no new information that could not have been known
at the time the Specific Plan EIR was certified has been identified which would lead to new or more severe significant impacts. Therefore, the Specific Plan EIR adequately evaluated impacts that would occur with implementation of the project and no new or more severe impacts would occur.
### 3.13 Population and Housing

<table>
<thead>
<tr>
<th>Impact</th>
<th>Significant Impact</th>
<th>Less than Significant with Mitigation Incorporated</th>
<th>Less-than-Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
</table>

Would the project:

a) Induce substantial population growth in an area, either directly, (for example, by proposing new homes and businesses) or indirectly (for example, 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?

**Discussion**

The Specific Plan EIR evaluated potential environmental impacts from a maximum buildout of approximately 243,112 net new square feet of commercial space, 1,706 units of residential development, and 3,840 new residents. Such growth is consistent with local and regional plans, as detailed below.

The General Plan identifies the San Pablo Avenue corridor as the focus of new housing and population growth in the City, due its proximity to existing services, including public transportation infrastructure, and the opportunities for increased land use intensity afforded by underutilized land and surface parking lots.

Further, the Association of Bay Area Governments and the Metropolitan Transportation Commission have collaboratively adopted Plan Bay Area: Regional Transportation Plan and Sustainable Communities Strategy for the San Francisco Bay Area 2012-2040 (Plan Bay Area). The San Pablo Avenue Specific Plan area is identified as a "Priority Development Area" in Plan Bay Area, where “infill development and intensification is envisioned.” Plan Bay Area forecasted an increase of 2,350 housing units in the Specific Plan area by 2040. While projections included in Plan Bay Area are not mandates, the 1,706 housing units proposed under the project would be consistent with local and regional plans for housing and population growth.
The Specific Plan EIR concluded population growth associated with the Specific Plan will not directly or indirectly induce substantial population growth beyond the Specific Plan boundaries. Rather, Specific Plan implementation will facilitate residential and commercial growth within a transit-rich, mixed use area identified for such growth in both local and regional plans and forecasts. Therefore, the Specific Plan’s direct and indirect impact on population growth was determined to be less than significant.

As discussed in the Specific Plan EIR, implementation of the Specific Plan will not require or induce the displacement of housing. Over time, existing residential units may be voluntarily replaced by property owners in accordance with Specific Plan provisions and allowable land uses. However, the residential and mixed-use focus of the Specific Plan provides for the addition of approximately 1,706 net new residential units in the Specific Plan area, offsetting any loss of housing. Accordingly, impacts associated with displacement from the Specific Plan were found to be less than significant.

Implementation of the project would introduce 144 new residential units, which is consistent with development anticipated for the project site in the Specific Plan. For these reasons, implementation of the project would not result in any impacts related to population and housing beyond those identified in the Specific Plan EIR.

Applicable Mitigation

The Specific Plan EIR did not identify any mitigation measures for population and housing impacts, and no new mitigation measures would be required.

Conclusion

The project is consistent with the type of development analyzed in the Specific Plan EIR and would be within the growth projections evaluated in regional planning documents and the Specific Plan EIR. No substantial changes in environmental circumstances have occurred, and no new information that could not have been known at the time the Specific Plan EIR was certified has been identified which would lead to new or more severe significant impacts. Therefore, the Specific Plan EIR adequately evaluated impacts that would occur with implementation of the project and no new or more severe impacts would occur.
3.14 Public Services

<table>
<thead>
<tr>
<th>Impact Level</th>
<th>Significant Impact</th>
<th>Less than Significant with Mitigation</th>
<th>Less-than-Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
</table>

Would the project:

a) Would the project 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 public services:

   i) Fire protection?    
      ![ ] [ ] [ ] [ ]

   ii) Police protection?  
      ![ ] [ ] [ ] [ ]

   iii) Schools?           
      ![ ] [ ] [ ] [ ]

   iv) Parks?              
      ![ ] [ ] [ ] [ ]

   v) Other public facilities?  
      ![ ] [ ] [ ] [ ]

Discussion

Schools

The Specific Plan area is located within the West Contra Costa Unified School District (WCCUSD). According to the Specific Plan EIR, WCCUSD student yield factors for multi-family units indicated that the addition of 1,706 new residences would generate approximately 1,147 new students in the District schools over the approximately 25-year planning horizon of the Specific Plan. The Specific Plan EIR concluded new students would be accommodated in existing WCCUSD schools, and Specific Plan implementation would not result in the need for new or expanded school facilities. As the population and housing units proposed under the project would fall within the total development anticipated by the Specific Plan EIR (Table 1), new students generated by the addition of 144 new dwelling units are within the assumptions of the Specific Plan EIR, which envisioned up to 1,706 new dwelling units. As such, existing school facilities could accommodate the project.
Fire

The Specific Plan EIR concluded additional demand associated with buildout of the Specific Plan could be accommodated by the existing El Cerrito Fire Department fire protection facilities and personnel. Specifically, the Specific Plan EIR determined any demand for additional fire protection personnel or equipment resulting from Specific Plan buildout would be funded by the annual budget review and allocation in El Cerrito. Given this, impacts to fire protection services were determined to be less than significant. As the 144 dwelling units proposed under the project would fall within the total development anticipated by the Specific Plan EIR, the project would result in no new impacts associated with fire services.

Police

The Specific Plan EIR determined increased demand for police services associated with buildout of the Specific Plan would not require new or physically altered police protection facilities. The Specific Plan EIR reasoned that implementation of the Specific Plan would result in more “eyes-on-the-street” through creation of a more pedestrian-friendly corridor, which would in turn provide a safer public environment. The Specific Plan EIR identified police department approvals that would be required on a project-by-project basis to ensure the department is equipped and has the ability to maintain acceptable levels of service. The project would add 144 new dwelling units, which is consistent with the total development anticipated in the Specific Plan EIR. Therefore, implementation of the project would not result in new impacts to police services.

Parks and Other Public Facilities

The Specific Plan EIR determined implementation of the Specific Plan would not create a need for new or physically altered government facilities. Further discussion of parks and recreation resources is provided in Section 3.15, Parks and Recreation.

Applicable Mitigation

The Specific Plan EIR did not identify any mitigation measures for impacts to public services, and no new mitigation measures would be required.

Conclusion

Development of the project would be within the development assumptions evaluated in the Specific Plan EIR. No substantial changes in environmental circumstances have occurred, and no new information that could not have been known at the time the Specific Plan EIR was certified has been identified which would lead to new or more severe significant impacts. Therefore, the Specific Plan EIR adequately evaluated impacts that would occur with implementation of the project and no new or more severe impacts would occur.
3.15 Parks and Recreation

<table>
<thead>
<tr>
<th>Significant Impact</th>
<th>Less than Significant with Mitigation Incorporated</th>
<th>Less-than-Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
</table>

Would the project:

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?

Discussion

Buildout of the Specific Plan would generate 1,706 new residences and increase the local population by 3,840 people. The increased local population would create an increased demand on parks and recreational facilities. The City’s General Plan establishes a ratio of 5 acres of parks and recreational facilities per 1,000 residents as the level of service standard. In 2010, the City had a ratio of 6.67 acres per 1,000 residents. With full buildout of the Specific Plan, which includes plans for new open space areas, the ratio within the City would be 5.85 acres of parks and recreational facilities per 1,000 residents. Therefore, the ratio of 5.85 acres per 1,000 residents would be above the adopted level of service standard. The Specific Plan EIR concluded the combination of existing and proposed parks and greenways within the Specific Plan area and its vicinity would meet the City’s requirements for parks and open space.

The project would add 144 new residential units to the site, which falls within the anticipated population increase analyzed in the Specific Plan EIR. Although 917 residential units are currently undergoing City approval, implementation of the project would still not exceed projected growth for the area. As previously discussed, a trail existing just north of the project site currently provides a crossing to the Baxter Creek Gateway Park. Once implemented, the project would improve the alternate crossing providing access to the Ohlone Greenway and the park across San Pablo Avenue. Therefore, the project would not result in additional demand for parks and recreational facilities beyond what was analyzed in the Specific Plan EIR.

Applicable Mitigation

The Specific Plan EIR did not identify any mitigation measures for impacts to parks and recreation resources.
Conclusion

Development of the project would fall within the development assumptions evaluated within the Specific Plan EIR. No substantial changes in environmental circumstances have occurred, and no new information that could not have been known at the time the Specific Plan EIR was certified has been identified which would lead to new or more severe significant impacts. Therefore, the Specific Plan EIR adequately evaluated impacts that would occur with implementation of the project and no new or more severe impacts would occur.
### 3.16 Transportation/Traffic

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Significant Impact</th>
<th>Less than Significant with Mitigation Incorporated</th>
<th>Less-than-Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>☑️</td>
<td>☑️</td>
<td>☑️</td>
<td>☑️</td>
</tr>
<tr>
<td>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 or highways?</td>
<td>☑️</td>
<td>☑️</td>
<td>☑️</td>
<td>☑️</td>
</tr>
<tr>
<td>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?</td>
<td>☑️</td>
<td>☑️</td>
<td>☑️</td>
<td>☑️</td>
</tr>
<tr>
<td>d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</td>
<td>☑️</td>
<td>☑️</td>
<td>☑️</td>
<td>☑️</td>
</tr>
<tr>
<td>e) Result in inadequate emergency access?</td>
<td>☑️</td>
<td>☑️</td>
<td>☑️</td>
<td>☑️</td>
</tr>
<tr>
<td>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?</td>
<td>☑️</td>
<td>☑️</td>
<td>☑️</td>
<td>☑️</td>
</tr>
</tbody>
</table>
Discussion

This section compares traffic impacts that would result from implementation of the project with impacts identified in the Specific Plan EIR. A Preliminary Transportation Impact Analysis (TIA) was completed for the project in January 2018 and is included as Appendix F.

The Specific Plan EIR determined buildout of the Specific Plan would cause the intersection at San Pablo Avenue/Cutting Boulevard to fall from LOS D to an unacceptable LOS E when considered cumulatively with existing conditions all other planned and reasonably foreseeable projects in the cumulative scenario year 2040. The Specific Plan EIR identified Mitigation Measure 16-1, which required adoption and implementation of the San Pablo Avenue Complete Streets Plan to reduce vehicle trips and change the City’s standard for acceptable LOS from D to E. However, because the projected mode shift associated with the Complete Streets Plan could not be assured, the impact was concluded to be significant and unavoidable after mitigation.

The Specific Plan assumed several roadway improvements would occur as part of the Specific Plan buildout. In the vicinity of the project, several roadway modifications along San Pablo Avenue in the downtown area were included to improve circulation for all modes. The City of El Cerrito is currently in the process of refining the multimodal improvements identified in the Specific Plan. The City is also developing a Transportation Impact Fee (TIF) program to determine fair-share payment for individual development projects to finance the implementation of these improvements. The TIA determined that the additional traffic associated with the project would require fair-share mitigation fee payment, to be determined by the City. This requirement would be applied to the project as a condition of approval:

**Project Specific Condition of Approval:** Applicant shall pay a fair share contribution towards the implementation of the multi-modal Complete Streets improvements identified by the Specific Plan as determined by the Public Works Director.

Trip Generation

Using the same trip generation methodology used in the Specific Plan EIR, the transportation analysis estimated the project would generate 41 AM peak-hour and 65 PM peak-hour trips (See Table 3).

**Table 3 Project Trip Generation**

<table>
<thead>
<tr>
<th>Project/Plan</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>In</td>
<td>Out</td>
</tr>
<tr>
<td>11965 San Pablo Avenue (Proposed Project)</td>
<td>13</td>
<td>28</td>
</tr>
<tr>
<td>Specific Plan EIR Trip Generation for High Priority Opportunity Sites</td>
<td>284</td>
<td>460</td>
</tr>
<tr>
<td>Percent Complete</td>
<td>34%</td>
<td>35%</td>
</tr>
</tbody>
</table>

*Source: Fehr & Peers, 2018*

Since the certification of the Specific Plan EIR, 20 developments, including this project, have been proposed and are in some stage of the City’s approval process. Table 4 summarizes the total trip generation for 14 developments within the high opportunity sites, including this project. Compared to
the Specific Plan EIR, the combined trip generation for all 14 projects would fall below the total trip generation estimated for high-opportunity areas within the Specific Plan EIR. Thus, the project cumulatively combined with all planned, approved, and under construction projects in the Specific Plan area would not result in significant traffic impacts beyond those identified in the Specific Plan EIR.

Table 4  Trip Generation for Proposed High Opportunity Sites in the Specific Plan Area

<table>
<thead>
<tr>
<th>Project</th>
<th>AM/PM Peak Hour Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>AM In</td>
</tr>
<tr>
<td>Total Proposed Project Trips</td>
<td>97</td>
</tr>
<tr>
<td>Specific Plan EIR Trip Generation for High Opportunity Sites</td>
<td>284</td>
</tr>
<tr>
<td>Percent Built Out</td>
<td>34%</td>
</tr>
</tbody>
</table>

Source: Fehr & Peers, 2018

Vehicle Access and On-site Circulation

The TIA concluded residents and visitors of the project would access the project site via a full-access approximately 24-foot wide driveway on San Pablo Avenue at the northeast corner of the project site. The driveway would provide access to an underground parking garage.

The project proposes 77 stacked parking spaces (0.5 spaces per unit), including eight electric vehicle charging stations and 3 Americans with Disabilities Act-compliant spaces. The TIA provided project design recommendations to improve on-site circulation.

1. **Project Specific Condition of Approval**: Applicant shall provide mirrors at the driveway ramp curves to ensure adequate visibility between vehicles entering and exiting the project site.

Project Driveway Site Distance

The TIA provided project design recommendations to improve project driveway site distance. Vehicles parked on either side of the San Pablo Avenue driveway may block the sight distance between vehicles exiting the driveway and vehicles traveling northbound or southbound on San Pablo Avenue. Trees that currently exist on either side of the driveway may also affect visibility of exiting vehicles if the tree canopy is lower than six feet from the ground.

1. **Project Specific Conditions of Approval**: Applicant shall ensure that on-street parking and trees on both sides of the project driveway on San Pablo Avenue would not restrict sight distances for existing vehicles by providing at least 20 feet of red curb and ensuring that the tree canopies are higher than six feet from the ground on both sides of the driveway.

Bicycle Parking, Access and On-Site Circulation

Section 2.05.07.04 of the Specific Plan Form-Based Code requires bicycle parking for residential and commercial uses. Based on the proposed number of units, 219 long-term bicycle parking spaces and 7 short-term bicycle parking spaces would be required. The Project would provide 220 long-term bicycle parking spaces and eight short-term bicycle parking spaces, meeting Specific Plan requirements. Long-
term bicycle parking would be provided in secured rooms located at the northwest end of the underground garage, and along the stairwell located at the southwest corner of the underground garage. Short-term bicycle parking would be located along the building frontage on San Pablo Avenue.

**Pedestrian Access and On-Site Circulation**

Pedestrians would access the building via a lobby entrance along San Pablo Avenue. The lobby entrance would provide direct access to units on the first floor, as well as stair and elevator access to the upper floor units. Pedestrian access between the parking garage and the building would be provided via stairs and elevator to the lobby entrance in the front of the building. The Specific Plan Form Based Code requires a minimum a 14-foot public realm along community streets, including 8 feet of clear pedestrian right-of-way and 6 feet of amenity space, which includes landscaping. The project would provide an eight-foot pedestrian zone and a six-foot amenity zone, meeting Specific Plan requirements.

**Transit Access**

AC Transit provides nearby transit service to the project site with a bus stops along both northbound and southbound San Pablo Avenue, at the San Pablo Avenue/Macdonald Avenue intersection, about 700 feet north of the project and at the San Pablo Avenue/Conlon Avenue intersection, about 600 feet south of the project. The San Pablo Avenue/Macdonald Avenue bus stops provide a bench and bus shelter. The San Pablo Avenue/Conlon Avenue intersection bus stops provide a bench and no bus shelter. Both the San Pablo Avenue/Macdonald Avenue and San Pablo Avenue/Conlon Avenue intersections are signalized, providing a protected crossing for pedestrians crossing San Pablo Avenue to walk between the northbound bus stops and the project site.

**Parking and TDM Requirements**

The Specific Plan Form-Based Code requirements for the TOHIMU zoning district apply to the project site. TOHIMU zoning requires a maximum of 1.0 automobile parking space per dwelling unit and a basic Transportation Demand Management (TDM) plan.

The project would provide a ratio of 0.5 spaces per unit; 77 parking spaces in the underground parking garage for a total of 144 dwelling units. This would be consistent with Specific Plan parking standards.

**Applicable Mitigation**

Implementation of Mitigation Measure 16-1 would be required along with implementation of the project-specific conditions of approval. No new mitigation measures would be required.

**Conclusion**

The project is consistent with the type, density, and intensity of development analyzed in the Specific Plan EIR. No substantial changes in environmental circumstances have occurred, and no new information that could not have been known at the time the Specific Plan EIR was certified has been identified which would lead to new or more severe significant impacts. Therefore, the Specific Plan EIR adequately evaluated impacts that would occur with implementation of the project and no new or more severe impacts would occur.
3.17 Tribal Cultural Resources

<table>
<thead>
<tr>
<th>Significant Impact</th>
<th>Less than Significant with Mitigation Incorporated</th>
<th>Less-than-Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
</table>

Would the project:

a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

   ![ ] ![ ] ![ ] ![ ]

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

   ![ ] ![ ] ![ ] ![ ]

Discussion

As confirmed in the CHRIS records search, there are no recorded cultural resources onsite, although several recorded sites are located in close proximity. As previously discussed in Section 3.5, Cultural Resources, implementation of Mitigation Measure 7-2 would be required; this mitigation measure will protect previously unrecorded or unknown cultural resources, including Native American artifacts and human remains.

AB 52

Subsequent to certification of the Specific Plan EIR, the California Legislature passed Assembly Bill (AB) 52, which provides for consultation between lead agencies and Native American tribal organizations
during the CEQA process. Effective July 1, 2015, AB 52 states that prior to the release of an EIR or negative declaration/mitigated negative declaration for public review, a lead agency must provide the opportunity to consult with local tribes. Formal consultation under AB 52 is not required for this project per Section 15162, which exempts project CEQA documents that do not require public review.21

**Native American Sacred Lands File Search**

A Sacred Lands File search for the project site was submitted to the Native American Heritage Commission (NAHC) on January 24, 2018 (included as Appendix G).22 The results of the NAHC Sacred Lands File Search showed tribal cultural resources exist at the project site or its vicinity. As recommended by the NAHC, letters notifying tribes were sent out on March 2, 2018. As previously discussed, the project will implement Mitigation Measure 7-2, thus, protecting previously unrecorded or unknown cultural resources, including Native American artifacts and human remains.

**Applicable Mitigation**

Implementation of Mitigation Measure 7-2 would be required and would remain adequate to mitigate impacts as described in the Specific Plan EIR. No new mitigation measures would be required.

**Conclusion**

The Specific Plan EIR adequately evaluated the potential impacts to cultural resources. Project-specific research and Native American contact for the project has confirmed the Specific Plan EIR adequately evaluated the potential tribal cultural resource impacts that would occur with implementation of the project. No substantial changes in environmental circumstances have occurred, and no new information that could not have been known at the time the Specific Plan EIR was certified has been identified which would lead to new or more severe significant impacts. Therefore, the Specific Plan EIR adequately evaluated impacts that would occur with implementation of the project and no new or more severe impacts would occur.

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21 As the Specific Plan EIR was certified prior to July, 2015, and as this Program EIR Checklist supports the findings that, pursuant to CEQA Guidelines Section 15132, there are no new or substantially more severe significant effects and mitigation required, the project is within scope and is not subject to AB 52.

### 3.18 Utilities and Service Systems

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Significant Impact</th>
<th>Less than Significant with Mitigation Incorporated</th>
<th>Less-than-Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>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?</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>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?</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</td>
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<td>e) Result in a determination by the wastewater treatment provider which 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?</td>
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<tr>
<td>f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?</td>
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<td>g) Comply with Federal, State, and local statutes and regulations related to solid waste?</td>
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</tbody>
</table>

**Discussion**

The Specific Plan EIR determined water demand would increase as a result of buildout of the Specific Plan. Average daily demand was projected to be 882,720 gallons per day (gpd), which represents approximately 0.38 percent of the water demand forecasted in the Urban Water Management Plan (UWMP) for the year 2040.
The Specific Plan EIR also noted development within the Specific Plan area would incorporate the City’s requirements for providing adequate water supply, including compliance with adopted performance standards, application of these standards in each jurisdictional City’s development review process, coordination of development review with East Bay Municipal Utility District (EBMUD) including consistency with the UWMP, and the requirement that new development pay a fair share of the costs associated with provision of water facilities as required by the City’s conditions of approval.

The Specific Plan EIR concluded that since development facilitated by the Specific Plan would require about 0.38 percent of EBMUD’s forecasted planning level water demand for its service area by the year 2040, and would be subject to EBMUD and jurisdictional City plans, regulations, and ordinances regarding water supply, the impact on water supply would be less than significant.

The Specific Plan EIR concluded development associated with the Specific Plan would result in less-than-significant impacts on utilities and service systems, including wastewater treatment, stormwater drainage, and solid waste disposal. However, the Specific Plan EIR determined wastewater and storm drainage infrastructure systems would require improvements, including the upgrading of existing deficiencies, in order to accommodate new development facilitated by the Specific Plan. The Specific Plan EIR provided recommendations and design considerations for proposed infrastructure improvements.

The Stege Sanitary District provides wastewater service to properties along San Pablo Avenue, including the project site. This project applicant will participate in the San Pablo Avenue Sewer Capacity Improvement Fee Program.

The Specific Plan EIR determined that significant, unavoidable construction-related noise and vibration impacts would result from construction of the identified infrastructure improvements required to meet the Specific Plan buildout capacity.

Dwelling units constructed under the project would fall within the total development anticipated in the Specific Plan EIR. As such, the project would not increase demand on the wastewater infrastructure beyond that analyzed in the Specific Plan EIR. Given this, the project would not result in any impacts from expanded utility infrastructure beyond what was identified in the Specific Plan EIR.

The increase in commercial and residential density under the Specific Plan would result in an increase in the amount of solid waste generated within the Specific Plan area. The Specific Plan EIR concluded the increase in solid waste generation would not exceed acceptable rates established by plans, policies, and regulation. Solid waste generated by the occupation and operation of Specific Plan development would be served by solid waste and recycling facilities with sufficient long-term capacities to accommodate residential and commercial development of the Specific Plan development, including the project. Solid waste in El Cerrito is collected by the East Bay Sanitary Company and processed at the Golden Bear Transfer Station in Richmond. After processing, landfill materials are transferred to the Keller Canyon Landfill in Contra Costa County. As such, solid waste impacts were determined to be less than significant.
Pacific Gas & Electricity would provide gas and electric services to the project site, Stege Sanitary District would provide sewer services, and EBMUD would provide water services.\(^2\)

**Applicable Mitigation**

The Specific Plan EIR did not identify any mitigation measures for utility impacts. No new mitigation measures would be required.

**Conclusion**

The project is consistent with the type of development analyzed in the Specific Plan EIR. No substantial changes in environmental circumstances have occurred, and no new information that could not have been known at the time the Specific Plan EIR was certified has been identified which would lead to new or more severe significant impacts, and no new mitigation measures, beyond implementation of the project-specific condition of approval, would be required. The project would not result in new significant or more severe impacts related to utilities. Therefore, the Specific Plan EIR adequately evaluated the utilities and service systems impacts of the project and no new impacts related to utilities would result.

4 Reference Documents


Technical Appendices

The following resources were prepared in order to further identify project specific parameters. Copies of these technical documents are incorporated herein by reference and are available for review during normal business hours at the City of El Cerrito.

Appendix A: Air Quality Analysis
Appendix B: CHRIS Search Results
Appendix C: Geotechnical Report
Appendix D: Phase I/Phase II Environmental Site Assessment
Appendix E: Noise Impact Study
Appendix F: Transportation Analysis