6501 Fairmount Avenue

SAN PABLO AVENUE SPECIFIC PLAN
ENVIRONMENTAL COMPLIANCE CHECKLIST

PREPARED BY:

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November 2021
**6501 FAIRMOUNT AVENUE**  
CEQA ENVIRONMENTAL CHECKLIST AND INITIAL STUDY

<table>
<thead>
<tr>
<th>Project Title:</th>
<th>The Lexington, 6501 Fairmount Avenue</th>
</tr>
</thead>
</table>
| 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: | 6501 Fairmount Avenue (APN 504-140-015)  
City of El Cerrito – San Pablo Avenue Specific Plan Area  
Contra Costa County, CA |
| File Number: | PL21-0006 |
| Project sponsor's name and address: | El Cerrito 36 LP  
3202 West March Lane  
Stockton, CA 95219 |
| Property Owner: | El Cerrito 36 LP  
3202 West March Lane  
Stockton, CA 95219 |
| 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 at the northeast corner of the Fairmount and Lexington Avenue. The proposed project would demolish the commercial building and construct a new 54,462 square-foot, six-story multi-family residential building with a total of 45 dwelling units and 1,841 square feet of retail or restaurant space. Access to the parking garage and residential lobby will be from Lexington Avenue. Access to the retail/restaurant space will be from Fairmount Avenue. The proposed residential units include a combination of 1-bedroom and 2-bedroom units. |
| Surrounding land uses and setting; briefly describe the project's surroundings: | North  Single Family Residential  
East  Automotive Service Commercial  
South  Commercial (El Cerrito Plaza)  
West  Office |
| Other public agencies whose approval is required (e.g. permits, financial approval, or participation agreements): | San Francisco Bay Regional Water Quality Control Board  
California Department of Toxic Substances Control |
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1. INTRODUCTION

This checklist and attached supporting documentation have been prepared pursuant to Government Code Section 65457 and which pertains to residential developments subject to a Specific Plan and for which an Environmental Impact Report (EIR) was prepared. Government Code Section 65457 provides, in relevant part, that such developments are exempt from the California Environmental Quality Act (CEQA) unless an event prescribed at CEQA Section 21166 occurs, including:

   a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report.
   b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.
   c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

The residential development evaluated under these criteria (and this checklist) is a proposed development (project or proposed project) located at 6501 Fairmount Avenue and consisting of a new 54,462 square-foot mixed use building includes 45 dwelling units and 1,841 square feet of ground floor commercial space. The proposed development is located within the boundary of the San Pablo Avenue Specific Plan (SPASP), for which a Program EIR was certified.

An additional purpose of this checklist is to also demonstrate, under CEQA Guidelines Section 15168(c)(2), that the proposed project is within the scope of the SPASP Program EIR and, therefore, that no subsequent environmental document is required. Lastly, this document also provides substantial evidence the proposed development is statutorily exempt from CEQA under CEQA Guidelines 15182 (Projects Proximate to Transit).

1.1. PROJECT BACKGROUND AND PRIOR CEQA DOCUMENTATION

On September 22, 2014, the City of El Cerrito adopted the San Pablo Avenue Specific Plan (“SPASP”) and certified an accompanying Program EIR (State Clearinghouse #2014042025). The SPASP represents a planning effort to identify a vision for the future of San Pablo Avenue, including its improvement needs, and the adoption of 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. 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 SPASP Program EIR evaluated the potential environmental effects related to implementation and identified significant and potentially significant environmental effects under the following topics:

- Aesthetics and Visual Resources
- Air Quality
- Biological Resources
- Cultural and Historic Resources
- Geology and Soils
- Noise
• Transportation and Circulation

For each of these effects, the SPASP Program EIR identifies mitigation measures to reduce each effect below the threshold of significance. A copy of the SPASP Program EIR is available for viewing here:

http://www.el-cerrito.org/396/San-Pablo-Avenue-Specific-Plan

1.2. CEQA REQUIREMENTS

Government Code Section 65457 addresses CEQA requirements for residential developments subject to a Specific Plan for which an EIR was prepared. For these development situations, it directs no further CEQA review shall occur unless an event prescribed at CEQA Section 21166 occurs. The implementing regulations for CEQA Section 21166 are located at CEQA Guidelines Section 15162.

CEQA Guidelines Section 15168(c) addresses the use of Program EIRs for subsequent activities (e.g., the proposed project subject to the SPASP and for which a Program EIR was prepared). Again, the CEQA Guidelines direct the application of CEQA Guidelines Section 15162 to determine whether additional CEQA review is required.

CEQA Guidelines Section 15162 provides that no subsequent EIR shall be prepared unless the lead agency (i.e., City of El Cerrito) determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

   a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
   
   b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
   
   c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
   
   d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
This checklist evaluates the proposed project under the criteria of CEQA Guidelines Section 15162 to determine whether subsequent environmental review is required.

An additional purpose of this document is to demonstrate the proposed project is also exempt from CEQA pursuant to CEQA Guidelines Section 15182 (Projects Pursuant to a Specific Plan), under subsection (b) (Projects Proximate to Transit). The project is a mixed-use project exceeding 0.75 floor-area-ratio, is located within a transit priority area, is consistent with the SPASP, and is consistent with the use, density, building intensity and applicable policies of a sustainable communities strategy relating to greenhouse gas reduction targets (i.e., Plan Bay Area 2040).

2. PROJECT SETTING AND DESCRIPTION

2.1. PROJECT LOCATION AND SETTING

The project site (APN 504-14-015) is located in the southern portion of the City of El Cerrito at the corner of Fairmount and Lexington Avenues (Figure 1: Regional Map). The project is across the street from El Cerrito Plaza shopping center and approximately 528 feet from the El Cerrito Plaza BART station (Figure 2: Site Vicinity). The project site has General Plan Land Use Designation of Transit-Oriented Higher-Intensity Mixed Use and is within the area of the San Pablo Avenue Specific Plan (Figure 3: General Plan Land Use Designation/Zoning Map). The San Pablo Specific Plan also designates this site as Transit-Oriented Higher-Intensity Mixed Use (TOHIMU) zoning district.

The project site is 11,611 square-foot (0.27 acres) in size and is currently occupied by a 1,032 square foot commercial structure and is almost entirely covered with impervious surfaces. The project site was originally developed with two single-family residences in the early 1900's. The site was redeveloped in the late 1950's into an automobile service station. More recently the site transitioned into the existing automotive use.

2.2. PROJECT CHARACTERISTICS – DEVELOPMENT AND LAND USE

The proposed project would demolish the existing building and parking lot and construct an “L” shaped six story mixed use structure at the edge of the public street along both Fairmount and Lexington Avenues. The new 54,462 square-foot mixed use building includes 45 dwelling units and 1,841 square feet of ground floor commercial space. No specific commercial land use or tenant is identified at this time. Project plans show an open floor plan for speculative commercial retail or restaurant uses. However, many potential non-residential land uses are permitted by-right or through discretionary permit(s).\(^1\) The building includes a 2,828 square feet rooftop deck equipped with a shared outdoor kitchen, lounging areas, and ADA accessible bathroom. The rooftop deck will be usable by all building residents. A smaller 900 square foot semi-private outdoor space on the second floor will be shared by the three adjacent residential units.

The residential floors are accessed from two common staircases and one elevator within the building that can be accessed from the residential lobby accessed via the Lexington Avenue entrance and the parking garage. The Fairmount Avenue frontage has ground floor entrances to the retail/restaurant spaces. The parking garage includes a triple stacked lift system capable of parking 33 vehicles and two at-grade level ADA parking spaces, along with a 76-bike storage room. Seven of the vehicle parking spaces will enable electric vehicle charging. (Figure 4: Site Plan and Ground Floor Plan). Each residential floor contains 6 one-bedroom and 3 two-bedroom units. (Figure 5: Second Floor Plan). A summary of the project is provided below.

\(^1\) See FBC Table 02, San Pablo Avenue Specific Plan.
### Table 1: Project Unit Type

<table>
<thead>
<tr>
<th>Floor</th>
<th>1 Bedroom (units)</th>
<th>2 Bedroom (units)</th>
<th>Retail / Restaurant (square feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1&lt;sup&gt;st&lt;/sup&gt;</td>
<td>0</td>
<td>0</td>
<td>1,841</td>
</tr>
<tr>
<td>2&lt;sup&gt;nd&lt;/sup&gt;</td>
<td>6</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>3&lt;sup&gt;rd&lt;/sup&gt;</td>
<td>6</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>4&lt;sup&gt;th&lt;/sup&gt;</td>
<td>6</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>5&lt;sup&gt;th&lt;/sup&gt;</td>
<td>6</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>6&lt;sup&gt;th&lt;/sup&gt;</td>
<td>6</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>Totals</td>
<td>30</td>
<td>15</td>
<td>1,841</td>
</tr>
</tbody>
</table>

The proposed building incorporates a modern architectural design. The color scheme for the ground floor is dark grey with large ground floor windows for the commercial spaces. The upper floors incorporate a combination of red brick and a variety of light and medium greys. The exterior materials include cement plaster, metal window frames, and brick veneers. The odd and even numbered floors have alternating window locations which provide visual variety. The parking garage is secured with a roll-up gate. (Figure 6: Typical Building Elevations)

The project provides landscaping along Fairmount and Lexington Avenues, including on the common roof deck. Five additional trees will be planted along Lexington and Fairmount Avenues. These include two London Plane trees (*Platanus X Acerifolia*) along Fairmount Avenue and three Magyar Maiden Hair trees (*Ginkgo Biloba ‘Magyar’*) along Lexington Avenue. The two existing London Plane trees on Fairmount Avenue will be protected in place during construction. The second floor and rooftop gardens also incorporate a variety of landscape materials in planters and pots.

The project has been designed to meet all required stormwater quality standards and best management practices for low impact development standard. 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.

Off-site construction related to the project consists of utility connections (e.g., water, sewer, stormwater, electricity) to existing facilities within adjacent public streets (i.e., Fairmount Avenue, Lexington Avenue). The project will retain two existing street trees at Fairmount Avenue, along the site frontage. The project will modify existing overhead electricity lines along Lexington Avenue through relocation, removal, and new pole installation.

### 2.1. PROJECT CHARACTERISTICS - AFFORDABLE HOUSING

The project provides affordable housing as required by El Cerrito Municipal Code Chapter 19.30 (Inclusionary Zoning). As proposed, the project provides for sale units. Under Municipal Code Section 19.30.040 this results in a 12% inclusionary requirement (i.e., five units affordable to moderate income households). The project fulfills this requirement and concurrently requests a Density Bonus pursuant to Government Code Section 65915 et al. The bonus request excludes additional dwelling units but does include requests for one concession, pursuant to Government Code Section 65915(d)(2), and one waiver, pursuant to Government Code Section 65915(e).

The concession concerns partial compliance with the utility undergrounding requirements of Zoning Code Section 19.21.080 and Chapter 16.34. The waiver concerns the Specific Plan’s Shadow Standards (Section 2.05.02.02).
2.2. PROJECT CHARACTERISTICS – LOCAL APPROVALS REQUESTED

The project includes a request for Tier II Design Review with the Design Review Board serving as the review authority. Tier II Design Review is required for all new construction in full compliance with the development and design standards of the Specific Plan. The project conforms to all Specific Plan standards except, as mentioned above, the affordable housing concession and waiver. Pursuant to Specific Plan Section 2.02.02 and Zoning Code Section 19.30.070, the requested concession and waivers do not alter the permit requirement (e.g., require Tier IV Design Review or Variance).

FIGURE 1: REGIONAL LOCATION MAP
FIGURE 2: SITE VICINITY
FIGURE 3: GENERAL PLAN LAND USE/ZONING MAP
FIGURE 4: SITE PLAN AND GROUND FLOOR PLAN

Residential Lobby

Parking Garage

Retail & restaurant Spaces

Bicycle Storage

Lexington Ave.

Fairmount Ave.
NOTE: The unit configuration and layout are the same for each floor above the second floor. The two-bedroom units are types “A”, “B”, and “C”.
3. EVALUATION OF ENVIRONMENTAL IMPACTS

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

3.1. AESTHETICS

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

Sources: San Pablo Avenue Specific Plan EIR.

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 potential impacts to scenic resources identified in the SPASP FEIR was the potential to obstruct scenic views of Mt. Tamalpais, the Golden Gate Bridge, the San Francisco skyline, the East Bay Hills, and Albany Hill from public rights-of-way, 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 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 (see Mitigation Measure 4-1).

To assess the view impacts of the project, two viewpoints were selected. The first is a ground level view from Fairmount Avenue. The second is from the platform of the El Cerrito BART station. From these locations, three
of view-targets are visible. These include, Mt. Tamalpais in Marin County, the East Bay Hills, and Albany Hill. Albany Hill blocks the view of San Francisco’s skyline; however, the Golden Gate Bridge is visible.

The existing 1-, 2-, and 3-story buildings, the elevated BART track, and street trees already affect the potential views of many of the identified viewpoints. From Fairmount Avenue near the El Cerrito BART station, only Albany Hill is visible from this location. The project does not affect this view. From the platform of the El Cerrito BART station, the proposed building would conceal some of the existing development on the lower slopes of Albany Hill; but would leave the upper half of the forested Hill fully visible. From this location, the Golden Gate Bridge and Mt. Tamalpais continue to be visible. Ground level views of the East Bay Hills are already limited to views up Fairmount Avenue. In contrast, the East Bay Hills are fully visible from the El Cerrito BART station platform.

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 that were not considered in the FEIR.

**APPLICABLE MITIGATION**

SPASP Mitigation Measures 4-1 (Scenic Vistas) and 4-2 (Light and Glare) are relevant to this environmental topic and apply to the project. The submitted plans and analysis herein satisfy the requirements of both mitigation measures. A standard condition of approval is imposed on all projects and will ensure the building material requirements of Mitigation Measure 4-2 are carried out through construction.

**CONCLUSION**

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
### 3.2. AGRICULTURAL AND FORESTRY RESOURCES

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>d) Result in the loss of forest land or conversion of forest land to non-forest use?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR.

### DISCUSSION

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 new or significant impacts 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? | ☐ | ☐ | ☐ | ☒

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? | ☐ | ☐ | ☐ | ☒

c) Exposure of sensitive receptors to substantial pollutant concentrations? | ☐ | ☐ | ☐ | ☒

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? | ☐ | ☐ | ☐ | ☒

Sources: San Pablo Avenue Specific Plan EIR; 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 high-intensity residential uses within walking distance of public transportation, jobs, restaurants, and services as envisioned by the SPASP. The increase in population and housing units included in the proposed project would fall within the total development anticipated by the SPASP FEIR. Since projected population growth and resulting air quality impacts are consistent with the SPASP no new air quality impacts are anticipated. 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. The SPASP envisions 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.
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.

Sensitive receptors (residents) are located adjacent to the north boundary of the project site and to the west across Lexington Avenue. 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 project includes sensitive receptors (e.g., residences that may include children or elderly) but excludes new emission sources to toxic air contaminants (e.g., stationary diesel engines, facilities attracting heavy and constant diesel vehicle traffic (truck stop, distribution center)), and is not located within 100 feet of an existing stationary TAC source (e.g., gasoline station, dry cleaner, emergency back-up generator).

The SPASP FEIR determined that if projects under the SPASP are located within close proximity\(^2\) to surface streets with daily traffic volumes higher than 40,000 ADT (i.e., mobile TAC source), this would represent a potentially significant impact. However, the project site is not located within close proximity to any of these roadways.

The proposed 1,841 square feet of ground floor commercial space excludes a TAC emission source (truck dock, loading area for diesel vehicles). The overall project is not located within the screening distance of existing TAC sources.\(^3\) It is not reasonably foreseeable the commercial portion of the project would, in the future, include a source of TACs. Likely sources identified by the SPASP Program EIR (e.g., loading dock, diesel generator) are not present in the project. Therefore, pursuant to CEQA Section 15145, it is too speculative to determine whether the commercial aspect of the project would result in a direct or indirect impact due to TACs. Once specific commercial uses are identified and plans for their occupancy are drawn, future review under the SPASP would determine the applicability or inapplicability of SPASP Program EIR Measure 5-2. No further analysis is required at this time.

\(^2\) Distances specified at Table 5-7 (Approximate Setback Distances for Highway TAC Sources).

\(^3\) Table 5-6 (Approximate Screening Setback Distances for Stationary Sources), SPASP EIR; Bay Area Air Quality Management District Toxic Inventory 2018.
**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**

SPASP Mitigation Measures 5-1 (Construction Period Emissions) and 5-2 (Impacts of Toxic Air Contaminants (TACs) on Sensitive Receptors) are relevant to this environmental topic and apply to the project. Both mitigation measures will be imposed on the project through conditions of approval.

**CONCLUSION**

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
3.4. BIOLOGICAL RESOURCES

Would the project:

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as 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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR.

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. The removal of existing trees that could contain 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 and roosting bats to less-than-significant levels. There are two existing street trees along Fairmount Avenue that will be protected in place during construction. The project would not result in the removal of any other trees. However, birds and bats may nest or roost in vacant buildings and structures. Since the project involves demolition of existing structures onsite, the project is subject to measure 6-1, which requires pre-construction surveys prior to demolition.

**APPLICABLE MITIGATION**

SPASP Mitigation Measure 6-1 (Potential Impacts on Nesting Birds and Roosting Bats)) is relevant to this environmental topic and applicable to the project. Mitigation measure 6-1 from the SPASP FEIR will be imposed on the project as a condition of approval.

**CONCLUSION**

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
3.5. CULTURAL RESOURCES

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>c) Disturb any human remains, including those interred outside of formal cemeteries?</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
<td>☑</td>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR; Left Coast Architectural History, 6510 Fairmount Avenue Historical Resource Evaluation, El Cerrito, California, September 30, 2020.

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. 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 50 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 existing one-story commercial building at 6501 Fairmount Avenue was constructed about 1958. 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 qualify as a “historical resource” for the purposes of CEQA (Public Resources Code Section 21084.1). This analysis fulfills the requirements of Mitigation Measure 7-1 (Destruction/Degradation of Historic Resources).

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. 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.
APPLICABLE MITIGATION

SPASP Mitigation Measures 7-2 (Potential for Disturbance of Buried Archaeological Resources, Including Human Remains) and 7-3 (Potential for Disturbance of Paleontological Resources) are relevant to this environmental topic and apply to the project. Both mitigation measures will be imposed on the project through conditions of approval.

CONCLUSION

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
3.6. ENERGY

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

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, SPASP Section 2.05.01 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. SPASP Section 2.05.03 encourages urban farming, which could reduce energy by reducing food miles traveled and mitigating the urban heat island effect. As a transit-oriented 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. Compliance with adopted energy efficiency standards for new development also supports the implementation of State energy plans. 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.

APPLICABLE MITIGATION

There are no SPASP FEIR mitigation measures for this environmental topic.

CONCLUSION

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
### 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.

ii. Strong Seismic ground shaking?

iii. Seismic-related ground failure, including liquefaction?

iv. Landslides?

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

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Sources: San Pablo Avenue Specific Plan EIR; Geocon Consultants, Inc. Phase II Environmental Site Investigation Report, 6501 Fairmount Avenue, El Cerrito, CA, November 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 specific plan would have potentially significant impacts related to earthquake-induced on-site liquefaction, differential settlement, lateral spreading, and subsidence, and associated damage to project buildings and other improvements within the 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 proposed project’s incorporation of the recommendations from the design-level geotechnical study will 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

SPASP Mitigation Measure 8-1 (Potential Ground Instability Impacts) is relevant to this environmental topic and applies to the project. This mitigation measure will be imposed on the project through a condition of approval.

CONCLUSION

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
3.8. GREENHOUSE GAS EMISSIONS

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

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. 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 CO2e 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 CO2e/year. Therefore, the impact was considered less-than-significant.

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 City of El Cerrito adopted, at Municipal Code Chapter 16.24, the 2019 California Green Building Standards Code (CALGreen) which requires a diversion rate of at least 65 percent of construction waste or demolition materials.

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 designed to reduce GHG emissions. The SPASP and proposed project are consistent with the Climate Action Plan Sustainable Community goal SC-1 to encourage higher density TOD and infill development on transportation corridors.

The proposed project is consistent with the development intensity and density anticipated by for the subject site by 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

There are no mitigation measures for this topic in the SPASP FEIR.

CONCLUSION

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
### 3.9. HAZARDS/HAZARDOUS MATERIALS

<table>
<thead>
<tr>
<th>Would the project:</th>
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<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
<td>❌</td>
<td>❌</td>
<td>❌</td>
<td>☑</td>
</tr>
<tr>
<td>b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</td>
<td>❌</td>
<td>❌</td>
<td>❌</td>
<td>☑</td>
</tr>
<tr>
<td>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td>❌</td>
<td>❌</td>
<td>❌</td>
<td>☑</td>
</tr>
<tr>
<td>d) Be located on a site 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?</td>
<td>❌</td>
<td>❌</td>
<td>❌</td>
<td>☑</td>
</tr>
<tr>
<td>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport of public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?</td>
<td>❌</td>
<td>❌</td>
<td>❌</td>
<td>☑</td>
</tr>
<tr>
<td>f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
<td>❌</td>
<td>❌</td>
<td>❌</td>
<td>☑</td>
</tr>
<tr>
<td>g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?</td>
<td>❌</td>
<td>❌</td>
<td>❌</td>
<td>☑</td>
</tr>
</tbody>
</table>


**DISCUSSION**

The SPASP FEIR concluded that there are no significant impacts associated with implementation of the plan related to the topic of hazards and hazardous materials.
Hazardous Materials - Routine Transport, Use, or Disposal

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. These operations are consistent with the project’s land uses. The SPASP determined that implementation of these standard regulations would ensure potential impacts would be less than significant.

Hazardous Materials - Upset and Accident Conditions

Volatile Organic Compound - MTBE

The SPASP FEIR identified 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, along with evaluations for asbestos-containing materials (ACM) and lead-based paint (LBP) would ensure potential impacts are less than significant.

A Phase II Environmental Site Investigation conducted in 2019 revealed the presence of volatile organic compounds (VOCs) in the soil and groundwater only in the vicinity of the former underground storage tanks. These tanks were removed in 1976. The site has also been affected by MTBE from an off-site source(s). MTBE is a gasoline fuel additive that wasn’t in use until after the onsite underground tanks had been removed. The Phase II Study recommended that the residual petroleum hydrocarbons in soil be removed prior to construction and that additional soil vapor sampling be performed after the removal of impacted soil to confirm the expected decrease in associated soil vapor concentrations. The removal of residual petroleum hydrocarbon impacted soil and subsequent soil vapor sampling would be performed under the regulatory oversight of Contra Costa Health Services Hazardous Materials Program, the San Francisco Regional Water Quality Control Board, or the State Department of Toxic Substances Control.

The SPASP FEIR describes the following standard procedures, all of which are applicable to the project, and which would result in mediation of MTBE discussed above:

(a) **Soil Contamination.** In order to avoid or substantially reduce potential health hazards related to construction personnel or future occupant exposure to soil contamination, project applicants would complete the following steps for each site proposed for disturbance as part of construction activity in the plan area:

**Step 1.** Investigate the site to determine whether it has a record of hazardous material discharge into soils, and if so, characterize the site according to the nature and extent of soil contamination that is present before development activities proceed at that site.

**Step 2.** Based on the proposed activities associated with the future project proposed, determine the need for further investigation and/or remediation of the soils conditions on the contaminated site. For example, if the area is slated for commercial land use, such as a retail center, the majority of the site will be paved and there will be little or no contact with contaminated soil. Industrial clean-up levels would likely be applicable. If the slated development activity could involve human contact with soils, such as may be the
case with residential use, then Step 3 should be completed. If no human contact is anticipated, then no further mitigation is necessary.

**Step 3.** If it is determined that extensive soil contact would accompany the intended use of the site, undertake a Phase II Environmental Assessment investigation, involving soil sampling at a minimum, at the expense of the project applicant, property owner, or responsible party. Should further investigation reveal high levels of hazardous materials in the site soils, mitigate health and safety risks according to City of El Cerrito/City of Richmond (depending on jurisdiction), Contra Costa County Health Services Department, and Regional Water Quality Control Board (RWQCB) regulations. This would include site-specific health and safety plans prepared prior to undertaking any building or utility construction. Also, if buildings are situated over soils that are significantly contaminated, undertake measures to either remove the chemicals or prevent contaminants from entering and collecting within the building. If remediation of contaminated soil is infeasible, a deed restriction would be necessary to limit site use and eliminate unacceptable risks to health or the environment.

**(b) Surface or Groundwater Contamination.** In order to reduce potential health hazards due to construction personnel or future occupant exposure to surface water or groundwater contamination, project applicants would complete the following steps for each site proposed for disturbance as part of construction activity in the Specific Plan area:

**Step 1.** Investigate the site to determine whether it has a record of hazardous material discharge into surface or groundwater, and if so, characterize the site according to the nature and extent of contamination that is present before development activities proceed at that site.

**Step 2.** Install drainage improvements in order to prevent transport and spreading of hazardous materials that may spill or accumulate on-site.

**Step 3.** If investigations indicate evidence of chemical/environmental hazards in site surface water and/or groundwater, then mitigation measures acceptable to the RWQCB would be required to remediate the site prior to development activity.

**Step 4.** Inform construction personnel of the proximity to recognized contaminated sites and advise them of health and safety procedures to prevent exposure to hazardous chemicals in surface water/groundwater.

**Asbestos & Lead-Based Paint**

The SPASP FEIR also addressed the potential discovery of asbestos containing materials and lead-based paint. Due to the age of the existing buildings to be demolished, ACMs 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. LBP may also be present due to the existing buildings’ construction prior to 1978.

The SPASP FEIR describes the following standard procedures, all of which are applicable to the project, and which would result in mediation of asbestos and lead-based paint materials discussed above:

**Step 1.** Thoroughly survey the project site and existing structures for the presence of ACM and PCBs. The survey shall be performed by a person who is properly certified by the Occupational Safety and Health
Administration (OSHA) and has taken and passed an Environmental Protection Agency (EPA) approved building inspector course.

**Step 2.** If building elements containing any amount of asbestos and/or PCBs are present, prepare a written Asbestos/PCB Abatement Plan describing activities and procedures for removal, handling, and disposal of these building elements using the most appropriate procedures, work practices, and engineering controls.

**Step 3.** Provide the asbestos and PCB survey findings, the written Asbestos/PCB Abatement Plan (if necessary), and notification of intent to demolish to the jurisdictional City and Contra Costa County Health Services Department at least ten days prior to commencement of demolition.

**Step 4.** Remove any on-site transformers prior to demolition of non-residential buildings.

**Hazardous Emissions or Materials – Proximity to Schools, Airports**

The nearest schools to the project site are Harding Elementary School and Albany Middle School. Both are located approximately 0.3 miles from the project site. Harding Elementary School is located at the corner of Fairmount and Ashbury Avenues. Albany Middle School is located south of the site on Brighton Avenue. The schools are located just outside the quarter mile potential concern distance under CEQA. In addition, 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, no safety hazards would be anticipated. No private airstrips are located in the project vicinity.

**APPLICABLE MITIGATION**

There are no mitigation measures for this topic in the SPASP FEIR.

**CONCLUSION**

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.

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4 Alameda County Airport Land Use Commission, 2010. *Oakland International Airport, Airport Land Use Compatibility Plan, Figure3-2*. September.

### 3.10. HYDROLOGY AND WATER QUALITY

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>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:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i. result in substantial erosion or siltation on- or off-site;</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>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</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>iv. impede or redirect flood flows?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR; NorthStar Engineering Group, Inc, Stormwater Control Plan for 6501 Fairmount Avenue Apartments, March 16, 2021

**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 11,611 square feet, approximately 94% are impervious surfaces such as buildings, parking, and other hardscape surfaces. The proposed project would replace the existing impervious surfaces with new impervious surfaces covering the entire site. As such, under the proposed project approximately 700 square feet of existing pervious surfaces would become impervious. However, due to the size of the building and retail spaces on the parcel, the imperviousness of the development cannot be minimized. However, pervious pavement and landscape areas are proposed on the frontage to offset some of the additional impervious areas and will comply with the requirements of 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**

There are no mitigation measures for this topic in the SPASP FEIR.

**CONCLUSION**

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
3.11. **LAND USE AND PLANNING**

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Physically divide an established community?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

**Sources:** San Pablo Avenue Specific Plan EIR.

**DISCUSSION**

The Final Environmental Impact Report for the SPASP concluded that implementation of the Specific Plan 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. 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 proposed project is consistent with the mix, intensity, and scale of development contemplated by the SPASP in this location.

**APPLICABLE MITIGATION**

There are no mitigation measures for this topic in the SPASP FEIR.

**CONCLUSION**

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
### 3.12. MINERAL RESOURCES

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>X</td>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR.

**DISCUSSION**

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:

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td>☒</td>
</tr>
<tr>
<td>b) Generation of excessive groundborne vibration or groundborne noise levels?</td>
<td></td>
<td></td>
<td>☒</td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td>☒</td>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR; Illingworth and Rodkin, The Lexington, 6501 Fairmount Avenue - Construction Noise & Vibration Assessment, El Cerrito, California, November 1, 2021.

This section compares the noise impacts from the project with impacts identified in the SPASP FEIR. The proposed project would add additional residential uses in a developed area of the City of El Cerrito. A construction noise and vibration assessment was prepared for the project to address the requirement for a project-specific impact analysis, per SPASP Mitigation Measure 13-1.

The existing noise sources in the project area are from transportation facilities. Vehicular traffic on surrounding roadways, primarily Fairmount Avenue, contributes to the ambient noise environment. Train related activities associated with BART (which is located 700 feet east of the project site), also contributes to the existing noise environment in the project vicinity. In addition, operational noise from adjacent commercial uses (e.g., parking lot activities and people talking) is audible on the project site. The potential sources of noise from the project include construction activities, and operational noise sources from stationary and mobile sources.

Noise and Land Use Compatibility

The SPASP FEIR found that some residential land uses facilitated by the SPASP could be exposed to exterior noise levels exceeding 70 dBA Ldn from traffic and BART noise. This was identified as a potentially significant impact in the FEIR. However, noise measurements taken as part of the evaluation of the Specific Plan indicated that exterior noise levels in the project vicinity would be between 60 dBA and 64 dBA. To ensure that interior noise levels comply with the City’s interior noise level standards, the City of El Cerrito applies the following standard condition of approval:
Prior to the issuance of a building permit the applicant shall provide a detailed analysis of interior noise for all residential uses. The analysis shall be prepared by a qualified noise control engineer and shall outline the specific attenuation measures (such as sound-rated windows and doors or other methods appropriate to the design of the building) required to meet the City's interior noise level standards (from exterior sources) of 45 dBA Ldn.

The SPASP FEIR identified a significant noise impact due to the introduction of commercial development proposed along with or next to residential development. Potential noise sources that would exceed City standards and identified by the SPASP FEIR include loading docks, refuse areas, and ventilation systems. The project excludes a loading dock and locates, for both residential and commercial uses, refuse containers within fully enclosed spaces (i.e., room near Fairmount Avenue, within parking garage). Although not illustrated on project plans, the project proponent indicates ventilation system(s) would be located on the rooftop (approximately 60 feet above ground elevation) and behind a parapet wall. Given this information, the project would result in a less than significant effects related to the referenced noise sources and Impact 13-2 (Commercial Development Noise) identified by the SPASP FEIR. However, the long-term operational parameters of Mitigation Measure 13-2 are distinct from physical aspects of the project and will, as referenced in the summary below, be applied through conditions of approval.

Construction Noise

The highest construction noise levels would be generated during demolition, and grading and excavation, with lower noise levels occurring during building construction. Larger pieces of earth-moving equipment, such as backhoes and bulldozers, generate maximum noise levels of 80 to 85 dBA Lmax at a distance of 50 feet. The nearest existing residence is approximately twenty feet north of the site. As a result, project construction would result in elevated short-term noise levels on a temporary basis consistent with noise levels anticipated by the SPASP EIR. The noise assessment indicated that maximum noise levels generated by project construction would typically range from about 75 to 87 dBA Lmax, with hourly average noise levels about 75 to 85 dBA Leq. At the closest commercial use, an automotive use located 60 feet east, maximum noise levels generated by project construction would typically range from about 76 to 88 dBA Lmax, and hourly average noise levels would typically range from about 76 to 86 dBA Leq.

The SPASP identified that although construction noise would be localized to the project vicinity. Project construction could intermittently expose adjacent properties to high levels of noise. The SPASP identified Mitigation Measure 13-3 to reduce impacts of intermittent construction noise but identified that construction noise impacts would remain significant and unavoidable. The proposed project would not result in any new or more significant construction-noise impacts than were described in the SPASP FEIR. The proposed project would be required to comply with the Municipal Code which limits the hours of construction to 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. The applicant would also be required to incorporate best management construction practices to minimize noise impacts to adjacent residential and office uses.

Prior to the issuance of a permit for grading or demolition, the project plans shall incorporate provisions to implement construction best management practices to reduce noise impacts including the following:

- Equip all internal combustion engine-driven equipment with mufflers that are in good condition and appropriate for the equipment.
- Utilize “quiet” models of air compressors and other stationary noise sources where technology exists.

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6 November 5, 2021, phone conversation with project architect (D. Amrit).
• Locate stationary noise-generating equipment as far as feasible from sensitive receptors when sensitive receptors adjoin or are near a construction area.

• Prohibit unnecessary idling of internal combustion engines.

• Pre-drill foundation pile holes to minimize the number of impacts required to seat the pile.

• Construct solid plywood fences around construction sites adjacent to operational business, residences, or noise-sensitive land uses.

• A temporary noise control blanket barrier could be erected, if necessary, along building facades facing construction sites. This mitigation would only be necessary if conflicts occurred which were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected.

• Route construction-related traffic along major roadways and as far as feasible from sensitive receptors.

• Ensure that construction activities (including the loading and unloading of materials and truck movements) are limited to the hours of 7:00 AM to 6:00 PM on weekdays and between the hours of 9:00 AM and 5:00 PM on weekends and holidays.

• Ensure that excavating, grading, and filling activities (including warming of equipment motors) are limited to between the hours of 7:00 AM to 6:00 PM on weekdays and between the hours of 9:00 AM and 5:00 PM on weekends and holidays.

• Businesses, residences, or noise-sensitive land uses adjacent to construction sites shall be notified of the construction schedule in writing. Designate a “construction liaison” who would be responsible for responding to any local complaints about construction noise. The liaison would determine the cause of the noise complaints (e.g., starting too early, bad muffler, etc.) and institute reasonable measures to correct the problem.

• Conspicuously post a telephone number for the liaison at the construction site.

**Construction-Related Vibration**

Construction of the proposed project would involve demolition, grading, site preparation, and construction activities but would not involve the use of construction equipment that would result in substantial ground-borne vibration near to the project site. Construction vibration generated by the proposed project, based upon the proposed construction equipment, would be below the 0.3 inches per second peak particle velocity threshold, the level at which there is risk of architectural damage to typical homes. Therefore, the proposed project would not result in any new or more significant construction-period vibration impacts than were described in the SPASP FEIR. However, in the event that construction equipment such as a clam shovel or vibratory roller is used within 12 feet of nearby residences, vibration levels that exceed 0.3 in/sec may occur and would be considered a potentially significant impact. The SPASP EIR concludes that construction related vibration impacts would be significant and unavoidable and identified mitigation measure 13-4 to reduce vibration from construction. The applicant would also be required to incorporate identified construction related vibration best practices to minimize vibration impacts to nearby buildings.
Prior to the issuance of a permit for grading or demolition, the project plans shall incorporate the following provisions due to construction vibration activities that could exceed 0.3 in/sec PPV at nearby buildings:

- Prohibit the use of heavy vibration-generating construction equipment within 20 feet of adjacent residential buildings.

- Use a smaller vibratory roller, such as the Caterpillar model CP433E vibratory compactor, when compacting materials within 20 feet of adjacent commercial buildings. Only use the static compaction mode when compacting materials within 15 feet of residential buildings.

- Avoid dropping heavy equipment or materials and use alternative methods for breaking up existing pavement, such as a pavement grinder, instead of dropping heavy objects, within 20 feet of adjacent residential buildings.

- Designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site.

**Stationary Source Noise Impacts (Mechanical Equipment)**

Implementation of the proposed project would add new on-site stationary noise sources such as rooftop-mounted heating, ventilation, and air conditioning (HVAC) equipment, and enclosed ground-floor car stacker parking. In general, rooftop HVAC equipment was predicted to be 30 dBA Leq or less at the nearest sensitive receptors, at 80 feet distance from rooftop equipment. 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. As a result, the HVAC equipment would be in compliance with the City's exterior daytime and nighttime noise standards for residential uses. The proposed parking stacking equipment is located in an enclosed ground-floor garage will also result in some additional mechanical noise during the stacking and lowering of vehicles. The project is located in an urban area subject to ambient noise levels from a variety of mobile and stationary sources. Therefore, the proposed project would not result in any new or more significant noise impacts than were described in the SPASP FEIR.

**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.

**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**

SPASP Mitigation Measures 13-2 (Commercial Development Noise) (excluding requirement for further noise study), 13-3 (Construction Noise) and 13-4 (Construction Related Vibration) are relevant to this environmental topic and apply to the project. The mitigation measures will be imposed on the project through conditions of approval.

**CONCLUSION**

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
3.14. POPULATION AND HOUSING:

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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)?</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
</tr>
</tbody>
</table>

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 45 dwelling units and have a population size of approximately 115 people assuming full capacity and approximately 1,841 square feet of retail/restaurant space, which are 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 addressed in the San Pablo Avenue Specific Plan EIR.

APPLICABLE MITIGATIONS

There are no mitigation measures for this topic in the SPASP FEIR.

CONCLUSION

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.

3.15. PUBLIC SERVICES

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<thead>
<tr>
<th>Impact</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
</table>

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?  

b) Police protection?  
c) Schools?  
d) Parks?  
e) Other public facilities?

Sources: San Pablo Avenue Specific Plan EIR.

DISCUSSION

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 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 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**

There are no mitigation measures for this topic in the SPASP FEIR.

**CONCLUSION**

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
3.16. RECREATION

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>✗</td>
</tr>
<tr>
<td>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?</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>✗</td>
</tr>
</tbody>
</table>

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

There are no mitigation measures for this topic in the SPASP FEIR.

CONCLUSION

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
### 3.17. TRANSPORTATION

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


### DISCUSSION

This section compares proposed project against transportation 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.

Several roadway improvements were delineated in the SPASP project area. Modifications can 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. The project is subject to the mandatory fair share contribution codified at El Cerrito Municipal Code Chapter 4.54 and which facilitates implementation of the multi-modal improvements identified by the SPASP.

**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 23 AM peak-hour and 29 PM peak-hour trips. Thus, the proposed project would not result in significant impacts related to project trip generation beyond those identified in the SPASP EIR.

**Vehicle Miles Traveled (VMT)**

The project does not generate sufficient peak hour trips to require an analysis of VMT. In addition, residential and mixed-use projects within ½ mile of an existing major transit stop (such as the El Cerrito BART Station) or
with stops along a high-quality transit corridor (such as the AC Transit lines on San Pablo Avenue) will have a less-than-significant impact on VMT.

**Vehicle Access**

The Project would provide vehicle access to the two-way driveway on Lexington Avenue leading to a two-way drive aisle within the parking garage.

The project-specific transportation analysis evaluates site access and circulation. The driveway accessing the parking garage on Lexington Avenue would provide adequate sight distance between vehicles entering and exiting the driveway, and pedestrians on the adjacent sidewalk. Vehicles parked on both sides of the Lexington Avenue driveway entrance 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 recommends the following to ensure adequate sight distance for vehicles to avoid impacts with pedestrians on the adjacent sidewalk.

- 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.

- Ensure that on-street parking and trees on both sides of the project driveway on Lexington 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.

The City and applicant have agreed to the incorporation of these recommendations into the project through the imposition of conditions of approval. Therefore, with implementation of those recommendations, the project will not substantially increase hazards due to a geometric design feature.

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

Section 2.05.08.04 of the SPASP Form-Based Code requires bicycle parking for residential and commercial uses. The Project would consist of 45 residential units, requiring 77 long-term bicycle parking spaces and four short-term bicycle parking spaces. The Project would provide 68 enclosed long-term bicycle resident parking spaces inside the parking garage and nine short-term bicycle parking spaces (five for residential and four for the retail/restaurant) along the project frontage on Fairmount and/or Lexington Avenues. The short-term residential bike parking may be located in the residential lobby. The project meets the City requirements.

**Pedestrian Access and On-Site Circulation**

Pedestrians would access the building via the lobby entrance along Lexington Avenue. 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. The SPASP Form-Based Code (2.04.02) requires a minimum pedestrian zone of eight feet and a minimum amenity zone of 4 feet on all sidewalks along Fairmount Avenue. Along Lexington Avenue, the Code requires a minimum pedestrian zone of six feet and a minimum amenity zone of five feet. The project conforms to these development standards.

**Transit Access**
AC Transit provides bus service near the project site with bus stops at the El Cerrito BART Station, approximately one tenth of a mile from the project site. The bus stops at the BART station provide bus shelters and benches, as well as BART station amenities such as bicycle parking. The project site is well served by transit and there would be no conflicts from the proposed project to existing or planned transit facilities.

**APPLICABLE MITIGATION**

SPASP Mitigation Measures 16-1 (Cumulative Traffic Impacts) is relevant to this environmental topic. However, based on the vehicle trips generated by the proposed project, the mitigation measure is not applicable.

**CONCLUSION**

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
3.18. UTILITIES AND SERVICE SYSTEMS

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Require or result in the relocation or construction of new or expanded water,</td>
<td></td>
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<tr>
<td>wastewater treatment or storm water drainage, electric power, natural gas, or</td>
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<tr>
<td>telecommunications facilities, the construction or relocation of which could</td>
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</tr>
<tr>
<td>cause significant environmental effects?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Have sufficient water supplies available to serve the project and reasonably</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>foreseeable future development during normal, dry, and multiple dry years?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) Result in a determination by the wastewater treatment provider which serves or</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>may serve the project that it has adequate capacity to serve the project's</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>projected demand in addition to the provider's existing commitments?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) Generate solid waste in excess of State or local standards, or in excess of</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>the capacity of local infrastructure, or otherwise impair the attainment of</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>solid waste reduction goals?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>g) Comply with federal, state, and local management and reduction statutes and</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>regulations related to solid waste?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**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 is subject to the San Pablo Avenue Sewer Capacity Improvement Fee Program imposed and administered by the SSD. This fee is used by SSD to fund capacity improvements brought about by new development such as the proposed project.

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

There are no mitigation measures for this topic in the SPASP FEIR.

CONCLUSION

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
3.19. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

<table>
<thead>
<tr>
<th>Potential Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Substantially impair an adopted emergency response plan or emergency evacuation plan?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>d)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>


DISCUSSION

The SPASP area is not located within an area of State (Calfire) Responsibility and is not with located in or adjacent to a very high or high fire hazard areas. The SPASP FEIR also identifies that the Specific Plan Area is not located within the vicinity of a wildfire hazard or within a Wildland-Urban Interface (WUI). The closest VHFSZ is located approximately 0.5 miles to the east.

CONCLUSION

The area of the SPASP (and the proposed project) are not located within the VHFSZ or in an area of State responsibility.

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4. REFERENCE DOCUMENTS

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) Studio KDA, The Lexington – 6501 Fairmount Avenue, El Cerrito, CA 95430, project plan set.

2) Rhoades Planning Group, Resubmittal Statement, March 26, 2021.


7) Illingworth and Rodkin, The Lexington, 6501 Fairmount Avenue - Construction Noise & Vibration Assessment, El Cerrito, California, November 1, 2021