SAN PABLO AVENUE SPECIFIC PLAN EIR
ENVIRONMENTAL COMPLIANCE CHECKLIST

PREPARED BY:

METROPOLITAN PLANNING GROUP
1475 SOUTH BASCOM AVENUE, SUITE 210
CAMPBELL, CALIFORNIA 95008

February 2022
<table>
<thead>
<tr>
<th><strong>Project Title:</strong></th>
<th>6115 Potrero 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:** | Kevin Colin  
(916) 306-2637 |
| **Project Location:** | 11335 San Pablo Avenue and 6111 & 6115 Potrero Avenue  
(APNs 513-327-015, -018, 046)  
City of El Cerrito – San Pablo Avenue Specific Plan Area  
Contra Costa County, CA |
| **File Number:** | PL21-0036 |
| **Project sponsor’s name and address:** | Mark Rhoades, Rhoades Planning Group  
46 Shattuck Square, Suite 11  
Berkeley CA 94704  
(415) 545-4341 |
| **Property Owner:** | Potrero Ave Partners LLC  
740 San Luis Road  
Berkeley, CA 94707  
(510) 410-7038 |
| **General Plan Designation:** | Transit-Oriented Higher-Intensity Mixed Use (TOHIMU) |
| **Zoning:** | Transit-Oriented Higher-Intensity Mixed Use (TOHIMU) |
| **Description of project:** | The proposed project would demolish an existing commercial building with an address of 6115/6117 Potrero Avenue and construct a new 63,887 square foot, five-story mixed-use building with 6,220 square-feet of ground floor retail, comprised of a restaurant and brew pub, and 63 multi-family residential units. |
| **Surrounding land uses and setting:** | North  Commercial/Retail  
East  Commercial/Retail  
South  Gas Station (Chevron)/ Commercial/Retail/ Residential  
West  Hotel (Mira Vista) |
| **Other public agencies whose approval is required (e.g. permits, financial approval, or participation agreements):** | San Francisco Bay Regional Water Quality Control Board and/or 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 project evaluated under these criteria (and this checklist) is a proposed development (project or proposed project) located at 6115 Potrero Avenue and consisting of a new 63,887 square foot, five-story mixed-use building with 6,220 square-feet of ground floor retail, comprised of a restaurant and brew pub, and 63 multi-family residential units. The proposed project 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 development 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 2050).

2. PROJECT SETTING AND DESCRIPTION

2.1. PROJECT LOCATION AND SETTING

The project site (APN 513-372-015, -018, and -046) is located in the western portion of the City of El Cerrito near the intersection of San Pablo Avenue and Potrero Avenue (Figure 1: Regional Map). The project site is located approximately 350 feet east of Interstate 80 (I-80), east of Hotel Mira Vista, north of the Del Norte Shopping Plaza, and adjacent to an existing Chevron gas station. The El Cerrito del Norte BART station is located approximately 0.4 miles north of the project site (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 designates this site as Transit-Oriented Higher-Intensity Mixed Use (TOHIMU) zoning district (Figure 4: Zoning Map).

The project site consists of three contiguous parcels that total 17,558 square feet (0.4 acres). Two of the parcels are currently vacant and the other is occupied by an unoccupied single-story 2,956 square foot commercial building that was constructed in 1948.

2.2. PROJECT CHARACTERISTICS – DEVELOPMENT AND LAND USE

The proposed project would demolish the existing building and remanent hardscape improvements and construct a five-story mixed use building with frontage along both Potrero and San Pablo Avenues. The new 63,887 square-foot mixed use building would include 63 multi-family dwelling units and 6,220 square feet of ground floor commercial space.

The proposed ground floor commercial space would be occupied by two establishments, a restaurant, and a brewery. The two business would share kitchen facilities, back of house storage and customer restrooms. The brewpub would operate seven (7) days a week from 11 AM to 2 AM. It would accommodate approximately 60 patrons at bar seats and 30 table seats, including an outdoor patio. Entry to the brewpub would be from Potrero Avenue. The restaurant would operate seven (7) days a week from 8 AM to 2 AM. It would accommodate approximately 24 patrons at the outdoor patio, fronting on San Pablo Avenue, and 40 patrons at indoor table seating. Entry to the restaurant would be from San Pablo Avenue. No automobile parking is proposed for the commercial uses.

The residential component is comprised of 63 multi-family dwelling units located on the 2nd through 5th floors, with a garage, mechanical equipment, trash collection, and the residential entrance and lobby located on the first floor. The garage would be accessed from a driveway off of Potrero Avenue and would accommodate 23 vehicles through a triple stacked lift system (3 spaces would be pre-wired for electric vehicles charging), and long-term bike storage with room for 97 bikes. Outdoor spaces for residents include a 2nd floor courtyard containing a planting area, bench seating, fencing, and lighting, and a 5th floor deck containing outdoor furnishings and raised planters. The residential units are accessed from a common staircase and one elevator.
within the lobby, with entrances provided from the garage and Potrero Avenue. The 2nd through 4th floors would contain 16 dwelling units, comprised of six one-bedroom units, nine two-bedroom units and one three-bedroom unit. The 5th floor would contain seven one-bedroom units and nine two-bedroom units. A summary of the proposed project's unit types per flood level is provided in Table 1 below.

<table>
<thead>
<tr>
<th>Floor</th>
<th>1 Bedroom (units)</th>
<th>2 Bedroom (units)</th>
<th>3 Bedroom (units)</th>
<th>Retail / Restaurant &amp; Brewpub (square feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>6,220</td>
</tr>
<tr>
<td>2nd</td>
<td>6</td>
<td>9</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>3rd</td>
<td>6</td>
<td>9</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>4th</td>
<td>6</td>
<td>9</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>5th</td>
<td>7</td>
<td>9</td>
<td>0</td>
<td>-</td>
</tr>
<tr>
<td>Totals</td>
<td>25</td>
<td>35</td>
<td>3</td>
<td>6,220</td>
</tr>
</tbody>
</table>

The proposed building exhibits a modern architectural design. The dominant architectural element is the façade articulation and angled overhang featured on the San Pablo Avenue frontage punctuated by a capstone on the fifth floor containing the outdoor deck. Building materials include neutral toned cement plaster, panel, and vertical board form concrete. The color scheme includes shades of grays, charcoal, creamy white, and honey, punctuated by orange burst hardie panel.

The project design incorporates noise attenuation for indoor and outdoor uses. Building construction includes the use of sound-rated materials along the building's northeastern façade including a minimum STC rating of 32 for windows and a rating of 39 for wall, or another acceptable configuration. Forced-air mechanical ventilation would be provided for all habitable spaces. In addition, the following design features are proposed for noise attenuation:

- 7-foot-tall clear barrier enclosing the ground floor outdoor patio
- 5-foot-tall wood fence installed at the 2nd floor courtyard
- Low wall 3 feet and 6 inches in heights with clear glazing up to 6 feet in height installed at the 5th floor balcony

The parking garage is secured with a roll-up gate. The ground floor with frontage onto Potrero Ave. provides 45% transparency at the residential component and 76% transparency at the non-residential component. The ground floor with frontage onto San Pablo Avenue provides between 75% and 79% transparency. A series of uniform windows are located on each façade at 2nd through 5th stories. The upper floors achieve a 30% transparency at the Potrero Ave façade and 31% transparency at the San Pablo Façade (Figure 5: Building Perspective).

At the western and northern property line, the periphery of the site features a new 6-foot-high screened picket fence, a new 6-foot-tall CMU wall, decomposed granite, and a bioretention planting area. Frontage improvements along Potrero Avenue include a 6-foot-wide concrete sidewalk and a 4-foot-wide sidewalk amenity zone, which would contain 4 bike racks. Frontage improvements along San Pablo Avenue include an 8-foot-wide concrete sidewalk and a 6-foot-wide sidewalk amenity zone, which would contain 2 bike racks. Landscaping and street trees would be planted within the sidewalk amenity zones including three London Plane trees (*Platanus X Hispanica*) along San Pablo Avenue and five Brisbane box trees (*lophostemon confertus*) along Potrero Avenue.
The project has been designed to meet all required stormwater quality standards and best management practices for low impact development standards. Stormwater treatment will be achieved via the proposed 676 square foot bioretention areas on the ground floor and at the 2nd floor podium that allows for six inches of detention, achieving a total storage volume of 338 cubic feet, which exceeds the volume required to match pre-development conditions. 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 applied water allowance.

Off-site and frontage improvement related to the project consist of utility connections (e.g., water, sewer, stormwater, electricity) to existing facilities within adjacent public streets (i.e., San Pablo Avenue and Potrero Avenue). The project will retain two existing public fire hydrants. The project will install a City standard driveway, curb gutters, and sidewalks along Potrero Avenue and Caltrans Standard curb and gutter along the site frontage to San Pablo Avenue.

2.1. PROJECT CHARACTERISTICS - AFFORDABLE HOUSING

As proposed, the project provides for 63 residential rental units. Under Municipal Code Section 19.30.040 the inclusionary housing requirement for rental residential development may be satisfied by the payment of a fee to the city in lieu of constructing onsite inclusionary units. The project proposed to fulfill the City's requirement through the payment of in lieu fees.

2.2. PROJECT CHARACTERISTICS – LOCAL APPROVALS REQUESTED

The project includes a request for Tier IV Design Review with the Design Review Board serving as the review authority and Planning Commission authorized to act on the Site Plan and provisions of the project that deviate from the development standards of the form-based code. Tier IV Design Review is required for new construction that meets the intent of the Form Based Code but requires flexibility on more or more development standards of the Specific Plan. Tier IV Design Review requires consideration by the Planning Commission of the public benefit, exceptions to development standards, and site plan, and consideration by the Design Review Board of the project's design elements.

The project conforms to all Specific Plan standards except as follows:

- Private/Common Open Space: 5,040 square feet is required. The project would provide 2,212 square feet of private/common open space. The project seeks relief from this standard pursuant to the Tier IV Design Review process.

The brewpub and restaurant aspects of the project require an Administrative Use Permit since they would both serve alcohol, per San Pablo Avenue Specific Plan Table 02.

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FIGURE 1: REGIONAL LOCATION MAP
FIGURE 2: SITE VICINITY
FIGURE 3: GENERAL PLAN LAND USE MAP
FIGURE 4: ZONING MAP
FIGURE 5: BUILDING PERSPECTIVES
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. Studio KDA, Potrero - 6111, 6115 Potrero Avenue / 11335 San Pablo Avenue, El Cerrito, CA 94530, project plan set.

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 Potrero Avenue, east of the project site. The second is from the platform of the El Cerrito del Norte BART station, north of the project site. From these locations, four of view-targets are visible. These include, Mt. Tamalpais in Marin County, the East Bay Hills, Albany Hill, and the view of San Francisco's skyline.

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 Potrero Avenue near the El Cerrito del Norte BART station, only Mt. Tamalpais is visible from this location. The project does not affect this view. From the platform of the El Cerrito del Norte BART station, the project site is situated between the views of Albany Hill and the San Francisco skyline and does not affect either view. From this location, the Golden Gate Bridge and Mt. Tamalpais continue to be visible. Ground level views of the East Bay Hills from west of the project site are already limited to views up Potrero Avenue by existing development, trees, and the elevation of the I-80 freeway. 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

<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 or obstruct implementation of the applicable air quality plan?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>c) Exposure of sensitive receptors to substantial pollutant concentrations?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
</tbody>
</table>

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 and 5-2 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 west boundary of the project site. Construction of the proposed project may expose surrounding sensitive receptors to airborne particulates, as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). However, construction contractors would be required to implement the best management practices during construction, as required by Mitigation Measure 5-1. With implementation of Mitigation Measure 5-1, project construction emissions would be below the BAAQMD’s significance thresholds as described above. Therefore, sensitive receptors would not be expected to be exposed to substantial pollutant concentrations during project construction. The proposed project would result in no new or more severe impacts related to short term exposure to TACs than analyzed in the SPASP FEIR and further analysis is not required.

Long-Term Exposure of Sensitive Receptors to Toxic Air Contaminants

Implementation of the SPASP would allow new residential land uses that could include sensitive receptors, as well as new non-residential land uses that would be potential new emissions sources. The 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)). However, the project is located within 100 feet of existing stationary TAC sources (e.g., gasoline station, dry cleaner, emergency back-up generator). The project is directly adjacent to a gas station east of the project site and a dry cleaner west of the project site. Both the gas station and dry cleaner are included in the SPASP as an identified TAC source.

The BAAQMD Risk Management Policy considers an increased risk of contracting cancer that is 10 in one million changes or greater, to be significant for a single TAC source. Additionally, the BAAQMD CEQA Guidelines consider annual PM$_{2.5}$ concentrations that exceed 0.3 micrograms per cubic meter (µg/m$^3$) to be significant. CARB found the cancer risks associated with relatively high-volume stations to be about 10 in one million at a distance of 50 feet. Except for the largest gasoline stations, health risks near gasoline stations should be less than 10 in one million at distances beyond 50 feet. Recent rules from CARB reduce the emissions of perchlorethylene (Perc) from dry cleaners which enables siting of new sensitive receptors within 100 feet of these operations.

The SPASP FEIR determined that if projects under the SPASP are located within close proximity to surface streets with daily traffic volumes higher than 40,000 ADT (i.e., mobile TAC source), this would represent a potentially significant impact. The project site is east of, and within 750 feet from a portion of I-80 between Bayview Avenue and Ernest Avenue, which is considered a highway TAC area.

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

3 Distances specified at Table 5-7 (Approximate Setback Distances for Highway TAC Sources).
As required by Mitigation 5-3, new receptors may locate within areas of close proximity to long-term TAC sources provided that a site-specific analysis is performed to determine the level of TAC and PM$_{2.5}$ exposure, or for projects located near surface streets with daily traffic volumes exceeding 40,000 ADT. If the site-specific analysis reveals significant exposures, such as cancer risk greater than 10 in one million, or cumulative cancer risk greater than 100 in one million, additional measures shall be employed to reduce the risk to below the threshold. If this is not possible, the sensitive receptors shall be relocated.

Table 5-7 of the SPASP EIR identifies the approximate setback distances for highway TAC sources, which identifies overlay distances for siting new sensitive receptors. Per Table 5-7, the project site is located east of I-80 between Bayview Avenue to Earnest Avenue, which identifies 750 feet as the Cancer Risk Threshold and 300 feet as the PM2.5 Threshold. The project site is located approximately 350 feet east I-80 and is outside. As such, the project site screens out from the requirements of Mitigation 5-3 for PM2.5 as it is located greater than 300 feet from I-80 and requires a TAC analysis pursuant to Mitigation 5-3 since the site is located within 750 feet of I-80.

In accordance with the SPASP EIR, the project is subject to Mitigation 5-3, which requires a site specific analysis and if warranted design modifications (such as enhanced filtration systems and a maintenance plan, tree and vegetation planting buffer, and residential air intake points be situated away from the emission source) to demonstrate that the cancer risk of new residents does not exceed 10 in one million or a cumulative risk greater than 100 in one million. With Mitigation 5-3 imposed as a condition of approval, the sensitive receptors introduced by the project will not be exposed to elevated emissions. Therefore, with Mitigation Measure 5-3, potential impacts from the proposed project would be reduced to less than significant levels, consistent with the findings of the SPASP EIR.

The proposed 6,220 square feet of ground floor commercial space excludes a TAC emission source (truck dock, loading area for diesel vehicles). Likely sources identified by the SPASP Program EIR (e.g., loading dock, diesel generator) are not proposed in the project. There are no aspect of the project that would result in a direct or indirect impact due to TACs at operation. 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.

**Odors & Other Emissions**

The SPASP FEIR identified that the SPASP area would include potential odor sources that could affect new sensitive receptors. Responses to odors are subjective and vary by individual. The project is required for demonstrate compliance with regulation set forth in Section 2.02.03[E], as well as SPASP FEIR Mitigation Measure 5-3. Therefore, the project would be consistent with SPASP policies and regulation and is not expected to generate odor sources or other emissions nor would new residents be exposed to substantial odors (such as those associated with industrial, manufacturing, processing, or treatment uses) are generated. Therefore, there would be no impacts associates with odor and no consistent with the SPASP FEIR, no further mitigation is required.

**APPLICABLE MITIGATION**

SPASP Mitigation Measures 5-1 (Construction Period Emissions), 5-2 (Impacts of Toxic Air Contaminants (TACs) on Sensitive Receptors), and 5-3 (Toxic Air Contaminant Exposure Long-Term Operations) are relevant to this environmental topic and apply to the project. These 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

<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. Additionally, birds and bats may nest or roost in vacant buildings and structures. The FEIR identified Mitigation Measure 6-1 to minimize potentially significant impacts associated with the removal of trees, shrubs, weedy vegetation, culverts, and structures on nesting birds and/or roosting bats to less-than-significant levels. There is one existing tree in the center of the project site that will be removed during construction. Additionally, the existing buildings on-site will be demolished. The northern portion of the project site is also covered in weedy vegetation. Since the project involves tree and vegetation removal, as well as the demolition of existing structures onsite, the project is subject to measure 6-1, which requires pre-construction surveys prior to removal of such features. As part of the survey requirements of Mitigation Measure 6-1, the survey area includes the construction site, access roads, and staging areas, as well as areas within 150 feet outside the boundaries of the areas to be cleared.

**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)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Disturb any human remains, including those interred outside of formal cemeteries?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>


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 6115-17-19 Potrero Avenue was constructed about 1948. 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

<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) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>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.</td>
<td>☑️</td>
<td>☐️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>ii. Strong Seismic ground shaking?</td>
<td>☐️</td>
<td>☐️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>iii. Seismic-related ground failure, including liquefaction?</td>
<td>☐️</td>
<td>☐️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>iv. Landslides?</td>
<td>☐️</td>
<td>☐️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>b) Result in substantial soil erosion or the loss of topsoil?</td>
<td>☐️</td>
<td>☐️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>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?</td>
<td>☐️</td>
<td>☐️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>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?</td>
<td>☐️</td>
<td>☐️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>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?</td>
<td>☐️</td>
<td>☐️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
<td>☐️</td>
<td>☐️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR; Ninyo & Moore, Phase I Environmental Site Assessment Report, 11335 and 11341 San Pablo Avenue and 6111, 6115-6119 Potrero Avenue, El Cerrito, CA, July 17, 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 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>
<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) 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>

**Sources:** San Pablo Avenue Specific Plan EIR; Ninyo & Moore, Phase II Environmental Site Assessment Report, 11335-11341 San Pablo Avenue, 6111 Potrero Avenue and 6115-6119 Potrero Avenue, El Cerrito, CA, November 27, 2019; and Ninyo & Moore, Vapor Intrusion Risk Assessment, 11335-11341 San Pablo Avenue, 6111 Potrero Avenue and 6115-6119 Potrero Avenue, El Cerrito, CA, January 31, 2020.

**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 Compounds – Tetrachoroethene, Trichlorethene and Chloroform

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.

The project site is adjacent to two potential sources of soil and groundwater contamination – a gasoline station to the east with documented petroleum hydrocarbons in its soil and a dry cleaner to the west with documented volatile organic compounds (VOCs) in its soil. A Phase II Environmental Site Investigation conducted in 2019 investigated potential ground water and soil contaminants. The Phase II analysis revealed the presence of petroleum hydrocarbons in soil near the gas station property; however, concentrations were below Tier 1 Environmental Screening Levels (ESLs) established by the San Francisco Bay Regional Water Quality Control Board and indicated that the gas station has not significantly affected the project site. On the west side of the property, adjacent to the dry cleaner site, the Phase II analysis identified the presence of tetrachoroethene (PCE) and trichlorethene (TCE), compounds which exceeded Tier 1 ESLs. Chloroform concentrations exceeded Tier 1 ESLs were also found throughout the site, which the Phase II suggested originates from treated municipal water. As a result of these findings the Phase II Study recommended completion of a Human Health Risk Assessment to evaluate the potential vapor intrusion risk of identified VOCs to potential future on-site receptors following site redevelopment.

Following the Phase II analysis, a Vapor Intrusion Risk Assessment conducted in 2020 determined the extent to which the detected VOCs represented a potential health threat to future on-Site receptors and identifies mitigation measures that could be implemented to reduce potential risks to acceptable levels. The risk assessment evaluated two development scenarios, a mixed-use scenario, and a residential scenario.

- For the mixed-use scenario the assessment found the estimated health risks to be within acceptable levels and concluded that the detected VOCs at the project site if: (1) the site is developed for mixed-use commercial and residential; and (2) habitable units at ground level are built for commercial use with a ceiling height of at least 12 feet and a ventilation rate of one air exchange per hour.

- For the residential scenario the assessment found the estimated health risks to exceed acceptable levels. To mitigate potential cancer risks in the residential scenario the assessment provided the following mitigations: (1) installation of passive venting wells or trenches placed between the off-site...
VOC sources and the on-Site building(s) to prevent VOC vapors from reaching on-Site building foundations; (2) installation of vapor barriers designed to prevent vapor intrusion into indoor air; (3) installation of vapor intrusion mitigation systems, such as passive venting or active sub-slab depressurization systems, also designed to prevent vapor intrusion into indoor air; and/or (4) extraction/removal of VOCs from shallow soil.

The information below is set forth in the SPASP FEIR and describes standard project review procedures to mediate exposure to VOCs.

(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.

4 Alameda County Airport Land Use Commission, 2010. Oakland International Airport, Airport Land Use Compatibility Plan, Figure 3-2. September.
APPLICABLE MITIGATION

There are no mitigation measures for this topic in the SPASP FEIR. As described above, compliance with City, regional and, State mandated requirements for soil and/or groundwater contamination would ensure that potential impacts from hazardous materials are avoided.

The following conditions of approval will be imposed on the project to ensure that regulatory requirements are adhered to and that the potential environmental effects identified by the SPSASP EIR are maintained at a less than significant level:

1) Plans submitted for purposes of construction shall incorporate risk control measures for volatile organic compounds identified in the Vapor Intrusion Risk Assessment for the project site and prepared by Ninyo & Moore (January 31, 2020; Project No. 403406003). Said control measures shall be subject to review and approval by the applicable regulatory agency. The applicant shall identify the applicable regulatory agency (Department of Toxic Substance control or the Regional Water Quality Control Board) through a request for oversight; see this website for application and instructions (https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/brownfields.html).

Prior to building permit issuance, evidence of applicable regulatory agency approval of plans and specifications for risk control measures shall be provided to the City. Prior to certificate of occupancy, evidence of applicable regulatory agency approval of constructed risk control measures shall be provided to the City and may (as identified in the Vapor Intrusion Risk Assessment) consist of the following or other acceptable measures:

a) Habitable units at ground level are built for commercial use with a ceiling height of at least 12 feet and a ventilation rate of one air exchange per hour.

b) In the event that the proposed project is modified, and ground floor residential uses are proposed then the following or other measure(s) approved by the applicable regulatory agency shall be implemented:

   i) installation of passive venting wells or trenches placed between the off-site VOC sources and the on-Site building(s) to prevent VOC vapors from reaching on-Site building foundations;

   ii) installation of vapor barriers designed to prevent vapor intrusion into indoor air;

   iii) installation of vapor intrusion mitigation systems, such as passive venting or active sub-slab depressurization systems, also designed to prevent vapor intrusion into indoor air; and/or

   iv) extraction/removal of VOCs from shallow soil.

2) The project site includes a building at 6115, 6117, and 6119 Potrero Avenue that was the subject of a Hazardous Materials Building Survey (HMBS) by Ninyo & Moore and dated November 21, 2019. The HMBS identifies the presence of asbestos-containing materials (ACM), lead-containing materials, and miscellaneous hazardous building materials within the building. Demolition activities associated with this approval shall implement the recommendations of the HMBS, including:

   a) Prior to demolition, a licensed asbestos abatement removal contractor shall remove the asbestos-containing materials in compliance with the most recent applicable federal, state, and local laws, regulations, standards and/or codes governing abatement, transport, and disposal of such materials.
The removal work scope and requirements shall be included in a work plan/specification developed by a California Certified Asbestos Consultant. All removal activities shall be conducted under the observation of the Certified Asbestos Consultant.

The Bay Area Air Quality Management District (BAAQMD) regulates the demolition of buildings containing asbestos. Prior to demolition permit issuance, or if demolition activities are included within a building permit for the new mixed-use building, the applicant shall provide evidence of BAAQMD approval for said removal activities (e.g., issuance of an acknowledgement letter and ASB# in compliance with BAAQMD Regulation 11, Rule 2).

b) A licensed lead abatement removal contractor shall remove all lead-containing materials in compliance with the most recent applicable federal, state, and local laws, regulations, standards, and/or codes governing abatement, transport, and disposal. All lead waste must be properly characterized prior to disposal to determine waste classification, packaging, transportation, and disposal requirements.

c) A licensed contractor shall remove potential mercury-containing thermostats switches, PCB-containing items (light ballasts, transformers, etc.), fluorescent light tubes, exit signs, air conditioning units, and freon-containing refrigeration systems. All items removed shall be removed and properly recycled or disposed of by a licensed contractor according to applicable federal, state, and local laws/regulations. Light fixtures shall be visually inspected, prior to disposal, to determine if they contain PCBs (i.e., checked for stickers stating “No PCBs” or “PCD free”).

d) Should additional suspect materials not sampled or assessed in the HMBS be uncovered during the demolition, samples of suspect materials shall be collected for laboratory analysis and activities that may impact the material shall cease until laboratory analytical results are reviewed, and the materials shall be assumed to be hazardous and handled as such.

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.
### 3.10. HYDROLOGY AND WATER QUALITY

Would the project:

<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) 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; BKF Engineers, Stormwater Control Plan for 6115 Potrero Avenue, May 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.

The project site contains approximately 18,500 square feet, of which approximately 63 percent is existing impervious surface area for buildings, parking, and other hardscape surfaces. The proposed project would replace the existing impervious surfaces with new impervious surfaces increasing the total lot coverage to 93 percent site. As such, under the proposed project approximately 1,313 square feet of area would be impervious. The size of the building and ground floor commercial area contribute to the increase in the imperviousness of the site and cannot be minimized. The proposed pervious pavement and landscape areas will 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>☒</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>☒</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></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) 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>
<td>☑</td>
</tr>
<tr>
<td>b) Generation of excessive groundborne vibration or groundborne noise levels?</td>
<td>☐</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>
<td>☑</td>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR; Illingworth and Rodkin, Potrero Projects, Noise and Vibration Assessment, El Cerrito, California, January 25, 2022; and Studio KDA, Potrero - 6111, 6115 Potrero Avenue / 11335 San Pablo Avenue, El Cerrito, CA 94530, project plan set, dated February 11, 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 primarily from traffic on San Pablo Avenue and Potrero Avenue, traffic on I-80, and from the BART train. The potential sources of noise from the project include construction activities, operational noise sources from stationary and mobile sources, two outdoor use areas intended for residents on the 2nd and 5th floors, and an outdoor patio for commercial customers.

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. Noise measurements taken as part of the noise assessment indicated that exterior noise levels in the project vicinity are between 61 dBA and 71 dBA. Based on the increases in traffic volumes along San Pablo Avenue and Potrero Avenue analyzed in the SPASP EIR, the ambient noise levels in the project vicinity are projected to increase by 1 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 project includes outdoor use areas intended for future residents located on the second and fifth floors and a ground floor patio for the restaurant use. To ensure that the outdoor noise levels for these uses comply with the City's exterior noise level standards, the noise assessment recommended the following, which have been integrated into the project design and incorporated at project conditions of approval:

- Sound-rated materials should be used in the construction of the building's northeastern façade. Based on preliminary analysis, windows would need to meet a minimum STC rating of 32 and walls would need to meet a minimum STC rating of 39. Alternatively, windows meeting a minimum STC rating of 30 and walls meeting a minimum STC rating of 46 would sufficiently reduce interior noise levels. Remaining residential units and commercial spaces would meet this interior noise standard with standard mixed-use building construction assuming adequate forced-air mechanical ventilation. A qualified acoustical specialist shall prepare a detailed analysis of interior noise levels resulting from all exterior sources. The study will review the final site plan, building elevations, and floor plans prior to construction and recommend building treatments to reduce interior noise levels in habitable rooms to not exceed applicable regulations.

- The 65 dBA Ldn criteria would be met at the outdoor restaurant patio by enclosing the space with a wall reaching a minimum height of 7 feet. If the increase to the standard is not determined to be appropriate, this space would meet the “conditionally acceptable” noise level standard of 80 dBA Ldn, and construction of the 7-foot wall would still be recommended but may not be required.

- The 65 dBA Ldn criteria would be met at the fifth-floor balcony by increasing the height of the balcony's perimeter wall to a minimum of 5 feet. If the increase to the standard is not determined to be appropriate, this space would meet the “conditionally acceptable” noise level standard of 75 dBA Ldn. Reducing noise at the fifth-floor balcony to a level not exceeding the “normally acceptable” standard of 60 dBA Ldn would not be feasible without fully enclosing the space. Alternatively, if the further increased standard of 70 dBA Ldn is determined to be appropriate for this location due to the proximity to BART, no additional noise abatement would be necessary.

- The 65 dBA Ldn criteria would be met at the second-floor courtyard through construction of a perimeter wall reaching a minimum height of 4 feet. Alternatively, if the further-increased standard of 70 dBA Ldn is determined to be appropriate for this location due to the proximity to BART, no additional noise abatement would be necessary.

- To provide adequate noise reduction, all noise-abatement walls shall be constructed without any gaps or cracks along the face or at the base and have a minimum surface weight of three pounds per square foot (such as 1-inch-thick wood, ½-inch laminated glass, masonry block, concrete, or 1/16-inch steel or aluminum). Locations of the walls described in this section are shown in Figures 8, 9, and 10 of the Noise and Vibration Assessment prepared by Illingworth and Rodkin and dated January 25, 2022.

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, and locates refuse containers within fully enclosed spaces (i.e., room within parking garage on Potrero Avenue for residential uses and room at the rear of the ground floor commercial space fronting San Pablo Avenue for the restaurant use). As illustrated on project plans, the project proponent indicates ventilation system(s) at 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, paving, trenching and foundation, with lower noise levels occurring during building construction, grading and excavation. 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 immediately adjacent to the project 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 79 to 93 dBA Lmax, with hourly average noise levels about 77 to 89 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 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. The following are imposed as a condition of approval:

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.
- 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.

To avoid potentially significant impacts from the construction noise levels at the immediately adjacent noise-sensitive uses the noise assessment recommends that in addition to applying Mitigation Measure 13-3 of the SPASP DEIR, the city require a construction noise plan that addresses the following additional mitigations:

• Control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the project site.

• Locate staging areas and construction material areas as far away as possible from adjacent noise-sensitive land uses.

Construction-Related Vibration

Construction of the proposed project would involve demolition, excavation below grade, 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 including the following, imposed as a condition of approval:

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 15 feet of adjacent residential buildings.

- Select demolition methods not involving impact tools.
o Use smaller construction equipment for activities within 15 to 20 feet of existing sensitive receptors.

o 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.

o 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 15 feet of adjacent residential buildings.

o 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 36 dBA Leq or less at the nearest sensitive receptors, at 30 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 and BART operations are the dominant noise sources 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 L_{dn} and with an estimated highest peak hour generation of 82 trips, the project would not on its own result in an increase to future ambient noise. Therefore, this impact is considered less-than-significant and there would no new or more severe impacts relative to the SPASP FEIR.

**Aircraft Noise**

The proposed project is not located within 2 miles of a public or private use airport. Oakland International Airport is the closest airport and is located approximately 20 miles southeast of the project site. Aircraft noise is occasionally audible at the project site; however, no portion of the project site lies within the 65 dBA CNEL noise contours of any public airport nor does any portion of the project site lie within 2 miles of any private airfield or heliport. Therefore, the proposed project would not result in the exposure of sensitive receptors to the excessive noise levels form 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 63 dwelling units and have a population size of approximately $159^6$ people assuming full capacity and approximately 6,220 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.

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$^6$ U.S. Census Bureau, El Cerrito, 2.52 persons per household, 2015-2019; $(63\text{ DU} \times 2.52 = 159)$
3.15. PUBLIC SERVICES

<table>
<thead>
<tr>
<th>Potential 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>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>x</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>x</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>

Sources: San Pablo Avenue Specific Plan EIR; Fehr & Peers, 6115 Potrero Avenue - Draft Transportation Analysis, September 10, 2021.

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. Additionally, the project will construct frontage improvements along San Pablo Avenue and Potrero Avenue consisting of new sidewalk, amenity zone (e.g., bike racks), and street trees.

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 73 AM peak-hour and 82 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 Potrero 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 Potrero 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 Potrero Avenue driveway entrance may block sight distance between vehicles exiting the garage. 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 that the project driveway on Potrero Avenue would provide adequate sight distance between exiting vehicles and pedestrians on the adjacent sidewalk on either side of the driveway.
- Ensure that on-street parking and trees on the east side of the project driveway on Potrero Avenue would not restrict sight distance for exiting vehicles by providing at least 20 feet of red curb on the east side of the driveway and ensuring that the tree canopies are higher than six feet from the ground.

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 63 residential units and 6,220 gross square feet of commercial space. Therefore, the project requires 95 long-term bicycle parking spaces and seven short-term bicycle parking spaces. The Project would provide 97 enclosed long-term bicycle parking spaces in a secured room on the ground level accessible via the garage driveway. This would provide 85 spaces for resident parking and 2 for commercial parking. The project provides 12 short-term bicycle parking spaces in the form of bicycle racks along the project frontages on Potrero and San Pablo Avenues. Eight racks satisfy the residential use requirement and four satisfy the commercial use requirement. The project meets the City requirements.

**Pedestrian Access and On-Site Circulation**

Pedestrians would access to the building via the lobby entrance along Potrero Avenue and the commercial frontage on San Pablo Avenue. The residential 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 four feet on all sidewalks along Potrero Avenue. Along San Pablo Avenue, the Code requires a minimum pedestrian zone of eight feet and a minimum amenity zone of six feet. The project conforms to these development standards. There are also two five-foot wide corridors along the sides of the building that provide secondary or emergency access to the building.
**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, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☑</td>
</tr>
<tr>
<td>b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☑</td>
</tr>
<tr>
<td>c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?</td>
<td>☐</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 the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☑</td>
</tr>
<tr>
<td>g) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?</td>
<td>☐</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

<table>
<thead>
<tr>
<th>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, 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) Substantially impair an adopted emergency response plan or emergency evacuation plan?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?</td>
<td>☐</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)² Area. 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, Potrero - 6111, 6115 Potrero Avenue / 11335 San Pablo Avenue, El Cerrito, CA 94530, project plan set, dated February 11, 2021.

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


4) Ninyo & Moore, Phase I Environmental Site Assessment Report, 11335 and 11341 San Pablo Avenue and 6111, 6115-6119 Potrero Avenue, El Cerrito, CA, July 17, 2019.

5) Ninyo & Moore, Phase II Environmental Site Assessment Report, 11335-11341 San Pablo Avenue, 6111 Potrero Avenue and 6115-6119 Potrero Avenue, El Cerrito, CA, November 27, 2019.


