



**10290 San Pablo Avenue**

**SAN PABLO AVENUE SPECIFIC PLAN  
ENVIRONMENTAL COMPLIANCE CHECKLIST**

PREPARED BY:



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**10290 SAN PABLO AVENUE  
CEQA ENVIRONMENTAL CHECKLIST AND INITIAL STUDY**

Project Title:	Vital Apartments, 10290 San Pablo Avenue
Lead agency name and address:	City of El Cerrito Planning Division 10890 San Pablo Avenue El Cerrito, CA 94530
Contact person and phone number:	Jeff Ballantine (510) 215-4358
Project Location:	10290 San Pablo Ave. City of El Cerrito – San Pablo Avenue Specific Plan Area Contra Costa County, CA
File Number:	PL19-0007
Project sponsor’s name and address:	Toby Long Design 6114 La Salle Ave. #552 Oakland, CA 94611
Property Owner:	Vital Building & Enterprises, Inc. Vital Properties, Inc. 10835 San Pablo Ave., Suite 200 El Cerrito, CA 94530
General Plan Designation:	Transit-Oriented Higher-Intensity Mixed Use (TOHIMU)
Zoning:	Transit-Oriented Higher-Intensity Mixed Use (TOHIMU)
Description of project:	The project site is located in the southern portion of the City of El Cerrito, Contra Costa County, California at the southeast corner of the San Pablo Avenue and Eureka Avenue intersection on a 12,500 square-foot site. Two buildings occupy the site: a 6,300 square-foot building at 10290 San Pablo Avenue and a 2,700 square-foot building at 10296 San Pablo Avenue. 10290 San Pablo Avenue was originally constructed as office space in 1965; and most recently was used by a church. The proposed project would demolish the existing buildings and parking lot and construct a new 45,273 square-foot, five story 57.5-foot tall multi-family residential building with a total of 55 dwelling units including 5 live-work units. Access is proposed at one entrance along San Pablo Avenue into the lobby, and two entrances from Eureka Avenue, including a parking garage accessible from a driveway ramp off Eureka Avenue. The proposed residential units include a combination of studios, 1-bedroom, 2-bedroom, and live-work units.
Surrounding land uses and setting; briefly describe the project’s surroundings:	North of the project site and across Eureka Avenue is a commercial building which is the site of the proposed residential development at 10300 San Pablo Avenue. East of the project site are single-family residences. South of the project site is a commercial property, and west of the project site across San Pablo Avenue are commercial properties within the City of Richmond.
Other public agencies whose approval is required (e.g. permits, financial approval, or participation agreements):	None
Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?	No Native American Tribes have requested consultation.

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## **1. INTRODUCTION**

This checklist and attached supporting documentation have been prepared to analyze the potential environmental impacts of the 10290 San Pablo Avenue development (project or proposed project) in relationship to the prior environmental review conducted for the site in the City of El Cerrito San Pablo Avenue Specific Plan (SPASP) Environmental Impact Report (EIR). The 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 is an Environmental Compliance Checklist to examine the environmental effects of the proposed 10290 San Pablo Avenue Project ("project"). This document has been prepared in accordance with the relevant provisions of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines as implemented by the City of El Cerrito. According to Section 15168(c)(2) of the State CEQA Guidelines, a program Environmental Impact Report (EIR) can be used in compliance with CEQA 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 and no new effects are found, and no new mitigation measures would be required. As supported by the analysis in this document, the 10290 San Pablo Avenue Project would not result in new or substantially more severe significant environmental effects than what was analyzed in the San Pablo Avenue Specific Plan EIR.

In addition, the project is eligible for a CEQA exemption under Government Code 65457(a). Pursuant to Government Code 65457(a), the project is a residential development undertaken to implement and is consistent with a specific plan for which an environmental impact report has been certified after January 1, 1980.

### **1.1. PROJECT BACKGROUND AND PRIOR CEQA DOCUMENTATION**

In 2014, the City of El Cerrito adopted the San Pablo Avenue Specific Plan ("SPASP FEIR") and certified the accompanying EIR (State Clearinghouse #2014042025). The Specific Plan represents a planning effort to identify a vision for the future of San Pablo Avenue, improvement needs, and adopt implementing regulations that can be applied consistently in the planning area. A major goal of the planning effort is to achieve a coordinated, cohesive environment and character in the Specific Plan area through (1) a Form-Based Code (FBC); (2) multimodal transportation goals and policies, recommended streetscape design improvements, and design standards as part of the Complete Streets Plan; and (3) infrastructure improvements.

The former El Cerrito Redevelopment Agency undertook development of the Specific Plan beginning in 2007 to develop a vision for the future of San Pablo Avenue. On April 2, 2013, City Council received an update on the Specific Plan, including a staff recommendation to add a Complete Streets Element and Programmatic Environmental Impact Report (EIR). Community Development and Public Works Staff worked with consultants to update and complete the draft Specific Plan in response to Council comments and to develop a more implementation-focused, market-driven Specific Plan that incorporates contemporary land use planning and transportation strategies. Additionally, the Specific Plan incorporated Council adopted policies, including the 2013-2017 Strategic Plan (adopted April 2, 2013), the Climate Action Plan (adopted May 21, 2013) and Plan Bay Area (adopted by MTC and ABAG on July 18, 2013). The San Pablo Avenue Specific Plan was adopted, and the Final Environmental Impact Report was certified by the City in December 2014.

### **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 Environmental Impact Report (EIR). This checklist confirms that the proposed 10290 San Pablo Avenue Project is within the planning area for the San Pablo Avenue Specific Plan Final EIR and will 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 SPASP FEIR and, as such, the City of El Cerrito (City) can approve the 10290 San Pablo Avenue Project as being within the scope of the SPASP EIR and no new, subsequent or supplemental environmental document is required. Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15168, the 10290 San Pablo Avenue Project does not require any further review under CEQA.

## 2. PROJECT DESCRIPTION

### 2.1. PROJECT LOCATION AND SETTING

The project site (APN 503-394-026-2 & 503-394-024-7) is located in the southern portion of the City of El Cerrito, Contra Costa County, California (**Figure 1: Regional Map**) at the southeast corner of the San Pablo Avenue and Eureka Avenue intersection (**Figure 2: Site Vicinity Map**) on a 12,500 square-foot site. Although the general topography around the site gently slopes upwards towards the east, the site is largely flat. Two buildings occupy the site: a 6,300 square foot building at 10290 San Pablo Avenue and a 2,700 square foot building at 10296 San Pablo Avenue. 10290 San Pablo Avenue was originally constructed as office space in 1965; the latest use was a church. 10296 San Pablo Avenue was originally constructed as a real estate office with residential above; the last use was the office of the El Cerrito Chamber of Commerce and as space for a private law office and a hair salon (**Figure 3: Project Site Map**).

The project site has General Plan Land Use designation of Transit-Oriented Higher-Intensity Mixed Use through the San Pablo Avenue Specific Plan (**Figure 4: General Plan Land Use Designation Map**) – and is located within the San Pablo Avenue Specific Plan area (**Figure 5: San Pablo Avenue Specific Plan Map**). The San Pablo Specific Plan zoning designates this property as within the Transit-Oriented Higher-Intensity Mixed Use (TOHIMU) zoning district. San Pablo Avenue, south of Eureka Avenue, is designated as a San Pablo Avenue (SPA) Community Street and Eureka Avenue is designated as a Neighborhood Street. The proposed project would be generally compliant with all zoning requirements for the TOHIMU district, SPA Community Street classification and Neighborhood Street. North of the project site and across Eureka Avenue is the residential development approved for 10300 San Pablo Avenue. East of the project site are single-family residences. South of the project site is a commercial property, and west of the project site across San Pablo Avenue are commercial properties within the City of Richmond.

### 2.2. PROJECT CHARACTERISTICS

The proposed project would demolish the existing buildings and parking lot and construct a new 45,273 square-foot, five-story, 57.5-foot tall multi-family residential building with a total of 55 dwelling units, five (5) of which will be ground-level live/work units facing San Pablo Avenue (**Figure 6: Project Site Plan**). Access to the proposed residential units is provided at one entrance along San Pablo Avenue into the lobby and two entrances from Eureka Avenue, including a proposed parking garage with access from Eureka Avenue. Live-work units at ground-level would be directly accessed through street-fronting entrances. A trash room, a bike storage room, and a mechanical room would be located on the ground floor with access from the parking garage area. The proposed residential units include a combination of one-story studios, metro 1-bedroom, 1-bedroom, 2-bedroom, and live-work units as summarized in Table 1.

**Table 1: Project Unit Type**

Level	Studios	Metro 1 Bed	1 Bedroom	2 Bedroom	Live / Work
1st	0	0	0	0	5
2nd	4	9	1	2	0
3rd	13	1	0	2	0
4th	7	1	1	2	0
5th	4	1	1	1	0
<b>Total Type</b>	<b>28</b>	<b>12</b>	<b>3</b>	<b>7</b>	<b>5</b>
				<b>Total Units: 55</b>	

The project is designed to front onto San Pablo Avenue with a driveway entrance to the parking garage on Eureka Avenue. The front of the building along San Pablo Avenue has front doors for the first-floor units; these units are designed with large glazing areas. The upper floor units are accessed from two common staircases and one elevator within the building that can be accessed from the San Pablo Avenue entrance, the entrance located along Eureka Avenue, and the entrance accessed through the parking garage (**Figure 6: Project Western Elevation**).

The project is accessible by auto, public transit bicycle and walking. A bus stop is located at the corner of San Pablo Avenue and Eureka Avenue. The El Cerrito Plaza Bart station is located approximately 0.5 miles away from the project. Long term bicycle storage for 83 bicycles will be provided within a proposed bike room (28 spaces), accessed from the parking garage, and within the residential units (55 spaces). Eight (8) short-term bicycle parking spaces will be provided for the project along San Pablo Avenue. The SPASP form-based code parking requirement in the TOHIMU zoning district allows up to 1.0 parking space per residential unit and provision of a basic Transportation Demand Management (TDM) plan. For projects proposing 0.50 parking spaces or less per residential unit, a parking study and additional TDM measures may be required. The project proposes at least 28 garage parking spaces at a rate of 0.51 spaces per unit and is not subject to TDM. Parking would be secured by gate access and includes two- and three-level stackers. The project would provide twenty-six stacked garage parking spaces, and two ADA accessible space for a total of 28 parking spaces. Vehicles would access the site through a gated access driveway on Eureka Avenue into the enclosed garage. Electric Vehicle (EV) Charging stations would be provided in the garage including six on-lift chargers and one ADA charging station.

Landscaping will be provided along San Pablo Avenue, Eureka Avenue, along the southern and eastern edges of the ground level, on the eastern edge of the third, fourth, and fifth level, and on all edges of the common roof deck. The building form terraces to the east to reduce shadow impacts on residences east of the project site. San Pablo Avenue will have an 8-foot & 10.9-inch wide "sidewalk amenity zone" which will include landscaping and street trees. There will be an 8-foot wide pedestrian walkway space and a 3-foot & 1.4-inch wide "sidewalk activity zone."

The project has been designed to meet all required stormwater quality standards and best management practices for low impact development standard. As proposed, the project will reduce impervious surfaces relative to the existing condition by 4.1%. As such, the project would result in an overall decrease in stormwater runoff from what currently exists on the project site today. As well as integrating stormwater runoff treatment into the overall landscape design, landscaping for the proposed project has been designed with low and moderate water-use plants to reduce the water demand. As proposed, water demand levels for landscaping are below the maximum allowed water allowance.

The project is subject to the San Pablo Area Specific Plan (SPASP) Tier IV design review, which permits flexibility to SPASP standards and implements Goal C of the Specific Plan which "encourage[es] practical and market friendly development." Eligibility for Tier IV design review may be granted by the Planning Commission and the Design Review Board by finding that the project "provides a public benefit" that is beyond SPASP requirements "which is consistent with the goals of the Specific Plan, and furthers important goal(s) as stated in adopted City policy documents." As such, the applicant will be required to provide public benefit funds towards project(s) outlined by the City's Capital Improvement Program (CIP) in order to grant flexibility to shadow standards contained in the SPASP. A total of five (5) projects have previously been granted flexibility or exceptions to SPASP standards through Tier IV design review by incorporating a public benefit.

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**FIGURE 1: REGIONAL LOCATION MAP**

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## FIGURE 2: SITE VICINITY MAP

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**FIGURE 3: PROJECT SITE MAP**

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**FIGURE 4: GENERAL PLAN LAND USE DESIGNATION MAP**

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**FIGURE 5: SAN PABLO AVENUE SPECIFIC PLAN ZONING MAP**

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**FIGURE 6: SITE PLAN**

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**FIGURE 7: WESTERN ELEVATION**

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### 3. EVALUATION OF ENVIRONMENTAL IMPACTS

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

#### 3.1. AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No New Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: San Pablo Avenue Specific Plan EIR; HortScience Bartlett Consulting, Tree Assessment 10290 San Pablo Ave., El Cerrito CA, January 14, 2019.

#### DISCUSSION

As noted in the SPASP FEIR, implementation of the SPASP would enhance the visual and aesthetic character of the planning area by incorporating Form-Based Code (FBC) and Complete Streets design and development standards that 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 SPASP.

The primary potentially significant impact to scenic resources identified in the SPASP FEIR was the potential for implementation of the SPASP to obstruct scenic views of Mt. Tamalpais, the Golden Gate Bridge, San Francisco skyline, East Bay Hills, and Albany Hill from public rights-of-way including roadways and sidewalks, BART station platforms, and areas of lower elevation hillside homes in El Cerrito and Richmond (Impact 4-1). This impact was determined to be significant and unavoidable; however, it was determined that the individual development projects would be subject to further evaluation to determine if they meet the standards and guidelines set forth in the SPASP related to visual resources (Mitigation Measure 4-1). The mitigation measure requires preparation of a viewshed analysis to determine if the proposed building meets the standards set forth in the SPASP. Pursuant to Section 2.05.02.03 of the FBC, a visual analysis was prepared for the proposed project. The view analysis demonstrates that the proposed project will not impact key views for the following reasons:

- Due to the orientation of the project site, any potential view impacts would be limited to Kearney Street.
- Due to the relatively low elevation of Kearney Street, the Golden Gate Bridge, Mt. Tamalpais and the San Francisco skyline are not generally visible adjacent to the project site.

- Albany Hill is visible from Kearney Street. However, from the public street, existing buildings block much of the view and only intermittent views of Albany Hill are present along Kearney Street.
- Kearney Street and the properties that face it are at a higher elevation than properties on San Pablo Avenue, including the project site. The grade difference will limit any visual impact of the project from adjacent properties and from Kearney Street.
- The proposed project would not be visible from the nearest BART platform, as views are obfuscated by existing development.
- The San Pablo Avenue Specific Plan limited building lengths to 200 feet in order to preserve intermittent views. The proposed project would be less than 200 feet in length.

The SPASP FEIR also found that potentially significant impacts could result from the introduction of new light and glare in the plan area (Impact 4-2), but concluded that 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. The proposed project would not cause any new light and glare impacts.

A shadow study conducted for the project concluded that on the winter solstice, December 21, at the hour of peak sunlight, 1:30 p.m., shadows of more than 51 feet would be cast onto residences to the east. The SPASP Form Based Code directs that buildings not cast shadows onto adjacent residential uses to the east greater than 14 feet deep at 1:30 p.m. on December 21. However, the Specific Plan includes provisions to allow exceptions to the shadow standard pursuant to the Tier IV design review process. This project is consistent with that process by providing a public benefit. Furthermore, the SPASP provides intent to develop more high-density development along the San Pablo Avenue Corridor and in proximity to the BART station; this is balanced on the project site by creating 55 housing units in a five-story building. As seen in the North Elevation, the Project design introduces a tiered building where each story is set back from the story below on the east façade in an effort to minimize massing.

#### **APPLICABLE MITIGATION**

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures, beyond implementation of SPASP Mitigation Measure 4-2, are required.

#### **CONCLUSION**

The proposed project is generally consistent with the type and intensity of development analyzed in the SPASP FEIR; it is within the allowable height limits, would be consistent with policies related visual character and design, and would not result in a substantial increase in light and glare. As such, the SPASP FEIR adequately evaluated the potential aesthetic impacts related to the proposed project and there is no new impact on visual and aesthetic resources introduced by the project.



### 3.2.AGRICULTURAL AND FORESTRY RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No New Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sources: San Pablo Avenue Specific Plan EIR.				

There are no agricultural or forestry resources located within or near the project site. The SPASP area is predominantly urbanized and is classified as "Urban and Built-Up Land" by the State Department of Conservation. The City of El Cerrito, and the SPASP area, does not contain any land designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The proposed project is also not located on land that is currently under a Williamson Act contract. In addition, the City does not contain woodland or forestland cover, nor land zoned for timberland production. Therefore, the proposed project would not result in a significant impact to agriculture or forestry resources.

### 3.3. AIR QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No New Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Exposure of sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: San Pablo Avenue Specific Plan EIR; Sean Moss, City of El Cerrito Planning Division, Email Communication, May 4, 2017; Bay Area Air Quality Management District, 2017. *Final 2017 Bay Area Clean Air Plan.*

## DISCUSSION

### 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 SPASP FEIR was the 2010 Bay Area Clean Air Plan. The SPASP FEIR found that vehicle miles traveled (VMT) would increase at a lower rate under the SPASP than population or service population growth, thus resulting in a less-than-significant impact related to consistency with the applicable clean air plan.

The BAAQMD's current clean air plan is the 2017 Clean Air Plan, which was adopted on April 19, 2017. The Clean Air Plan provides a regional strategy to protect public health and protect the climate. To protect public health, the plan describes how the BAAQMD will continue progress toward attaining all State and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities. To protect the climate, the plan defines a vision for transitioning the region to a post-carbon economy needed to achieve ambitious greenhouse gas reduction targets for 2030 and 2050, and provides a regional climate protection strategy that will put the Bay Area on a pathway to achieve greenhouse gas (GHG) reduction targets.

The 2017 Clean Air Plan (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 as particulate matter, ozone, and toxic air contaminants, to reduce emissions of methane and other "super-GHGs" that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

The proposed project would locate future residents within walking distance of public transportation, jobs, restaurants, and services. The proposed project would develop high-intensity residential uses on the site, similar to what the SPASP envisioned. In addition, the population and housing units included in the proposed project would fall within the total development anticipated by the SPASP FEIR. The proposed project would not result in new or more significant population growth impacts than were analyzed and described in the SPASP FEIR.

Therefore, the population growth and associated air quality impacts resulting from the proposed project is consistent with the SPASP.

Consistency with the CAP is determined by whether or not the 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 proposed project would not substantially increase population, vehicle trips, or vehicle miles traveled. The project supports the goals of the CAP and would not conflict with any of the control measures identified in the plan or designed to bring the region into attainment.

### **Construction-Related Impacts**

The SPASP FEIR identified that construction activities associated with implementation of the SPASP would result in short-term emissions including site grading, asphalt paving, building construction, and architectural coating. Emissions commonly associated with construction activities include fugitive dust from soil disturbance/demolition, fuel combustion from mobile heavy-duty diesel- and gasoline-powered equipment, portable auxiliary equipment, and worker commute trips. Uncontrolled dust from construction can become a nuisance and potential health hazard to those living and working nearby. The SPASP FEIR identified Mitigation Measure 5-1 to reduce construction impacts to a less-than-significant level.

Development of the proposed project would result in similar construction-related, short-term air quality impacts as those impacts identified in the SPASP FEIR. Therefore, the proposed project would not result in any new or more significant construction-related air quality impacts than were evaluated in the SPASP FEIR. This impact would remain less than significant with mitigation as identified in the SPASP FEIR.

### **Ambient Air Quality Impacts**

The SPASP FEIR identified that monitoring data from all ambient air quality monitoring stations in the Bay Area indicate that existing carbon monoxide levels are currently below national and California ambient air quality standards. Monitored carbon monoxide (CO) levels have decreased substantially since 1990 as newer vehicles with improved exhaust emission control systems have replaced older vehicles. The Bay Area has been designated as an attainment area for the CO standards. At the time that the SPASP FEIR was certified, the highest measured levels in San Pablo (the closest monitoring station to the plan area) during the past three years were 1.3 ppm (parts per million) for eight-hour averaging periods, compared with state and federal criteria of 9.0 ppm.

Even though CO levels in the Bay Area are well below ambient air quality standards, and there have been no exceedances of CO standards in the Bay Area since 1991, elevated levels of CO still warrant analysis. CO hotspots (occurrences of localized high CO concentrations) could still occur near busy congested intersections. Recognizing the relatively low CO concentrations experienced in the Bay Area, the 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 SPASP, peak hour traffic volumes attributed to implementation of the SPASP would be far below this threshold. Since intersections affected by the project would have volumes less than the threshold of 44,000 vehicles per hour, the impact of the project related to localized CO concentrations would therefore be less than significant.

The SPASP permits a variety of uses in the TOHIMU zoning district, including multiple family residential, full-service restaurants, retail sales, and other uses. The proposed project would generate fewer vehicle trips and associated vehicle exhaust emissions than other uses permitted by right on the project site in the SPASP FEIR. As such, air quality impacts assessed in the SPASP FEIR adequately analyzed impacts resulting from the project. Therefore, impacts related to CO hotspots would remain less-than-significant.

### **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. Individuals particularly vulnerable to diesel particulate matter 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.

According to the BAAQMD, a project would result in a significant impact if it would: individually expose sensitive receptors to toxic air contaminants (TACs) resulting in an increased cancer risk greater than 10.0 in one million, increased non-cancer risk of greater than 1.0 on the hazard index (chronic or acute), or an annual average ambient PM<sub>2.5</sub> increase greater than 0.3 micrograms per cubic meter (µg/m<sup>3</sup>). 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 100.0 in one million, an increased non-cancer risk of greater than 10.0 on the hazard index (chronic), or an ambient PM<sub>2.5</sub> increase greater than 0.8 µg/m<sup>3</sup> on an annual average basis. Impacts from substantial pollutant concentrations are discussed below.

The SPASP FEIR determined that construction activities could result in short-term emissions of diesel particulate matter (DPM), a known TAC. Construction could result in the generation of DPM emissions from the use of off-road diesel equipment required for demolition, site grading and excavation, paving, and other construction activities. The amount to which the receptors are exposed (a function of concentration and duration of exposure) is the primary factor used to determine health risk (i.e., potential 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, limited to initial stages of construction. The SPASP FEIR determined that implementation of Mitigation Measure 5-2 would be required to reduce potential impacts associated with TAC exposure. Mitigation Measure 5-2 requires individual projects to undergo individual assessment for construction health risks, either through screening or refined modeling.

Sensitive receptors are located adjacent to the project site. Construction of the proposed project may expose surrounding sensitive receptors to airborne particulates, as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). However, construction contractors would be required to implement the best management practices during construction, as required by Mitigation Measure 5-1. With implementation of Mitigation Measure 5-1, project construction emissions would be below the BAAQMD's significance thresholds as described above. Therefore, sensitive receptors would not be expected to be exposed to substantial pollutant concentrations during project construction. The proposed project would result in no new or more severe impacts related to short term exposure to TACs than analyzed in the SPASP FEIR and further analysis is not required.

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

Implementation of the SPASP would allow new residential land uses that could include sensitive receptors, as well as new non-residential land uses that would be potential new emissions sources. The roadway screening analysis tables from the SPASP FEIR indicate that health risk from high volume surface streets such as Central Avenue, Carlson Boulevard, and Potrero Avenue would average daily traffic volumes (ADT) of 40,000 vehicles or less at a distance of 10 feet. The SPASP FEIR determined that if projects under the SPASP are located within close proximity to surface streets with daily traffic volumes higher than 40,000 ADT, this would represent a potentially significant impact; however, the project site is not located within close proximity to any of these roadways (Carlson Boulevard is the closest to the project site, at a distance of approximately 500 feet). The proposed project would result in no new or more severe impacts related to long term exposure to TACs than analyzed in the SPASP FEIR and further analysis is not required.

### **Odors & Other Emissions**

The SPASP FEIR identified that the SPASP area would include potential odor sources that could affect new sensitive receptors. Most of these major existing sources are however already buffered by existing uses. Responses to odors are subjective and vary by individual. Consistent with SPASP policies and SPASP FEIR Mitigation Measure 5-4, the proposed project would be located in an area surrounded by commercial uses and would not be located in an area where substantial odors (such as those associated with industrial, manufacturing, processing, or treatment uses) are generated.

### **APPLICABLE MITIGATION**

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or

more severe significant impacts, and no new mitigation measures, beyond implementation of SPASP Mitigation Measure 5-1, are required.

**CONCLUSION**

The proposed project is consistent with the type of development analyzed within the SPASP FEIR and construction activities would be required to comply with SPASP Mitigation Measure 5-1. As such, the SPASP FEIR adequately evaluated the potential air quality impacts of the proposed project there would be no new impact associated with air quality.

### 3.4. BIOLOGICAL RESOURCES

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

Sources: San Pablo Avenue Specific Plan EIR; HortScience Bartlett Consulting, Tree Assessment 10290 San Pablo Ave., El Cerrito CA, January 14, 2019.

#### DISCUSSION

Due to the highly developed urban environment of the SPASP area, with approximately 90 percent of the land developed, recently disturbed, or ruderal, the SPASP FEIR found that implementation of the Specific Plan would result in minimal impacts to biological resources. The SPASP FEIR concluded that 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 U.S. Fish and Wildlife Service (USFWS), nor does the plan area contain any federally protected wetlands. The only identified riparian habitat or other sensitive natural community in the plan area is riparian habitat adjacent to Cerrito Creek (near the El Cerrito Plaza Shopping Center parking lot and Ohlone Greenway) and Baxter Creek. However, the project is not located within the vicinity of either of these resources and therefore would not result in any impacts to these habitats.

The SPASP FEIR identified potential impacts associated with the removal of existing trees with implementation of the SPASP. Removal of existing trees containing nests or eggs of migratory birds, raptors, or bird species during

the nesting season could be considered an "unlawful take" under the Federal Migratory Bird Treaty Act and USFW provisions protecting migratory and nesting birds. The FEIR identified Mitigation Measure 6-1 to minimize potentially significant impacts associated with tree removal on nesting birds to less-than-significant levels. The project would not result in tree removal as there are no trees on the project site.

#### **APPLICABLE MITIGATION**

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures, beyond implementation of SPASP Mitigation Measure 6-1, are required.

#### **CONCLUSION**

The proposed project would be consistent with the type of development analyzed within the SPASP FEIR. Tree removal activities would be conducted in conformance with SPASP Mitigation Measure 6-1. As such, the SPASP FEIR adequately evaluated the potential biological impacts of the proposed project there would be no new impact on biological resources.

### 3.5. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No New Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: San Pablo Avenue Specific Plan EIR; LSA, Historical Resource Evaluation of 10290 and 10296 San Pablo Avenue/State Route 123, El Cerrito, Contra Costa County, California, February 8, 2017.

#### DISCUSSION

The SPASP FEIR identified properties or features within the SPASP area that may be eligible for listing in a local, State, or Federal register of historic resources (Impact 7-1). The SPASP FEIR 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 (e.g., a recorded historic resource or an unrecorded building or structure 45 years or older), the 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 the property is a significant historical resource and whether or not the project may have a potentially significant adverse effect on the historical resource.

The two-story office building at 10290 San Pablo Avenue was constructed in 1965 and the two-story mixed-use building at 10296 San Pablo Avenue was constructed in 1944. The Historic Resource Evaluation (HRE) conducted for the proposed project concluded that the building does not appear eligible for inclusion in the California Registry of Historic Resources under any significance criteria. The building is not a notable example of Vernacular architecture, and background research did not identify any persons associated with the building important to the past. For these reasons, this building does not appear to qualify as a "historical resource" for the purposes of CEQA (Public Resources Code Section 21084.1).

The SPASP FEIR concluded that the potential impact of development within the plan area on cultural resources, including historic, archaeological and paleontological resources, and human remains would be less than significant with implementation of recommended mitigation measures. Specifically, disturbance of previously unknown archaeological or paleontological resources, including human remains, could occur during grading and development of individual project sites within the SPASP area, and there is a reasonable possibility that archaeological and paleontological resources could be uncovered during these activities (Impacts 7-2 and 7-3). The SPASP FEIR identifies Mitigation Measures 7-2 and 7-3 that would reduce the potential impacts on known or undisclosed cultural resources to less-than-significant levels.

In compliance with SPASP FEIR Mitigation Measure 7-2, a records search was undertaken at the Northwest Information Center (NWIC) of the California Historical Resources Information System (CHRIS) at Sonoma State University in Rohnert Park for the project site and vicinity. Based on the records search, there are no known historic or archeological resources located within the immediate project site or vicinity. Nevertheless, the potential exists for previously unknown cultural resources to be encountered during ground disturbing activities at the site. Implementation of Mitigation Measures 7-2 and 7-3, which specify compliance with existing codes and regulations applicable to the accidental discovery of archeological and paleontological resources and human remains during construction activities, would be required to be implemented.



**APPLICABLE MITIGATION**

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures, beyond implementation of SPASP Mitigation Measures 7-2 and 7-3, are required.

**CONCLUSION**

The proposed project would be consistent with the type of development analyzed within the SPASP FEIR. Ground disturbing activities would be conducted in conformance with SPASP Mitigation Measures 7-2 and 7-3. As such, the SPASP FEIR adequately evaluated the potential cultural resource impacts of the proposed project there would be no new impact on cultural resources.

### 3.6.ENERGY

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less than Significant Impact	No Impact
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Sources: San Pablo Avenue Specific Plan EIR.

#### DISCUSSION

The SPASP FEIR discusses that implementation of the Specific Plan would result in the plan area changing from an auto-oriented corridor to a multi-modal oriented community, including auto, transit, bicycle, and pedestrian modes of transportation. As a result, energy consumption associated with transportation, circulation, and infrastructure would be more efficient under the Specific Plan.

Additionally, the form-based code Section 2.05.05.01 details requirements to reduce El Cerrito’s carbon footprint, increase energy efficiency, and support the Climate Action Plan goals. This is accomplished by addressing passive heating and cooling techniques, zero-net energy buildings, solar power, wind power, and other energy efficient efforts. Section 2.05.05.03 of the form-based code encourages urban farming, which reduces energy by reducing food miles traveled and mitigating the urban heat island effect. As such, the SPASP FEIR concluded that impacts related to energy would not cause inefficient, wasteful, and unnecessary consumption of energy and would not conflict with any local renewable energy plan. As a transit oriented residential development, subject to the latest applicable California Building Code, the project would not result in wasteful, inefficient or unnecessary consumption of energy beyond what was analyzed in the SPASP FEIR.

#### APPLICABLE MITIGATION

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

#### CONCLUSION

The proposed project is consistent with the type of development analyzed within the SPASP FEIR and would be required to comply with the California Building Code, City-required energy efficiency requirements. As such, the SPASP FEIR adequately evaluated the energy impacts of the proposed project and there would be no new impact associated with energy consumption.

### 3.7.GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No New Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong Seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: San Pablo Avenue Specific Plan EIR; Friar and Associates, Inc., Geotechnical Investigation Proposed Multi-Purpose Development 10290/10296 San Pablo Avenue El Cerrito, California, December 2016; Friar and Associates, Inc., Update to the Geotechnical Investigation Proposed Multi-Purpose Development 10290/10296 San Pablo Avenue El Cerrito, California, August 2019.

#### DISCUSSION

The SPASP FEIR concluded that the geologic and soil impacts in the plan area are primarily related to potential ground shaking and associated impacts related to ground failure. Since the SPASP is not located within an Earthquake Fault Hazard Zone, the likelihood of surface fault rupture is minimal. In addition, the SPASP FEIR

found that the slope instability hazards are also minimal due to the absence of appreciable slopes in the SPASP area. Furthermore, the SPASP area is served by a comprehensive, integrated wastewater collection, treatment, and disposal system. Neither septic tank systems nor alternative wastewater disposal systems are proposed as part of the SPASP, including the proposed project.

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

The SPASP FEIR concluded that grading and construction activities within the SPASP area may result in minor erosion or the minor loss of some topsoil. However, implementation of City-required grading and construction-period erosion control techniques would mitigate the potential impact to a less-than-significant level.

The SPASP FEIR determined that implementation of the SPASP 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 SPASP 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.

The Friar and Associated Geotechnical Investigation report conducted in December 2016 outlined recommendations to address geological conditions of the project site and will be incorporated into project implementation as conditions of approval.

**Project-Specific Condition of Approval:** All recommendations outlined in the Friar and Associates Geotechnical Investigation report, shall be incorporated into the project design and construction techniques at the discretion of the City Engineer to ensure compliance with the SPASP FEIR:

The proposed project's incorporation of the recommendations outlined in the Friar and Associates Geotechnical Investigation report would ensure that potential impacts related geological conditions are reduced to less-than-significant levels. Therefore, the project would not result in significant impacts related to geology and soils that were not identified in the SPASP FEIR.

## **APPLICABLE MITIGATION**

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures, beyond implementation of SPASP Mitigation Measure 8-1, are required.

## **CONCLUSION**

The proposed project is consistent with the type of development analyzed within the SPASP FEIR and would be required to comply with the most recent California Building Code at the time that building permits are issued, City-required erosion control techniques, and SPASP Mitigation Measure 8-1. As such, the SPASP FEIR adequately evaluated the potential geology and soil impacts of the proposed project and there would be no new impact associated with geology and soils.

### 3.8. GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No New Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: San Pablo Avenue Specific Plan EIR; El Cerrito Climate Action Plan May 21, 2013.

#### DISCUSSION

As identified in the SPASP FEIR, the BAAQMD CEQA Air Quality Guidelines contain methodology and thresholds of significance for evaluating greenhouse gas (GHG) emissions. The BAAQMD suggests applying a specific plan-level GHG efficiency threshold of 4.6 MT per year per capita. Specific plans with emissions above the GHG efficiency threshold would be considered to have an impact that, cumulatively, would be significant. For the SPASP, GHG emissions were computed for both traffic scenarios, Without Mode Shift and With Mode Shift, with operational emissions in 2040 using the California Emissions Estimator Model (CalEEMod) Version 2013.2.2. SPASP land use types and size, plus trip generation rates, were input to CalEEMod. CalEEMod predicts emissions of GHGs in the form of equivalent carbon dioxide emissions (CO<sub>2</sub>e).

For construction related GHG emissions, the BAAQMD does not have an adopted threshold of significance. The BAAQMD encourages the incorporation of best management practices 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. The SPASP FEIR found that 2040 full development capacity associated with development under the SPASP would have per capita emissions of 3.9 and 3.7 metric tons (MT) of CO<sub>2</sub>e per year under Without Mode Shift and With Mode Shift cases, respectively, which would not exceed the BAAQMD specific plan-level threshold of 4.6 MT CO<sub>2</sub>e/year. Therefore, this impact is considered less-than-significant.

In addition, the SPASP FEIR found that the SPASP would be subject to new requirements under rule making developed at the State and local level regarding GHG emissions. The SPASP would also be subject to local and General Plan policies, including the El Cerrito Climate Action Plan, that are expected to reduce GHG emissions.

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

#### APPLICABLE MITIGATION

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

#### CONCLUSION

The proposed project is consistent with the type of development analyzed within the SPASP FEIR and would be required to comply with the latest California Green Building Standards Code and El Cerrito Climate Action Plan. As such, the SPASP FEIR adequately evaluated the potential GHG emissions impacts of the proposed project there would be no new impact associated with GHG emissions.

### 3.9. HAZARDS/HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No New Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport of public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: San Pablo Avenue Specific Plan EIR; AEI Consultants, Phase I Environmental Site Assessment of 10290 & 10296 San Pablo Avenue and 6306 & 6308 Eureka Avenue, El Cerrito, California 94530, July 21, 2016; AEI Consultants, Phase I Environmental Site Assessment Update of 10290 & 10296 San Pablo Avenue and 6306 & 6308 Eureka Avenue El Cerrito, Contra Costa County, California 94530, May 15, 2017.

#### DISCUSSION

The SPASP FEIR concluded that there are no significant impacts associated with hazards and hazardous materials within the SPASP plan area. The SPASP did identify the potential 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 in the SPASP area. However, the SPASP FEIR determined that compliance with all applicable, existing jurisdictional 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. Specifically, compliance with City, the Regional Water Quality Control Board (Water Board), and the California Department of Toxic Substances Control (DTSC)

requirements would ensure that health and safety impacts associated with implementation of individual development projects are less than significant.

The SPASP FEIR determined that the residential, commercial, and open space uses proposed as part of the SPASP 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 SPASP area may involve the occasional transport, use, storage, or disposal of common hazardous substance such as fuel, paint, and solvents but would be subject to local, State, and Federal regulations. The SPASP determined that implementation of these standard regulations would ensure potential impacts would be less than significant.

AEI performed a Phase I ESA in conformance with the scope and limitations of ASTM Standard Practice E1527-13 and the EPA Standards and Practices for All Appropriate Inquiries (40 CFR Part 312) of 10290 & 10296 San Pablo Avenue and 6306 & 6308 Eureka Avenue, El Cerrito, Contra Costa County, California, the subject property. AEI did not identify evidence of RECs or CRECs in connection with the subject property during the course of this assessment.

Due to the age of the existing buildings to be demolished, asbestos-containing materials (ACM) may be present. The EPA's National Emission Standards for Hazardous Air Pollutants (NESHAP) requires that an asbestos survey be completed prior to demolition or renovation activities that may disturb ACMs. Similarly, OSHA regulations specify work practices for handling materials and debris containing asbestos or lead-containing materials. Lead-based paint (LBP) may also be present due to the existing buildings' construction prior to 1978. While stringent local and state regulations apply to LBP in association with building demolition and renovation, AEI recommends that the property owner consult with a certified Lead Risk Assessor to determine options for control of possible LBP hazards. AEI recommended no further investigation for the subject property at this time.

Consistent with recommendations from the AEI report, the project shall undertake an asbestos-containing materials (ACM) survey and a lead-based paint (LBP) survey prior to demolition and shall secure a J Permit from BAAQMD as warranted.

**Project-Specific Condition of Approval:** Prior to demolition screening shall be conducted by a qualified specialist to assess the presence of asbestos-containing material and lead based paint consistent with the required procedure identified in the SPASP EIR. Should such materials be identified then a J Permit shall be secured from the BAAQMD and all OSHA regulation shall be adhered to.

The nearest school to the project site is Fairmont Elementary School located 0.1 miles east of the project site. Although the school is within 0.25 miles of the project site, the project is a residential use and no impacts related to handling hazardous materials near a school would occur. The project site is located approximately 30 miles northwest of the nearest public airport, Oakland International Airport. As the project is not located within the Oakland International Airport Influence Area,<sup>1,2</sup> no safety hazards would be anticipated. No private airstrips are located in the project vicinity. In addition, the SPASP area, including the project site, is not within or adjacent to wildland area and would not be subject to wildland fire risks.

## APPLICABLE MITIGATION

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

## CONCLUSION

The proposed project is consistent with the type of development analyzed within the SPASP FEIR and would be required to comply with existing regulations related to hazardous soil, groundwater conditions, ACM and LBP, if present or encountered during demolition and construction activities. As such, the SPASP FEIR adequately evaluated potential impacts related to hazards and hazardous materials at or affecting the proposed project site and there would be no new impact associated with hazards and hazardous materials.

<sup>1</sup> Alameda County Airport Land Use Commission, 2010. *Oakland International Airport, Airport Land Use Compatibility Plan, Figure3-2*. September.

<sup>2</sup> Contra Costa County Airport Land Use Commission, 2000. *Contra Costa County Airport Land Use Compatibility Plan*. December 13.

### 3.10. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No New Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern on the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. result in substantial erosion or siltation on- or off site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: San Pablo Avenue Specific Plan EIR; Vit Hanacek, PE, Stormwater Control Plan for Vital Apartments, September 30, 2019.

#### DISCUSSION

The SPASP FEIR determined that long-term water quality impacts associated with implementation of the SPASP could result in contamination of plan area stormwater runoff with petroleum and other contaminants from motor vehicles; however, compliance with Water Board and 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 SPASP FEIR determined that compliance with applicable Water Board, City of El Cerrito, and City of Richmond water quality protection requirements and conditions would ensure any potential construction period and post-construction water quality impacts remain at less-than-significant levels.



In addition, construction projects are required to prepare a Stormwater Control Plan, which requires implementation of Best Management Practices (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). All projects within the SPASP area must comply with NPDES requirements, including the proposed project. The applicant submitted a Stormwater Control Plan as part of the project application materials. The City will confirm that this plan conforms to all applicable local and State requirements as part of the development review process.

Currently, the project site contains approximately 16,913 square feet of impervious surfaces including buildings, parking and other hardscape. The proposed project would remove existing impervious surfaces onsite and introduce approximately 16,136 square feet of new impervious surfaces. As such under the proposed project approximately 777 square feet of pervious surfaces would be created onsite. In addition, the project would be required to achieve full compliance with the Contra Costa County NPDES permit guidelines for stormwater discharge. Therefore, the project would not result in any new or more severe impacts due to impervious surfaces relate to the SPASP FEIR.

The SPASP FEIR identified that portions of the plan area in Richmond along Central Avenue are located within a 100-year flood zone. However, the proposed project site is not located within this zone and would therefore not result in any impacts related to flooding. Furthermore, the SPASP area is not subject to inundation by seiche or mudflow. The southwest portion of the SPASP along Central Avenue in the City of Richmond is located near a Tsunami Inundation Zone; however, the proposed project is not located in this area.

#### **APPLICABLE MITIGATION**

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the SPASP, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

#### **CONCLUSION**

The proposed project is consistent with the type of development analyzed within the SPASP FEIR and would be required to comply with existing regulations related to stormwater discharge and water quality. As such, the SPASP FEIR adequately evaluated the hydrology and water quality impacts of the proposed project and there would be no new impacts associated with hydrology and water quality from implementation of the proposed project.

### 3.11. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No New Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: San Pablo Avenue Specific Plan EIR.

#### DISCUSSION

The SPASP FEIR concluded that implementation of the SPASP would provide for the expansion of housing choices by encouraging compact, transit-accessible, pedestrian-oriented housing and mixed-use (commercial/residential) development in the plan area at densities and heights greater than currently permitted. Implementation of the SPASP would not result in the division of an established community nor would it cause an environmental impact to land use conflicts. The SPASP FEIR determined that implementation of the SPASP would result in beneficial effects related to land use and planning by revitalizing the San Pablo Avenue corridor; facilitating development where services and infrastructure can be most efficiently provided by promoting higher residential densities near or within an existing shopping, service, employment, and public transportation centers; and promoting compact, transit-accessible, pedestrian-oriented, mixed-use development patterns and land uses.

The project site is designated TOHIMU in the City's General Plan and SPASP. 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 ½ mile of BART that allows a variety of uses including retail, commercial, residential, and public uses in the Downtown and Uptown areas. The TOHIMU designation allows for a 65-foot height limit (85 feet is permissible for affordable housing projects) and requires a minimum height limit of three stories for residential uses. The proposed project is consistent with the mix, intensity, and scale of development contemplated by the SPASP in this location.

The City's Planning Commission will consider the proposed project site plan and make findings related to any project design elements that do not specifically conform to SPASP development standards, as contemplated by the form-based code guidelines articulated in the SPASP. The streetscape along San Pablo Avenue and Eureka Avenue will comply with the San Pablo Avenue Specific Plan streetscape designs for a SPA Community Street and a Neighborhood Street. The proposed project would comply with the standards of the TOHIMU designation, including shadow standard exemptions subject to Tier IV design review, and would develop the site with high density residential uses in close proximity to transit as envisioned in the SPASP FEIR.

#### APPLICABLE MITIGATION

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the SPASP, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

#### CONCLUSION

The proposed project is consistent with the type of development analyzed within the SPASP FEIR and would be generally consistent with the development standards envisioned in the SPASP FEIR; therefore, the SPASP FEIR adequately evaluated the land use impacts of the proposed project and no new impacts related to land use and planning would result from its development.

### 3.12. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No New Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sources: San Pablo Avenue Specific Plan EIR.				

The City of El Cerrito General Plan does not identify mineral resources within the Specific Plan area. Therefore, the proposed project would have no impacts on mineral resources.

### 3.13. NOISE

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No New Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of an airport or 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Sources: San Pablo Avenue Specific Plan EIR; Saxelby Acoustics, LLC, Environmental Noise Assessment 10290 San Pablo Residential City of El Cerrito, California, August 1, 2019.

#### DISCUSSION

This section compares noise impacts from the proposed project with impacts identified in the SPASP FEIR. The proposed project would include residential uses in a developed area in the City of El Cerrito. 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 result from the proposed project. Stationary source noise includes noise generated by new residents onsite.

An Environmental Noise Assessment was conducted for the proposed project and is intended to satisfy the City's requirement for a project-specific noise impact analysis, per SPASP Mitigation Measure 13-1, and examines the impacts of the proposed noise-sensitive uses on the project site together with the project design features and standard conditions. Future noise level impacts are based on the noise measurement data gathered at the project site to account for the impacts associated with surrounding traffic and commercial uses.

The primary existing noise sources in the project area are transportation facilities. Traffic on surrounding roadways including San Pablo Avenue contribute to the ambient noise environment. Train related activities associated with BART, including the El Cerrito Plaza BART Station, located 0.4 mile southeast of the project site, also contributes to the existing noise environment in the project vicinity. In addition, operational noise from the adjacent commercial uses (e.g., parking lot activities and people talking) is audible on the project site.

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 residential uses located east of the project site. Residential uses are also located north and west of the project site.

#### Noise and Land Use Compatibility

The SPASP FEIR found that residential land uses facilitated by the SPASP would be exposed to exterior noise levels exceeding 70 dBA Ldn from traffic and BART noise. Future exterior noise levels would exceed both El Cerrito's and Richmond's noise and land use compatibility standards. This was identified as a potentially significant impact. The SPASP FEIR identified Mitigation Measure 13-1, which requires project-specific acoustical analyses, to reduce potential noise and land use compatibility impacts to a less-than-significant level.

In the project-specific Environmental Noise Assessment, prepared by Saxelby Acoustics, traffic from San Pablo Avenue is predicted to be 70 dBA Ldn at the exterior of Floors 2, 3, and 4, and 69 dBA Ldn at the exterior of Floors 1 and 5 of the proposed project. Based upon a typical 25 dB exterior-to-interior noise level reduction achieved by modern building construction, a maximum interior noise level of 45 dBA Ldn would be expected. This would meet the City's 45 dB Ldn interior noise level standard. Additionally, the City applies an interior maximum noise level standard of 50 dBA Lmax to bedrooms and 55 dBA Lmax to other occupied rooms. Based upon a typical 25 dB noise level reduction and the predicted exterior noise level range of 78-79 dBA Lmax, maximum interior noise levels are predicted to range between 53-54 dBA Lmax. Therefore, interior noise control measures would be required to achieve compliance with the City's interior noise level standards.

Based on the EPA's Protective Noise Levels,<sup>3</sup> with a combination of walls, doors, and windows, standard construction for Northern California residential buildings (STC-24 to STC-28) would provide more than 25 dBA in exterior-to-interior noise reduction with windows closed and 15 dBA or more with windows open. With windows open, residents would not meet the City's normally acceptable residential interior noise standard of 45 dBA Ldn (i.e., 70 dBA – 15 dBA = 55 dBA). Therefore, an alternate form of ventilation, such as an air-conditioning system, and Sound Transmission Class (STC) rated windows, doors and wall would be required. With windows closed, interior noise levels would consistent with the City's normally acceptable interior noise level criterion of 45 dBA (i.e., 70 dBA – 25 dBA = 45 dBA). Implementation of the following noise reduction measure, consistent with the recommendations of SPASP FEIR Mitigation Measure 13-1, would ensure that the project would not result in a noise compatibility conflict with the SPASP.

**Project-Specific Condition of Approval:** Consistent with SPASP Mitigation Measures 13-1, the project design shall implement the following measures for all west facing (facing San Pablo Avenue) units to reduce interior noise impacts in compliance with City noise standards:

- Interior Noise Control Measures:
  - Windows shall have a sound transmission class (STC) rating of 31 for living rooms and 36 for bedrooms;
  - Interior gypsum at exterior walls shall be 5/8" Type X or Type C hung on resilient channel (RC);
  - Ceiling gypsum shall be 5/8" type X or Type C;
  - Mechanical ventilation shall be installed in all residential uses to allow residents to keep doors and windows closed, as desired for acoustical isolation.
- As an alternative to the above-listed interior noise control measures, the applicant may provide a detailed analysis of interior noise control measures once building plans become available. The analysis should be prepared by a qualified noise control engineer and shall outline the specific attenuation measures required to meet the City's 45 dB Ldn and 50-55 dBA Lmax, interior noise level standards.

### **Stationary Source Noise Impacts (Mechanical Equipment and Loading)**

The SPASP EIR identified that implementation of the SPASP would introduce commercial uses adjacent to residential land uses. New commercial development proposed adjacent to residential development could result in noise levels exceeding City standards. Typical noise levels generated by loading and unloading would be similar to noise levels generated by truck movements on local roadways. Mechanical equipment would also have the potential to generate noise and would be a potential noise impact. The SPASP FEIR identified this as a potentially significant impact and 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.

Implementation of the proposed project would generate various on-site stationary noise sources, including heating, ventilation, and air conditioning (HVAC) equipment, and parking lot activities. HVAC equipment would be the primary new stationary noise source associated with the proposed project. HVAC equipment is often mounted on rooftops, located on the ground, or located within mechanical rooms. The noise sources could take the form of fans, pumps, air compressors, chillers, or cooling towers. HVAC equipment would be required to meet all noise standards.

<sup>3</sup> Environmental Protection Agency, 1978. *Protective Noise Levels, Condensed Version of EPA Levels Document*. November.

Rooftop HVAC equipment was predicted to be 30 dBA Leq or less at the nearest sensitive receptors, at 80 feet distance from rooftop equipment, with inclusion of a 9-foot-tall mechanical screen. This noise level is lower than the City's noise level standards of 55 dBA Leq during daytime hours and 45 dBA Leq during nighttime hours. HVAC equipment would be in compliance with the City's exterior daytime and nighttime noise standards for residential uses. Therefore, noise levels in the vicinity of the project site would not be substantially increases by mechanical equipment introduced by the project.

Mechanical equipment would also be contained within mechanical equipment rooms at the building's interior. Indoor equipment typically does not result in noise impacts as it is screened and enclosed thereby containing noise level. The proposed parking stacking equipment within onsite garages will result in mechanical noise during operation and stacking/lowering of vehicles. As the proposed garage is fully enclosed noise levels from stacking equipment will be result in a notable change to the ambient noise environment.

At operation, vehicle loading would contribute to noise environment from residential and live/work deliveries. These deliveries typically are made via passenger car, van, or single-unit truck. These activities are potential noise sources that could affect noise-sensitive receptors in the project site vicinity. However, being located in an urban area subject to ambient noise levels from various sources, including periodic deliveries to existing surrounding residents, loading from delivery vehicles would not significantly alter ambient noise levels onsite or in the project vicinity. In addition, noise-generating activities, such as maintenance activities and loading and unloading activities, are limited to the hours of 7:00 a.m. to 9:00 p.m.

### **Mobile Source Noise Impacts**

Motor vehicle noise emanating from nearby roadways is the dominant noise source in the project vicinity. The amount of noise varies according to many factors, such as volume of traffic, vehicle mix (percentage of cars and trucks), average traffic speed, and distance from the observer. Implementation of the proposed project would add trips to existing roadways in the project site vicinity and contribute to noise levels on roadways.

The SPASP FEIR found that cumulative traffic noise levels, with or without implementation of the SPASP, are not anticipated to increase substantially along the roadways serving the Specific Plan area, and the project's contribution to cumulative traffic noise level increases is calculated to be less than 1 dBA Ldn. 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 is considered less-than-significant.

Using the Federal Highway Administration Highway Traffic Noise Prediction Model (FHWA RD-77-108) hourly Leq values for free-flowing traffic conditions were predicted for existing, and existing plus project conditions. The project would not result in a doubling of traffic volumes along any roadway segment in the project vicinity, and therefore would not result in a perceptible increase in traffic noise levels at receptors in the project vicinity. This impact would remain less-than-significant. Traffic from the project is not predicted to generate exterior noise levels exceeding the City of El Cerrito's exterior noise standard of 60 dBA Ldn at any existing residential areas where existing conditions are less than 60 dBA Ldn. Although the project would increase existing and future noise exterior noise levels due to traffic volume increases by 0.1 dBA Ldn, existing noise conditions of 63.7 dBA Ldn exceeds the 60 dBA Ldn threshold. Therefore, the project would not result in any new or more severe impact to the ambient noise environment relative to what was evaluated in the SPASP EIR.

### **Construction Noise**

The highest construction noise levels would be generated during grading and excavation, with lower noise levels occurring during building construction. Large pieces of earth-moving equipment, such as graders, scrapers, and bulldozers, generate maximum noise levels of 82 to 96 dBA Lmax at a distance of 25 feet. The nearest existing residences would be located at least 30 feet from normal construction activities. Project construction would result in elevated short-term noise levels on a temporary basis consistent with noise levels anticipated by the SPASP EIR. Construction is permitted by the City when activities occur 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 and holidays.

The SPASP identified that although construction noise would be localized to the individual site location, businesses and residences would be intermittently exposed to high levels of noise throughout the plan horizon.

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, would be a potentially significant impact. The SPASP identified Mitigation Measure 13-3 to reduce impacts of intermittent construction noise and identified that construction noise impacts would remain significant and unavoidable.

The proposed project would not result in any new or more significant construction-period noise impacts than were described in the SPASP FEIR. The proposed project would require the implementation of the Municipal Code, the City of El Cerrito General Plan, and Mitigation Measure 13-3, as included in the SPASP FEIR.

### **Construction-Related Vibration**

The SPASP FEIR identified Mitigation Measure 13-4 to reduce impacts of construction-related vibration on surrounding uses. However, it may not be possible to avoid using pile drivers, vibratory rollers, and tampers entirely during construction associated with the SPASP. Due to the density of development in the area, some of these activities may take place near sensitive areas. In these cases, Mitigation Measure 13-4 may not be sufficient to reduce ground-borne vibrations below a level of significance. Therefore, this impact was considered to be significant and unavoidable in the SPASP EIR.

Construction of the proposed project would involve grading, site preparation, and construction activities but would not involve the use of construction equipment that would result in substantial ground-borne vibration or ground-borne noise on properties near to the project site. Construction vibration generated by the proposed project would be well below 0.2 inches per second peak particle velocity, which is the threshold at which there is risk of architectural damage to typical homes. The proposed project would require the implementation of the Mitigation Measure 13-4, as included in the SPASP FEIR. Therefore, the proposed project would not result in any new or more significant construction-period vibration impacts than were described in the SPASP FEIR.

### **Aircraft Noise**

The proposed project is not located within 2 miles of a public or private use airport. Oakland International Airport is the closest airport and is located approximately 20 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 nor does any portion of the project site lie within 2 miles of any private airfield or heliport. Therefore, the proposed project would not result in the exposure of sensitive receptors to the excessive noise levels from aircraft noise sources.

### **APPLICABLE MITIGATION**

Implementation of measures detailed in project-specific condition of approval, would reduce potential operational noise impacts on future sensitive receptors to less-than-significant levels. With implementation of this measure, SPASP Mitigation Measure 13-1 is satisfied, and no further analysis is required. Implementation of SPASP Mitigation Measures 13-2, 13-3, and 13-4 are also applicable to the proposed project.

### **CONCLUSION**

The proposed project is consistent with the type of development analyzed within the SPASP FEIR and would be generally consistent with the development standards envisioned in the SPASP FEIR. With implementation of the project-specific conditions of approval and SPASP Mitigation Measures 13-2, 13-3, and 13-4, the proposed project would not result in a significant increase in noise levels. Therefore, the SPASP FEIR adequately evaluated the noise impacts of the proposed project and no new impacts related to noise would result.

### 3.14. POPULATION AND HOUSING:

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No New Impact
a) Induce substantial unplanned 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Sources: San Pablo Avenue Specific Plan EIR.

#### DISCUSSION

The SPASP FEIR evaluated potential environmental impacts that could associated with approximately 243,112 net new square feet of commercial space, 1,706 units of residential development, and 3,840 new residents. The SPASP FEIR concluded that the population growth associated with the SPASP would not directly or indirectly induce substantial population growth beyond the SPASP boundaries. SPASP implementation would facilitate the projected residential and commercial growth within a transit-rich, mixed-use plan area identified for such growth in both local and regional plans and forecasts.

The proposed project would introduce 55 dwelling units and have a population size of approximately 140 people assuming full capacity<sup>4</sup>, which is consistent with what was anticipated by the Specific Plan and analyzed in the Specific Plan EIR. For these reasons, implementation of the proposed project would not result in significant impacts related to population and housing that were not identified in the San Pablo Avenue Specific Plan EIR.

#### APPLICABLE MITIGATIONS

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

#### CONCLUSION

The proposed project is consistent with the type of development analyzed within the SPASP FEIR and would be within the growth projections evaluated in the SPASP; therefore, the SPASP FEIR adequately evaluated the population and housing impacts of the proposed project and no new impacts would result.

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<sup>4</sup> U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates, El Cerrito, California, Average household size of renter-occupied Unit of 2.55, Accessed October 24, 2019.



### 3.15. PUBLIC SERVICES

Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No New Impact
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:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: San Pablo Avenue Specific Plan EIR.

#### DISCUSSION

The SPASP area is located within the West Contra Costa Unified School District (WCCUSD). The SPASP FEIR evaluated the impact that the SPASP’s anticipated 1,706 new residences, and associated increase in expected student population, would have on the services provided and facilities operated by the WCCUSD. The SPASP FEIR concluded that the new residences would generate approximately 1,147 new students in the District schools over the approximately 25-year horizon of the SPASP implementation. The SPASP FEIR concluded that new students would be accommodated in existing schools, and plan implementation would not result in the need for new or expanded school facilities. As the population and housing units proposed by the project would fall within the total development anticipated by the SPASP FEIR, the project would also generate students within the assumptions of the SPASP FEIR. As such, existing school facilities are adequate to accommodate new students introduced by the proposed project.

The SPASP FEIR concluded that the El Cerrito Fire Department and Richmond Fire Department would not need to substantially expand fire protection facilities and personnel to accommodate additional demand associated with implementation of the SPASP. Specifically, the SPASP FEIR identified that any demand for additional fire protection personnel or equipment resulting from SPASP implementation would be funded by currently adopted public facility fees levied on the new development (in Richmond) and by the annual budget review and allocation (in El Cerrito). As the population and housing units would fall within the total development anticipated by the SPASP FEIR, the project would result in no new impacts associated with fire services.

As noted in the SPASP FEIR, the increased demand associated with implementation of the SPASP would not require new or physically altered police protection facilities. The SPASP FEIR determined that implementation of the SPASP would result in more “eyes-on-the-street” by facilitating a more pedestrian-friendly plan area which would provide a safer public environment. The SPASP identified police department approvals that would be required on a project-by-project basis that would ensure the department is equipped and has the ability to maintain acceptable levels of service. The proposed project would fall within the total development anticipated by the SPASP FEIR and would not result in new impacts associated with police services.

The SPASP FEIR SPASP FEIR concluded that the combination of parks and recreation facilities meets the expected park requirements for the SPASP area given the anticipated population associated with implementation of the SPASP. The SPASP FEIR concludes that impacts to parks and recreation would be less than significant with compliance with plan provisions for new open spaces. In addition, the SPASP FEIR determined that implementation of the SPASP would not facilitate the need for new or physically altered government facilities. The proposed project is within the total development anticipated by the SPASP FEIR and would not result in new impacts associated with parks and recreational facilities.

#### **APPLICABLE MITIGATION**

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

#### **CONCLUSION**

The SPASP FEIR adequately evaluates public service impacts and the proposed project's impacts are included in and analyzed by the SPASP FEIR. Development of the proposed project would fall within the development assumptions evaluated within the SPASP FEIR. Therefore, the proposed project has no new impacts on public services.

### 3.16. RECREATION

Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No New Impact
a) Would the project 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Sources: San Pablo Avenue Specific Plan EIR.

#### DISCUSSION

The SPASP FEIR concluded that the combination of parks and greenways within the SPASP area would meet the expected park requirements for the SPASP area given the anticipated population at full implementation of the SPASP. Specifically, implementation of the SPASP would generate 1,706 new residences and increase the local population by 3,840 people. The increase in residents in the area would increase the demand for parks and recreational facilities, reducing the City's level of service to 5.85 acres per 1,000 residents (below the 2010 level of 6.67 acres per 1,000 residents) with no increase in acreage of parks or open spaces; however, this ratio is above the level of service standard adopted under the City's General Plan.

As the population and housing units would fall within the total development anticipated by the SPASP FEIR, and the project would conform to SPASP open space standards, the project would result in no new impacts associated with parks and recreational facilities.

#### APPLICABLE MITIGATION

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

#### CONCLUSION

The SPASP FEIR adequately evaluated the environmental impacts associated with implementation of the SPASP, including parks and recreations impacts. Development of the proposed project would fall within the development assumptions evaluated within the SPASP FEIR. Therefore, the proposed project has no new impacts on parks and recreation.

### 3.17. TRANSPORTATION

Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No New Impact
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: San Pablo Avenue Specific Plan EIR; Fehr and Peers, El Cerrito 10290 San Pablo Avenue Project – Preliminary Transportation Analysis, January 17, 2019.

#### DISCUSSION

This section compares traffic impacts from the proposed project with impacts identified in the SPASP FEIR. A Preliminary Transportation Analysis (TIA) was conducted for the proposed project. The report includes an analysis to ensure that sufficient traffic operations are maintained with the construction of the proposed project.

#### SPASP Roadway Improvements

Several roadway improvements were delineated in the SPASP project area. Modifications along San Pablo Avenue include, but are not limited to, landscaped bulb-outs at intersections, improved crosswalks, and widening of the median to provide a five-foot pedestrian refuge. A Transportation Impact Fee (TIF) program was approved by the City of El Cerrito in December 2018 to fund the multi-modal improvements identified in the SPASP and to determine fair share payment by development projects facilitated by the SPASP for the identified improvements. Therefore, the TIA recommended making fair share contributions towards implementation of the multi-modal improvements identified by the SPASP.

**Project Specific Condition of Approval:** Make fair share contribution towards the implementation of the multi-modal improvements identified by the SPASP, through payment of the recently approved City of El Cerrito TIF.

#### Trip Generation

Using the same trip generation methodology used in the SPASP FEIR, the transportation analysis conducted for the proposed project estimated that the proposed project would generate about 16 AM peak-hour and 25 PM peak-hour trips. While residents of the five proposed live/work units would likely have little to no outside employment, the live/work units were conservatively modeled to generate trips at the same rate as residential units. Thus, the proposed project would not result in significant impacts related to project trip generation beyond those identified in the SPASP EIR.

#### Vehicle Access

The Project would provide a parking garage containing two standard ADA accessible parking spaces and 26 mechanically stacked spaces, for a total of 28 parking spaces. Parking spaces would be leased separately from the residential units. Vehicles would access the project garage through a two-way driveway on Eureka Avenue leading to a two-way drive aisle within the parking garage.

#### Project Driveway Site Distance

The project-specific transportation analysis conducted for the proposed project included recommendations to improve project site access and circulation. The driveway accessing the parking garage on Eureka Avenue would not provide adequate sight distance between vehicles exiting the driveway and pedestrians on the adjacent sidewalk to the east. Vehicles parked on both sides of the Eureka Avenue driveway may block sight distance between vehicles exiting the garage and vehicles on Eureka Avenue. Trees planted on both sides of the driveway may also affect visibility of exiting vehicles if the tree canopy is lower than six feet from the ground. Therefore, the transportation analysis recommendation would be applied to the project as a condition of approval to ensure adequate sight distance for vehicles to avoid impacts with pedestrians on the adjacent sidewalk.

**Project Specific Condition of Approval:** Redesign the project driveway to ensure adequate sight distance between vehicles exiting the parking garage and pedestrians on the adjacent sidewalk. If adequate sight distance cannot be provided, install mirrors on both sides of the driveway to aid drivers' and pedestrians' visibility and install flashing lights to alert pedestrians when a vehicle is exiting the garage.

**Project Specific Condition of Approval:** Ensure that on-street parking and trees on both sides of the project driveway on Eureka Avenue would not restrict sight distance for exiting 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 project driveway.

### **Bicycle Parking, Access and On-Site Circulation**

Section 2.05.07.04 of the SPASP Form-Based Code requires bicycle parking for residential and commercial uses. The Project would consist of 55 residential units, requiring 83 long-term bicycle parking spaces and six short-term bicycle parking spaces. The Project would provide 83 covered long-term bicycle parking spaces inside the parking garage and six short-term bicycle parking spaces along the project frontage along San Pablo Avenue, meeting City requirements.

### **Pedestrian Access and On-Site Circulation**

Pedestrians would access the building via the lobby entrance along San Pablo Avenue. Pedestrians would access the live/work units through a ground floor entrance provided for each of the five units. The lobby entrance would provide direct access to the staircase and elevator. Pedestrian access between the parking garage and the building would be provided by one lobby entrance in the parking garage and a separate entrance for the elevator.

The SPASP Form-Based Code (2.04.02) requires a minimum pedestrian zone of eight feet and a minimum amenity zone of 6 feet on all sidewalks along San Pablo Avenue. Along Eureka Avenue, the Code requires a minimum pedestrian zone of eight feet and a minimum amenity zone of four feet. The Project would provide eight feet of pedestrian zone with six to ten feet of amenity zone along San Pablo Avenue in addition to eight feet of pedestrian zone along Eureka Avenue, meeting or exceeding City requirements. Contribution to a midblock crosswalk on San Pablo Avenue at Van Fleek Avenue approximately 200 feet south of the project site would be made through fair share contribution to these improvements, such as payment of the TIF.

### **Transit Access**

AC Transit (as well as WestCAT, Soltrans, and FAST Transit) provides bus service to the project site with bus stops at the El Cerrito del Norte BART Station and northbound and southbound service on San Pablo Avenue via two stops. The northbound stop is approximately 200 feet north of the project site across Eureka Avenue on San Pablo Avenue and the southbound stop is west of the project site across San Pablo Avenue. The bus stops at the BART station provide bus shelters and benches, as well as BART station amenities such as bicycle parking. The northbound bus stop on San Pablo Avenue provides a bench and neither the northbound nor the southbound bus stop include a bus shelter. The project site is well served by transit and there would be no conflicts from the proposed project to existing or planned transit facilities.

### **Parking and TDM Requirements**

The San Pablo Avenue 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 spaces per dwelling unit. For projects proposing a parking ratio between zero and 0.5 spaces per unit, a parking study and additional TDM measures may be required.

Based on a project site plan, the project would provide 28 parking spaces for a parking ratio of 0.51 parking spaces per residential dwelling unit. Pursuant to the Table 32 of the San Pablo Avenue Specific Plan Form Based Code, parking provided at the proposed ratio of 0.51 parking spaces per residential dwelling unit would be compliant with the Specific Plan parking standards.

For multi-family residential projects in the SPASP area, the Form Based Code Section 2.05.08.07 requires 10 percent of the total parking to be pre-wired for future EV charging systems, including at least one ADA accessible parking space. Project site plans propose one ADA accessible parking space with an EV charging station, and 6 available on-lift EV charging stations. As proposed, the EV charging requirements are met by the project. As a measure of caution, the transportation analysis includes a recommendation to provide Code-required EV charging systems.

**Project Specific Condition of Approval:** Provide at least three parking spaces that are pre-wired for future electric vehicle charging systems, including at least one accessible space, per Code requirements.

### **APPLICABLE MITIGATION**

The proposed project is consistent with the type of development analyzed within the SPASP FEIR and would be generally consistent with the development standards envisioned in the SPASP FEIR. With implementation of the project-specific conditions of approvals, the proposed project would not result in new impacts related to transportation. Therefore, the SPASP FEIR adequately evaluated the transportation impacts of the proposed project and no new impacts related to transportation would result.

### **CONCLUSION**

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and with implementation of the project-specific condition of approvals, no new impacts related to transportation would result.

### 3.18. TRIBAL CULTURAL RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No New Impact
a) Would the project 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:				
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), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Sources: San Pablo Avenue Specific Plan EIR.

#### DISCUSSION

As discussed in the Cultural Resources section of this checklist, Mitigation Measure 7-2 applies to the proposed project; this mitigation will protect previously unrecorded or unknown cultural resources, including Native American artifacts and human remains.

Subsequent to certification of the SPASP FEIR, 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. The SPASP FEIR was certified prior to July 1, 2015, and thus is not subject to AB 52, as it was not in effect at the time the SPASP EIR was certified. In addition, AB 52 does not apply to exemptions from CEQA, as it is assumed that such projects would not result in significant impacts. Similarly, consistency analyses are only used when there is no new or substantially more severe impact and are therefore not subject to AB 52. Additionally, this Program EIR Checklist supports findings pursuant to CEQA Guidelines Section 15162, no new or substantially more severe significant effects would occur, no new mitigation measures would be required, the project is within the scope of the environmental review of the SPASP FEIR, and no further review under CEQA is required.

#### APPLICABLE MITIGATION

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required. As stated above, SPASP FEIR Mitigation Measure 7-2 applies to the project, and will protect previously unrecorded or unknown cultural resources, including Native American artifacts, tribal cultural resources, and human remains.

#### CONCLUSION

The SPASP FEIR adequately evaluated the potential cultural resources impacts (and by extension, impacts to tribal cultural resources) of the proposed project and no new impacts would result.

### 3.19. UTILITIES AND SERVICE SYSTEMS

Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No New Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sources: San Pablo Avenue Specific Plan EIR.				

#### DISCUSSION:

The SPASP FEIR determined that there would be an increase in water demand as a result of build-out of the SPASP – average daily demand would be 882,720 gallons per day (gpd) which represents approximately 0.38 percent of the planning level water demand forecasted in the Urban Water Management Plan (UWMP). The SPASP FEIR concluded that this represents a small increase and is considered a less-than-significant impact on water supply. The SPASP FEIR also noted that development within the SPASP 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 EBMUD (including consistency with the UWMP), and the requirement that new development pay its share of the costs associated with provision of water facilities through project-specific mitigations required as conditions of approval. The SPASP FEIR concluded that since future development facilitated by the SPASP, including the proposed project, 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 is considered less than significant.

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



temporary and would occur within existing public rights-of-way, City property, a project development site, or private property subject to a municipal easement.

The Stege Sanitary District (SSD) provides wastewater service to users along San Pablo Avenue, including the project site. This project has agreed to participate in the San Pablo Avenue Sewer Capacity Improvement Fee Program. This fee is intended to satisfy the requirement for a Sewer Capacity Study.

**Project-Specific Condition of Approval:** Participate in the implementation of San Pablo Avenue Sewer Capacity Improvement Fee Program.

The increase in commercial intensity and residential density under the SPASP would result in an increase in the amount of solid waste generated within the SPASP area. The SPASP FEIR concluded that the increase in solid waste generation would be incremental but would not exceed acceptable rates established by plans, policies, and regulation. Moreover, the projected solid waste would be served by solid waste and recycling facilities with sufficient capacities to accommodate development included as part of the SPASP, including the proposed project. As such, solid waste impacts would remain less than significant.

### **APPLICABLE MITIGATION**

The proposed project is consistent with the type of development analyzed within the SPASP FEIR and would be generally consistent with the development standards envisioned in the SPASP FEIR. With implementation of the project-specific condition of approval, the proposed project would not result in new impacts related to utilities and service systems. Therefore, the SPASP FEIR adequately evaluated the utilities and service systems impacts of the proposed project and no new impacts related to transportation would result.

### **CONCLUSION**

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and with implementation of the project-specific mitigation measure, no new impacts related to utilities and service systems would result.

### 3.20. WILDFIRE

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: Town of Windsor 2040 General Plan and EIR.

The SPASP FEIR determined that the Specific Plan Area is not located within the vicinity of a wildfire hazard area. The plan area is not within or adjacent to wildlands, however, portions of El Cerrito contain woodland hills and are adjacent to Wildcat Canyon Regional Park, identified in the El Cerrito General Plan as a Very High Fire Hazard Severity Zone (VHFSZ). The SPASP area is not located within the VHFSZ and the closest VHFSZ is located over 0.5 miles to the northeast. Additionally, the project site is not located in a zone classified by CALFIRE as a Wildland-Urban Interface (WUI)<sup>5</sup>. Therefore, the proposed project would have no new impacts on wildfires.

<sup>5</sup> A collaboration of The Nature Conservancy, Bay Area Open Space Council, American Farmland Trust, Greenbelt Alliance, and GreenInfo Network; Bay Area Greenprint. 2017, Accessed October 24, 2019.

## 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.

- 1) AEI Consultants, Phase I Environmental Site Assessment of a Commercial Property at 10300 San Pablo Avenue El Cerrito, California 94530, July 21, 2016.
- 2) AEI Consultants, Phase I Environmental Site Assessment Update of 10290 & 10296 San Pablo Avenue and 6306 & 6308 Eureka Avenue El Cerrito, Contra Costa County, California 94530, May 15, 2017.
- 3) Fehr and Peers, El Cerrito 10290 San Pablo Avenue Project – Preliminary Transportation Analysis, January 17, 2019.
- 4) Friar and Associates, Inc., Geotechnical Investigation Proposed Multi-Purpose Development 10290/10296 San Pablo Avenue El Cerrito, California, November 2016.
- 5) Friar and Associates, Inc., Update to the Geotechnical Investigation Proposed Multi-Purpose Development 10290/10296 San Pablo Avenue El Cerrito, California, August 2019.
- 6) HortScience Bartlett Consulting, Tree Assessment 10290 San Pablo Ave., El Cerrito CA, January 14, 2019
- 7) LSA, Historical Resource Evaluation of 10290 and 10296 San Pablo Avenue/State Route 123, El Cerrito, Contra Costa County, California, February 8, 2017.
- 8) Saxelby Acoustics, LLC, Environmental Noise Assessment 10290 San Pablo Residential City of El Cerrito, California, August 1, 2019.
- 9) Vit Hanacek, PE, Stormwater Control Plan for Vital Apartments, September 30, 2019.