



Final Environmental Impact Report

San Pablo Avenue Specific Plan

Prepared by: The City of El Cerrito
With Assistance from: MIG, Inc.

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1. INTRODUCTION

1.1 RELATIONSHIP BETWEEN THE DRAFT EIR AND FINAL EIR

The Final Environmental Impact Report (Final EIR) for the proposed San Pablo Avenue Specific Plan has been prepared by the City of El Cerrito (City), the Lead Agency,¹ in keeping with State environmental documentation requirements set forth in the California Environmental Quality Act (CEQA). The City has prepared the Final EIR pursuant to the CEQA Guidelines, including sections 15086 (Consultation Concerning Draft EIR), 15088 (Evaluation of and Responses to Comments), and 15132 (Contents of Final Environmental Impact Report). In conformance with these guidelines, the Final EIR consists of the following **two volumes**:

- (1) the **Draft EIR**, which was circulated for a 45-day State agency and public review and comment period beginning on June 3, 2014; and
- (2) this **Final EIR document**, which includes a list of all commenters on the Draft EIR during the Draft EIR public review period; speaker comments from the July 9, 2014 Public Comment Meeting on the Draft EIR; verbatim versions of all written communications (letters) received during the Draft EIR review period; the responses of the EIR authors to all environmental points raised during the public meeting and in the written communications; and associated revisions to the Draft EIR. None of the revisions to the Draft EIR represents a substantial increase in the severity of an identified significant impact or the identification of a new significant impact, mitigation, or alternative considerably different from those already considered in preparing the Draft EIR.

Both volumes of the Final EIR are available for public review at El Cerrito City Hall, 10890 San Pablo Avenue, El Cerrito, CA 94530. Business hours are: Monday and Wednesday, 8:00 AM to 4:00 PM; Tuesday and Thursday, 8:00 AM to 6:00 PM; and alternate Fridays, 8:00 AM to 4:00 PM.

The Final EIR and all documents referenced in the Final EIR and Draft EIR are available for review at the City of El Cerrito website at:

www.el-cerrito.org/SPASP

The responses to comments included in this document are correlated to the public meeting and letter comments by code numbers. Code numbers for comment letters are posted in the right hand margin of each comment letter.

¹The Specific Plan area is located within both the City of El Cerrito and the City of Richmond. By mutual agreement of both jurisdictions, the City of El Cerrito is acting as the Lead Agency for this EIR, which has been prepared pursuant to all relevant sections of the California Environmental Quality Act (CEQA).

Certification of this Final EIR by the El Cerrito City Council must occur prior to approval of the San Pablo Avenue Specific Plan.

1.2 PROJECT DESCRIPTION SUMMARY

This project description summary should not be relied upon for a thorough understanding of the details of the project, its individual impacts, and related mitigation needs. Please refer to Draft EIR chapter 3 for a complete description of the project, Draft EIR chapters 4 through 17 for a complete description of identified environmental impacts and associated mitigation measures, and Draft EIR chapter 20 for an evaluation of alternatives to the Specific Plan.

The Specific Plan ("project") represents a collaborative planning effort between the cities of El Cerrito and Richmond to identify a shared vision for the future of San Pablo Avenue, identify improvement needs, and adopt implementing regulations that can be applied consistently in the Plan area. A major goal of the planning effort is to achieve a coordinated, cohesive environment and character in the Plan area through (1) a Form-Based Code (FBC); (2) multi-modal transportation goals and policies, recommended streetscape design improvements, and design standards as part of the Complete Streets Plan; and (3) infrastructure improvements.

1.2.1 Form-Based Code

The Specific Plan Form-Based Code (FBC) supports the community vision of a vibrant, walkable, sustainable, and transit-oriented corridor that respects surrounding neighborhoods. As discussed in chapter 3 (Project Description) of this EIR, the FBC is organized by Transect Zones within a framework of Downtown, Midtown, and Uptown areas. The Transect Zones regulate the building heights, parking requirements, and land uses for new development in the El Cerrito portion of the Plan area. The zones are defined primarily by walking distance to the BART stations.

For the Richmond parcels in the Plan area, the Specific Plan defers to the Richmond Livable Corridors Form-Based Code. Land use types would be determined by the City of Richmond General Plan designations.

1.2.2 Complete Streets Plan

The Complete Streets Plan provides direction for the redesign and development of the street right-of-way (ROW) in the Plan area, such as travel lanes, intersections, bike lanes, cycletracks, crosswalks, and medians. The Plan also provides guidance for the pedestrian realm of the ROW. The Complete Streets Plan aims to create a streetscape environment that balances the needs of all users and encourages "mode shift" to increase the percentage of pedestrians, cyclists, and transit users.

1.2.3 Infrastructure Systems

The Specific Plan (especially the Infrastructure Systems chapter) includes infrastructure goals and policies, and recommends feasible improvements to infrastructure systems to support the Plan objectives. The systems evaluated in the plan include water, wastewater, storm drainage, and dry utilities (e.g., gas, electric, cable).

1.2.4 Development Capacity Assumptions

The Plan area development capacity assumptions used for the impact analyses in this program EIR are first based on projections provided by the Association of Bay Area Governments (ABAG) for the Plan area, then on entitled and planned projects in the City of El Cerrito and the City of Richmond, and projections for the construction of projects consistent with the Form-Based Code development standards. For the purpose of this EIR, ABAG Plan Bay Area growth projections were applied to the new development standards, including on-site parking, site layout and height parameters, to assume a realistic growth projection for the Specific Plan area. These design standards were developed to be consistent with the goals of Plan Bay Area: climate protection, adequate housing, healthy and safe communities, open space and agricultural preservation, equitable access, economic vitality, and transportation system effectiveness, but incorporate locally refined data more telling of the development feasibility of the Specific Plan than would be possible on a regional planning level (also see EIR chapter 14, Population and Housing). No site-specific, individual development proposals would be approved as part of the Specific Plan EIR certification process; any such individual project would be subject to its own CEQA review, including evaluation against the Specific Plan EIR.

1.2.5 Required Approvals

Implementation of the San Pablo Avenue Specific Plan for the parcels within each City's respective jurisdiction would require, but not be limited to, the following discretionary approvals by the City of El Cerrito and the City of Richmond:

- Certification of the Final Environmental Impact Report
- Adoption of a Mitigation Monitoring and Reporting Program
- Adoption of the San Pablo Avenue Specific Plan for the parcels within the City of El Cerrito; adoption of the Richmond Livable Corridors Form-Based Code development standards for the parcels within the City of Richmond, and amendment to the Richmond Livable Corridors Regulating Plan to add the areas within the Specific Plan
- Adoption of General Plan amendments and zoning changes as necessary to ensure consistency between the Specific Plan and each jurisdiction's respective General Plan and zoning code
- Discretionary review as necessary, including CEQA review, for future individual public and private development proposals in the Plan area

Future individual public and private development proposals in the Plan area would be expected to require review or approvals from other jurisdictional agencies, including, but not limited to:

- East Bay Municipal Utility District (EBMUD)
- Stege Sanitary District (SSD)
- San Francisco Bay Regional Water Quality Control Board (RWQCB)
- Bay Area Air Quality Management District (BAAQMD)
- California Department of Transportation (Caltrans)

1.3 ADEQUACY OF FINAL EIR

Under CEQA, the responses to comments on a Draft EIR must include good faith, well-reasoned responses to all comments received on the Draft EIR that raise significant

environmental issues related to the project under review. If a comment does not relate to the Draft EIR or does not raise a significant environmental issue related to the project, there is no need for a response under CEQA.

In responding to comments, CEQA does not require the EIR authors to conduct every test or perform all research or study suggested by commenters. Rather, the EIR authors need only respond to significant environmental issues and need not provide all of the information requested by the reviewers, as long as a good faith effort at full disclosure is made in the EIR (CEQA Guidelines sections 15088, 15132, and 15204).

Many of the comments received during the Draft EIR circulation period pertain to components of the Specific Plan itself, not to the content or adequacy of the EIR. In these cases, the response to the comment directs the reader to the June 2014 Specific Plan document, including its companion document "Revisions to June 2014 Final Draft." Although not a part of the Final EIR, this companion document is available concurrently with the June 2014 Specific Plan for review at the City's website at:

www.el-cerrito.org/SPASP

As applicable to the CEQA process, the Draft EIR refers to components of the Specific Plan and summarizes or quotes those components. After public release of the June 2014 Specific Plan document and the Draft EIR, City of El Cerrito staff made revisions to the Specific Plan ("Revisions to June 2014 Final Draft"), including in response to concerns raised by the public. In some cases, revisions to the June 2014 Specific Plan have resulted in parallel revisions to the Draft EIR. These EIR revisions are included as part of Final EIR section 3 (Revisions to the Draft EIR). As explained in section 3, none of the criteria listed in CEQA Guidelines section 15088.5 (Recirculation of an EIR Prior to Certification) has been met as a result of the revisions.

2. RESPONSES TO COMMENTS ON THE DRAFT EIR

After completion of the Draft EIR, the Lead Agency (the City of El Cerrito) is required under CEQA Guidelines sections 15086 (Consultation Concerning Draft EIR) and 15088 (Evaluation of and Response to Comments) to consult with and obtain comments from other public agencies having jurisdiction by law with respect to the project, and to provide the general public with an opportunity to comment on the Draft EIR. Under CEQA Guidelines section 15088, the Lead Agency is also required to respond in writing to substantive environmental points raised in the Draft EIR review and consultation process.

Comments on the Draft EIR were submitted in the form of comments from individuals attending a July 9, 2014 Public Comment Meeting, and letters received by the City during the Draft EIR review period. Twenty-six (26) comments from eight (8) individuals were received at the Public Comment Meeting. Sixteen (16) letters were received during the Draft EIR public review period.

CEQA Guidelines section 15132 (Contents of Final Environmental Impact Report), subsection (b), requires that the Final EIR include the full set of "comments and recommendations received on the Draft EIR either verbatim or in summary"; section 15132, subsection (c), requires that the Final EIR include "a list of persons, organizations, and public agencies commenting on the Draft EIR"; and section 15132, subsection (d), requires that the Final EIR include "the responses of the Lead Agency to significant environmental points raised in the review and consultation process." In keeping with these guidelines, this Responses to Comments chapter includes the following sections:

- a **list of Draft EIR commenters** (section 2.1) which lists each individual who commented during the Public Comment Meeting, and each individual and organization that submitted written comments (letters) to the City during the Draft EIR public review period;
- a **master response regarding potential use of side streets** (section 2.2) which provides one consolidated response to several comments on the Draft EIR pertaining to the potential for drivers to use side streets to avoid perceived traffic increases on San Pablo Avenue;
- a **responses to July 9, 2014 Public Comment Meeting comments** section (section 2.3), which includes a summary of the comments received during the Public Meeting, followed by the response of the EIR authors to each comment pertaining to Draft EIR content or adequacy;
- a **responses to written comments received during the Draft EIR public review period** section (section 2.4), which includes copies of all letters received during the Draft EIR public review period, followed by a summary of, and the response of the EIR authors to, each comment pertaining to Draft EIR content or adequacy.

2.1 LIST OF DRAFT EIR COMMENTERS

The individuals who commented at the Public Comment Meeting, and each organization, agency, and individual who commented in letter form during the Draft EIR public review period, are listed below alphabetically by agency name or personal name. Each meeting comment and each letter comment received is also identified in parenthesis by a code number--e.g., Public Meeting comments PM 1, PM 2; letters L1, L2, L3. The code numbers are chronological in the general order that the comments were received.

2.1.1 Public Comment Meeting Commenters (July 9, 2014 Public Comment Meeting)

(Please note that name spellings may be incorrect because, due to the collaborative nature of the meeting, speakers were not required to fill out speaker cards.)

Al Miller (PM 26)
Gerald (PM 6)
Granden Delis (PM 10, PM 11, PM 12, PM 13, PM 14, PM 15, PM 22, PM 24)
Howdy Goudey (PM 2, PM 3, PM 4, PM 18, PM 19, PM 20, PM 23)
Jerry Oshita (PM 8, PM 9)
Karl (PM 17)
Kyle Burnell (PM 5)
Nicholas Arzio (PM 1, PM 7, PM 16, PM 25)
Robin (PM 21)

2.1.2 Responsible and Interested Agencies

David J. Armijo, General Manager, AC Transit (and Robert del Rosario, Director of Service Development, AC Transit) (L4)
Jeff Bond, Community Development Director, City of Albany, 1000 San Pablo Avenue, Albany (L14)
Ken Change, P.E., Utilities Engineer, Rail Crossings Engineering Section, Safety and Enforcement Division, California Public Utilities Commission (L1)
William R. Kirkpatrick, Manager of Water Distribution Planning, East Bay Municipal Utility District (L3)
Val Joseph Menotti, Planning Department Manager, San Francisco Bay Area Rapid Transit District (L8)
Scott Morgan, Director, State Clearinghouse, Governor's Office of Planning and Research (L16)
Jean Rogenkamp, Deputy Air Pollution Control Officer, Bay Area Air Quality Management District (L7)
Scott Wilson, Regional Manager, Bay Delta Region, California Department of Fish and Wildlife (L2)

2.1.3 Individuals and Organizations

Dan Cloak, Dan Cloak Environmental Consulting, P.O. Box 2415, El Cerrito (L9)
Doug and Pat Donaldson, 627 Spokane Avenue, Albany (L15)
Howdy Goudey, 635 Elm Street (L10)
Tom Panas (L11)
Jessica Range and Denis Coghlan, 5610 Huntington Avenue, Richmond (L5)
Mary Selva, President, Richmond Annex Neighborhood Council, P.O. Box 5436, Richmond (L12)

Marilyn Sterling, 536 Kearney, El Cerrito (L13)
Brian Ullensvang, 5717 Van Fleet Avenue, Richmond (L6)

2.2 MASTER RESPONSE REGARDING POTENTIAL USE OF SIDE STREETS

Several comments on the Draft EIR referred to the potential for the San Pablo Avenue Specific Plan to induce drivers off of San Pablo Avenue and on to nearby side streets to avoid perceived traffic increases on San Pablo Avenue. The Master Response below addresses the issue. In this Final EIR, if a comment on the Draft EIR raises this issue, the response refers the reader to the Master Response.

Master Response:

The Specific Plan and the Draft EIR impact analysis focus on the San Pablo Avenue corridor, and all signalized intersections within the Plan area are analyzed. Analysis of these intersections reflects conditions for all movements, including turns to and from the cross-streets. The traffic growth on all of these cross-streets is shown in the intersection volume graphics--Figures 16-7A/B for the Existing Plus Specific Plan case and Figure 16-10A/B for the Cumulative Plus Specific Plan case. While the traffic level of service (LOS) analysis shows that congestion and delays are projected to increase with the Plan due to the land use development included in the Plan along with a small increase in regional traffic use of the corridor, the resulting peak hour service levels are generally projected to be LOS D or better, with one exception (San Pablo Avenue/Cutting Boulevard in the Cumulative [2040] Plus Project case.) The projected mode shift that can be achieved with implementation of the Plan--i.e., all of the policy and infrastructure improvements that together will support and promote alternatives to the automobile--would reduce this impact to a less-than-significant level. Therefore, based on the analysis in the Draft EIR, conditions along the corridor would not incentivize drivers to use alternate routes. However, the City of El Cerrito monitors traffic conditions throughout the City on a regular basis, and will consider improvements or changes to neighborhood streets if significant traffic diversion patterns should develop. If such diversions should occur onto Richmond streets, the City of El Cerrito commits to working with the City of Richmond on necessary improvements or changes.

The City acknowledges the concern regarding the potential effect of lowering the traffic LOS standard for San Pablo Avenue intersections on the traffic volumes and congestion on neighboring streets and intersections, both in El Cerrito and Richmond. In crafting the Complete Streets Plan for San Pablo Avenue, the City has recognized the effect that maintenance of high LOS standards--LOS D or LOS C as proposed by the comment--can have on mode choice. This is why the Plan proposes lowering the standard to E, and accepting F only when maintenance of E or better would damage the City's ability to provide the pedestrian, bicycle, and transit facilities that will help maximize the use of those modes. However, as discussed above, the Draft EIR analysis indicates that LOS E can be maintained at all but one intersection in the Cumulative (2040) Plus Project condition, and that the impact can be reduced to a less-than-significant level with the projected mode shift from auto to transit, pedestrian, and bicycle use that can occur with the Plan's policy and street design changes.

As a way of mitigating potential decreases in automobile LOS, the Plan avoids increasing automobile capacity that would increase vehicle speeds and degrade MMLOS, and instead creates multi-modal transportation goals and policies to create a road and streetscape environment that balances the needs of all road users and encourages mode shift from automobile to transit, pedestrian, and bicycles uses.

2.3 RESPONSES TO JULY 9, 2014 PUBLIC COMMENT MEETING COMMENTS ON THE DRAFT EIR

The following section includes a summary of the comments received during the July 9, 2014 Public Comment Meeting pertaining to the content or adequacy of the Draft EIR or on a substantive environmental point, followed by a written response to each comment pertaining to the content or adequacy of the Draft EIR. At the meeting, questions were answered by Margaret Kavanaugh-Lynch, Development Services Manager, City of El Cerrito; and Ray Pendro, Senior Project Manager, MIG, Inc., who helped prepare the EIR under contract to the City of El Cerrito.

PM Public Comment Meeting; July 9, 2014

Nicholas Arzio

- PM 1 Population--Discrepancy exists between the census population figure for El Cerrito and the population number used in the EIR.

Response: As referenced in the Draft EIR (see especially chapter 14, Population and Housing), population figures used in the Draft EIR are based on demographic data developed by the Association of Bay Area Governments (ABAG) and published in Plan Bay Area. This information is the most reliable relevant to the proposed Specific Plan because it includes population data for the cities of El Cerrito and Richmond **as well as for the Priority Development Area (PDA) whose boundaries coincide with the San Pablo Avenue Specific Plan area.** Census data is not broken down by the PDA boundaries. ABAG is the regional planning agency responsible, in collaboration with the Metropolitan Transit Commission (MTC) and the PDA/OBAG (One Bay Area Government) Working Group, for administering Plan Bay Area, which was adopted on July 18, 2013. The Working Group includes representatives from member jurisdictions in the nine-county Bay Area, including a representative from the City of El Cerrito.

It is important to note that ABAG forecasts are not mandates, or even goals, passed down to cities. Household and job allocations are based on potential Bay Area-wide job, population, and household growth statistics that take into account national, State, and regional economic trends. Draft EIR chapter 14 (Population and Housing) provides details.

Howdy Goudey

- PM 2 Introduction--Explain meaning of Significant Overriding Consideration, Potentially Significant, and other CEQA terms.

Response: See Table 1.1 (Definitions of Key EIR Terminology) in Draft EIR chapter 1 (Introduction).

- PM 3 Project Description--What happens when maximum buildout is reached?

Response: The Specific Plan EIR would need to be updated with new environmental analysis, documentation, and determination pursuant to the California Environmental Quality Act (CEQA) would need to be conducted. See Draft EIR chapter 1 (Introduction), subsection 1.3.1 (Impact Assessment Assumptions).

- PM 4 Specific Plan and CEQA Process--Should phase the plan based on segments of San Pablo Avenue rather than the entire street.

Response: Although the Specific Plan would be implemented over many years, the environmental analysis must evaluate the Specific Plan as one project. CEQA prohibits the environmental analysis of a project from being broken into separate phases or parts ("piecemealing"), which could result in inadequate and under-evaluation of environmental impacts. For example, each phase of a project may

have a less-than-significant impact in an environmental category (e.g., traffic), which would not require mitigation; but the project overall might result in a significant impact, which would require mitigation. CEQA Guidelines section 15378 requires an environmental document to evaluate “the whole of the action.” Also see Draft EIR subsection 1.3 (Program EIR Approach and Assumptions) for an explanation of how the EIR would be used over time as individual development proposals are presented.

Kyle Burnett

PM 5 Merits of Project--Support for Specific Plan, particularly street improvements for bicyclists.

Response: Section 15088 (Evaluation of and Response to Comments) of the CEQA Guidelines requires detailed responses only when a comment raises significant environmental issues. This comment relates to the merits of the Specific Plan, not to the content or adequacy of the Draft EIR. No changes to the EIR are necessary. The comment will become part of the administrative record and will be considered by the decision makers.

After public release of the June 2014 Specific Plan document and the Draft EIR, City of El Cerrito staff made revisions to the Specific Plan, including in response to concerns raised by the public. These Specific Plan revisions are included in “Revisions to June 2014 Final Draft,” which is available concurrently with the Specific Plan for review at the City’s website at:

www.el-cerrito.org/SPASP

Gerald

PM 6 Merits of Project--Support for plan, but would like bike lanes to extend the length of San Pablo Avenue.

Response: See response to comment PM 5.

Nicholas Arzio

PM 7 Merits of Project and Bicycle Safety--Sharrows not safe and expose bicyclists to hazards.

Response: See response to comment PM 5. Also, Draft EIR chapter 16 (Transportation and Circulation, pgs. 16-51 and 16-52) concludes that the Specific Plan would result in safer conditions for bicyclists and pedestrians, and a redesign that would better serve all travel modes - in particular buses, pedestrians, and bicyclists - while reducing conflicts between travel modes.

Jerry Oshita

PM 8 Alternatives--Clarify which alternative constitutes the "no project" alternative.

Response: Draft EIR chapter 20 evaluates alternatives to the proposed Specific Plan. As explained in section 20.1 (Alternative 1: No Project--Existing El Cerrito and Richmond General Plans), and as defined by CEQA Guidelines section 15126.6(e)(3)(A), the “no project” alternative to the Specific Plan is the continued implementation of the existing El Cerrito General Plan and Richmond General Plan.

PM 9 Bicycle Travel--Are bike lanes for local or distance users?

Response: Bike travel lanes would be for local as well as distance riders.

Granden Delis

PM 10 Air Quality--Emissions standards already attained, so no need for mode shift as mitigation.

Response: The federal, State, and regional governments have enacted many laws requiring reductions in air pollution and greenhouse gas emissions (GHGs); several of these are described in Draft EIR chapter 5 (Air Quality, section 5.2 - Regulatory Setting) and chapter 9 (Greenhouse Gas Emissions and Global Climate Change, section 9.2 – Regulatory Setting). The San Pablo Avenue Specific Plan would help implement these laws. In addition, the Plan’s goals and strategies cover a wide range of objectives, including attracting pedestrian activity to foster community, stimulating investment in vacant/underutilized sites, expanding the area’s residential base, creating new gathering places, and improving connectivity between the Wildcat Canyon Trail and the Bay Trail. All of the Plan’s goals and strategies are contained in Draft EIR section 3.3 (Project Objectives).

PM 11 Air Quality--EIR neglects particulate matter from China.

Response: The Bay Area Air Quality Management District (BAAQMD) air monitoring station in San Pablo (one of 28 in the Bay Area) is the area monitoring station closest to El Cerrito (see Draft EIR Table 5-3, Highest Measured Air Pollutant Concentrations at San Pablo Monitoring Station). The station measures respirable particulate matter (PM10); the Concord monitoring station is the closest station that measures fine particulate matter (PM2.5, also in Table 5-3). If particulate matter from China reaches one of these BAAQMD monitoring stations, then it is part of the measurements.

PM 12 Air Quality--Ozone measurements are not local but from San Pablo.

Response: Ozone is a regional pollutant that is dispersed. Based on its expertise as the jurisdictional agency responsible for measuring and monitoring air pollution in the nine-county Bay Area, BAAQMD strategically locates monitoring stations to measure the range of air pollutants throughout the Bay Area, including the Specific Plan area. Note that the air pollutant concentrations in Draft EIR Table 5-3 are the **highest** measured concentrations, so these measurements are conservative.

PM 13 Transportation--EIR fails to address traffic congestion resulting from electronic signs on Interstate 80 that redirect traffic onto San Pablo Avenue.

Response: Existing traffic counts (the environmental baseline from which impacts are evaluated - see Draft EIR chapter 16, Transportation and Circulation) are based on existing AM and PM peak hour (commute) traffic conditions; that is, whichever measured one-hour timeframe has the most traffic. Based on this baseline, forecasted project and cumulative traffic are based on local and regional traffic modeling, transportation agency plans and standards, and traffic engineering protocols. Draft EIR section 16.1 (Setting) explains the transportation analysis locations, scenarios, and methodologies.

As part of the I-80 Smart Corridor Project, implemented by Caltrans and expected to be finished in early 2015, all 44 I-80 on-ramps between the Carquinez Bridge and the Bay Bridge will be metered. The Caltrans Traffic Management Control Center will monitor all these on-ramps. As part of the project, the Control Center also “will be able to speed up or slow down traffic signals on San Pablo Avenue to help keep traffic flowing.” (Cabanatuan, Michael; Smart Highway Aims to Cut Congestion on Westbound I-80; San Francisco Chronicle on-line; updated August 4, 2014)

The electronic signs on the I-80 are not intended to redirect traffic onto San Pablo Avenue, but rather, actively manage traffic on the freeway to improve safety and mobility.

Related to Caltrans’ planning framework, Draft EIR subsection 16.2(e) describes the Smart Mobility 2010 document and its 17 Smart Mobility Performance Measurements.

PM 14 Transportation--Suggests that a different scoring system should be used for the multi-modal discussion.

Response: The commenter provided no alternative scoring system. Draft EIR chapter 16, subsection 16.1.3 (Analysis Methodology) explains the professionally accepted Built Environment Factors (BEFs) multi-modal level of service (MMLOS) methodology.

PM 15 Aesthetics/Visual Resources--EIR fails to consider views from private homes in El Cerrito in favor of views for occupants of new residential construction.

Response: Consistent with CEQA, views from individual private homes are not considered a significant environmental impact, and none of the project objectives (Draft EIR section 3.3) mentions views for occupants of new residential construction. However, the situation can be considered by decision-makers when deciding whether to adopt the proposed Specific Plan.

Draft EIR chapter 4 (Aesthetics and Visual Resources), Impact/Mitigation 4-1 (Project Impacts on Scenic Vistas) recognizes existing views from east-west streets (roads and sidewalks) in the hills of El Cerrito. Project impacts on these views are considered significant and unavoidable until the results of individual, future proposals are evaluated under Specific Plan section 2.02 (Administration of Regulating Code), including visual simulations if deemed necessary.

Nicholas Arzio

- PM 16 Aesthetics/Visual Resources--Question about how views for EIR were selected and why El Cerrito theater was not considered a "protected" view.

Response: Scenic vistas and views evaluated in the Draft EIR were selected from the El Cerrito General Plan (see EIR p. 4-3, El Cerrito General Plan). Regarding the visual effects of individual, future proposals on their surrounding environment, see Specific Plan section 2.02 (Administration of Regulating Code), which describes the responsibilities of the City of El Cerrito Design Review Board. Regarding the Cerrito Theater, its particular location along San Pablo Avenue is not protected as a scenic viewshed, but the theater itself is a valued aesthetic resource, and views of the theater will be protected through existing City policies and procedures.

Karl

- PM 17 Merits of Project--Bike riding on side streets presents challenges from frequent stop signs.

Response: See response to comment PM 5.

Howdy Goudey

- PM 18 Merits of Project--Support for bike friendly improvements and support for buffered bike lanes versus proposed sharrows approach.

Response: See response to comment PM 5.

- PM 19 Transportation--Question about roadway improvement/mitigation funding.

Response: Funding for Complete Street improvements would be provided by a number of sources, including applicant-funded improvements, and State and regional grants. City staff would evaluate individual project proposals for compliance with the Complete Streets Evaluation Program to assess whether the project would meet the multi-modal standards and priorities set forth in the Specific Plan. In addition, as part of the implementation of the San Pablo Avenue Specific Plan, the City will be developing a Multimodal Capital Improvement Program (CIP) that includes a financing and funding strategy, which may include development impact fees and phased implementation.

- PM 20 Transportation--Question about potential population increase providing sufficient funds for transportation improvements.

Response: See response to comment PM 5.

Robin

- PM 21 Merits of Project--Would like to see inclusion of safe and secure visitor bicycle parking.

Response: See response to comment PM 5. Bike parking standards are included in the Specific Plan (section 2.05.09.08, Bicycle Parking).

Granden Delis

PM 22 Land Use--Specific Plan requires one style of building that precludes other forms, including light industrial and campus uses.

Response: See response to comment PM 5. The Specific Plan standards and guidelines, land use regulations (section 2.02.03), and Tier system (section 2.02.08, Application for Discretionary Actions Requiring a Public Hearing) allow for a wide range of building forms. For example, Tier IV “is intended to allow high-quality new development projects that would not otherwise be allowed under a strict interpretation of the Specific Plan regulations but nevertheless comply with the intent of the Specific Plan,” including providing an overarching public benefit.

Howdy Goudey

PM 23 Hydrology/Water Quality--Question about how EIR addressed creek hydrology.

Response: EIR chapter 11 (Hydrology and Water Quality, including revised pages in section 3 of this Final EIR) and chapter 17 (Utilities and Service Systems) address the comment. In order to protect all drainage pathways, including creeks, all new construction under the Specific Plan would be required to comply with all applicable construction period and operational water quality protection requirements and performance measures of the Regional Water Quality Control Board (RWQCB), Contra Costa Clean Water Program, City of El Cerrito, and City of Richmond. These requirements include, among others, implementation of measures included in the California Stormwater Quality Association (CASQA) Stormwater Best Management Practice Handbook for Construction and the Stormwater C.3 Guidebook.

Regarding the potential of Specific Plan implementation to contribute to creek flooding, C.3 requirements mandate no net increase in drainage from a new development site. In addition, the Specific Plan incorporates drainage improvements and mandatory design considerations, including: (1) collection and conveyance of the 10-year storm event, (2) compliance with hydromodification management (HM), and (3) compliance with stormwater quality regulations (see Draft EIR subsection 17.3.3[c], p. 17-16 – Projected Storm Drainage Infrastructure Requirements). These regulations will continue to be administered and monitored by the respective Public Works Department of the City of El Cerrito and the City of Richmond.

Granden Delis

PM 24 Aesthetics/Visual Resources--EIR neglected to address views of East Bay Hills.

Response: It was unclear at the meeting if the comment referred to views of the El Cerrito Hills (included as part of the East Bay Hills in the Draft EIR) or views from the El Cerrito Hills neighborhood. In either case, Draft EIR chapter 4 (Aesthetics and Visual Resources) does address views of the El Cerrito Hills, as considered part of

the East Bay Hills (e.g., see Impact/Mitigation 4-1). Regarding views *from*, see response to comment PM 15.

Nicholas Arzio

PM 25 Transportation--Question regarding EIR addressing the impact on BART if 3,000 additional riders are added.

Response: As stated in the Draft EIR (chapter 16, Transportation and Circulation), the baseline vehicle trip generation estimates incorporate BART, bus, and walk/bike trip-making characteristics consistent with transit-proximate development, as forecast using the validated MXD trip generation model. In the case of the land uses proposed in the Specific Plan, this translates into an estimated 2,600 new daily BART trips. The Draft EIR does not provide an analysis of the impact of new BART riders on the Del Norte and El Cerrito Plaza BART stations, because the projected increase in transit ridership is a desired outcome and is not identified as an adverse impact under CEQA. BART line ridership and train load factors are not part of the permanent physical environment; in fact, transit service changes over time due to a variety of factors. Any resulting shifts from driving to transit would be in keeping with the goals and policies of the El Cerrito and Richmond General Plans, the El Cerrito Climate Action Plan, and the proposed Specific Plan. In addition, the City of El Cerrito has and will continue to work collaboratively with BART to improve station access and mobility for residents, employees, and visitors.

Al Miller

PM 26 Merits of Project--Supports the Specific Plan goal of mode shift and improving walkability. Noted that walk scores are now included in real estate advertisements.

Response: See response to comment PM 5.

2.4 RESPONSES TO WRITTEN COMMENTS RECEIVED DURING THE DRAFT EIR PUBLIC REVIEW PERIOD

The following section includes copies of all letters received during the Draft EIR public review period, followed by a written response to each comment on the content or adequacy of the Draft EIR or on a substantive environmental point. The comments and responses are correlated by code numbers added to the right margin of each letter comment.

PUBLIC UTILITIES COMMISSION

320 WEST 4TH STREET, SUITE 500

LOS ANGELES, CA 90013

(213) 576-7083



June 6, 2014

Ms. Margaret Kavanaugh-Lynch
City of El Cerrito
10890 San Pablo Avenue
El Cerrito, California 94530

Dear Margaret:

SUBJECT: SCH 2014042025 El Cerrito San Pablo Avenue Specific Plan - DEIR

L 1.01

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings in California. The Commission Rail Crossings Engineering Section (RCES) is in receipt of the draft *Environmental Impact Report (DEIR)* for the proposed City of El Cerrito (City) San Pablo Avenue Specific Plan project.

The project area includes the active rail tracks and stations. RCES recommends that the City add language to the San Pablo Avenue Specific Plan so that any future development adjacent to or near the planned railroad right-of-way (ROW) is planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at any planned at-grade crossings. This includes considering pedestrian circulation patterns or destinations with respect to railroad ROW and compliance with the Americans with Disabilities Act. Mitigation measures to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade crossings due to increase in traffic volumes, and continuous vandal resistant fencing or other appropriate barriers to limit the access of trespassers onto the railroad ROW.

If you have any questions in this matter, please contact me at (213) 576-7076, ykc@cpuc.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ken Chiang".

Ken Chiang, P.E.
Utilities Engineer
Rail Crossings Engineering Section
Safety and Enforcement Division

C: State Clearinghouse

L 1 Ken Change, P.E., Utilities Engineer, Rail Crossings Engineering Section, Safety and Enforcement Division, California Public Utilities Commission; June 6, 2014 (1 page)

- L 1.01 Transportation--Recommends that future development adjacent to or near planned railroad right-of-ways (ROWs) keep rail corridor safety in mind during planning, including pedestrian circulation patterns, compliance with the American with Disabilities Act, and barriers to limit trespass onto railroad ROWs.

Response: There are no active railroad crossings in the Specific Plan area, nor does the Specific Plan propose any. If a railroad crossing project is considered in the future by another agency, site-specific environmental issues raised by the comment would need to be considered as part of that project. If, further in the future, development near the railroad corridor is proposed, the environmental issues raised by the comment would be considered at the project-specific level, consistent with the program EIR process (see Draft EIR section 1.3, Program EIR Approach and Assumptions).



State of California – The Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
7329 Silverado Trail
Napa, CA 94558
(707) 944-5500
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

L 2



July 7, 2014

Ms. Margaret Kavanaugh-Lynch
City of El Cerrito
10890 San Pablo Avenue
El Cerrito, CA 94530

Dear Ms. Kavanaugh-Lynch:

Subject: San Pablo Avenue Specific Plan, Draft Environmental Impact Report,
SCH #2014042025, City of El Cerrito, Contra Costa County

The California Department of Fish and Wildlife (CDFW) has reviewed the documents provided for the San Pablo Avenue Specific Plan. The San Pablo Avenue Specific Plan is a planning effort to achieve a coordinated development program in the cities of El Cerrito and Richmond along San Pablo Avenue. The project will occur in three phases; Phase 1, form based code development; Phase 2, completion of a streets plan; Phase 3, infrastructure systems. The Specific Plan will function as a Programmatic Environmental Impact Report with subsequent projects requiring the appropriate California Environmental Quality Act (CEQA) documentation. The project has the potential to impact fish and wildlife resources as well as identified and unidentified creeks, tributaries, drainage, and swales throughout the project area. CDFW has the following comments:

Section 1600 Lake and Streambed Alteration Agreement

L 2.01

For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed, CDFW may require a Lake and Streambed Alteration Agreement (LSAA), pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant. Issuance of an LSAA is subject to CEQA. CDFW, as a Responsible Agency under CEQA, will consider the CEQA document for the project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the agreement. To obtain information about the LSAA notification process, please access our website at <http://www.dfg.ca.gov/habcon/1600/>; or to request a notification package, contact the Bay Delta Regional Office at (707) 944-5500.

In addition, CDFW recommends adding a specific Section 1600 et seq. jurisdictional area significance criteria to section 6.3.1 of the environmental document as follows:

For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed, the project proponent will apply for a

Ms. Margaret Kavanaugh-Lynch
July 7, 2014
Page 2

CDFW Lake and Streambed Alteration Agreement (LSAA), pursuant to Section 1600 et seq. of the Fish and Game Code.

**L 2.01
cont.**

CDFW also recommends consultation with CDFW for Projects that have the potential to impact areas within the vicinity of 1600 jurisdictional areas where the proponent of the project cannot determine if the project site occurs within the jurisdiction of CDFW.

Avoidance of impacts to Section 1600 et seq. jurisdictional areas and incorporation and/or enhancement of jurisdictional areas into the subsequent projects is the preferred alternative. Compensatory actions equal to or greater than the impact shall be recommended by CDFW for Projects that impact Section 1600 et seq. jurisdictional areas.

Potential Impact on Roosting Bats

L 2.02

CDFW recommends the Project proponent insert a separate section to discuss possible impacts to roosting bats that may have the potential to occur within the Project vicinity and include the following measure in section 6.3.3 of the environmental document:

Potential Impacts on Roosting Bats. A qualified biologist shall conduct pre-construction surveys for bats and suitable bat roosting habitat at work sites where culverts, structures and/or trees would be removed or otherwise disturbed prior to the initiation of construction. If bats or suitable bat roosting habitat is detected, CDFW shall be notified immediately for consultation.

If you have any questions, please contact Mr. Robert Stanley, Environmental Scientist, at (707) 944-5573; or Ms. Annee Ferranti, Senior Environmental Scientist (Supervisory), at (707) 944-5554.

Sincerely,



Scott Wilson
Regional Manager
Bay Delta Region

cc: State Clearinghouse

L2 Scott Wilson, Regional Manager, Bay Delta Region, California Department of Fish and Wildlife; July 7, 2014 (2 pages)

- L 2.01 Biological Resources--A lake and streambed alteration agreement (pursuant to Fish and Game Code section 1600 et seq.) may be required for any activity alters or obstructs natural flows of a river or stream, or changes the bed, channel, or bank of a river or stream, or uses material from a streambed; comment recommends consultation with the Department of Fish and Wildlife for projects with the potential to impact such areas.

Response: The cities of El Cerrito and Richmond, and the Draft EIR (chapter 6, Biological Resources) acknowledge this potential requirement. A decision regarding the need for any streambed alteration agreement would be made at the individual, site-specific project proposal level. See Draft EIR sections 1.3 (Program EIR Approach and Assumptions), 6.2 (Biological Resources, Regulatory Setting, "California Streambed Alteration Notification/Agreement"), and 6.3.3 (Biological Resources, Impacts and Mitigations).

- L 2.02 Biological Resources--EIR should include provisions for pre-construction bat surveys for proposed projects that have the potential to affect bat or suitable bat roosting habitat.

Response: The information recommended by the Department has been incorporated into Draft EIR Impact/Mitigation 6-1. The revised pages (6-7 and 6-8) are included in section 3 (Revisions to the Draft EIR) of this Final EIR.



July 9, 2014

Margaret Kavanaugh-Lynch, Development Services Manager
 City of El Cerrito
 10890 San Pablo Avenue
 El Cerrito, CA 94530

Re: Notice of Availability - Draft Environmental Impact Report - San Pablo Avenue
 Specific Plan

Dear Ms. Kavanaugh-Lynch:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Draft Environmental Impact Report (EIR) for the San Pablo Avenue Specific Plan located in the cities of Richmond and El Cerrito. EBMUD has the following comments.

WATER SERVICE

L 3.01

On page 17-2, the first paragraph states “San Pablo Avenue and its adjacent area are served by two separate pressure zones: Zone G1Aa (elevation 355 feet) . . . and Zone G0A (elevation 202).” Pressure Zone G1Aa is known as the Aqueduct Pressure Zone with a service elevation range between 100 to 200 feet, and Pressure Zone G0A is known as the Central Pressure Zone with a service elevation range between 0 to 100 feet. The area within the San Pablo Avenue Specific Plan would be served by the Central Pressure Zone.

L 3.02

On pages 17-11 and 17-12, Tables 17-1 and 17-2 recommends replacement pipe sizes and lengths required to support the future development. Please note that EBMUD has not reviewed the recommended pipe replacement sizes which will be determined by EBMUD once project sponsors apply for water service from EBMUD’s New Business Office. Water main extensions and off-site pipeline improvements, at the project sponsor’s expense, may be required to serve individual projects within the specific plan area to meet domestic demands and fire flow requirements set by the local fire department. Off-site pipeline improvements include, but are not limited to, replacement of existing pipeline to a project site. When the development plans are finalized, project sponsors should contact EBMUD’s New Business Office and request a water service estimate to determine costs and conditions for providing water service to individual projects within the Specific Plan area.

L 3.03

On page 17-13, the first paragraph states “Proposed development would consist of buildings ranging in maximum height from 55 to 65 feet (bonuses and incentives could allow heights up to 85 feet in the Higher-Intensity Mixed Use zone). To support the plumbing and provide required fire flows, the water system with the higher pressure (G1Aa, elevation 355) would need to be used.” Please note that the area within the San Pablo Avenue Specific Plan is currently served by

Margaret Kavanaugh-Lynch, Development Services Manager
July 9, 2014
Page 2

the Central Pressure Zone; water service from the Aqueduct Pressure Zone may not be a feasible alternative for individual projects within the Specific Plan area and will be determined by EBMUD once the project sponsor applies for water service from EBMUD's New Business Office. An alternative may be having the project sponsor install private pumps within the proposed buildings to supply upper stories.

**L 3.03
cont.**

If you have any questions concerning this response, please contact David J. Rehnstrom, Senior Civil Engineer, Water Service Planning, at (510) 287-1365.

Sincerely,



^{FOR} William R. Kirkpatrick
Manager of Water Distribution Planning

WRK:TRM:sb
sb14_148.docx

L3 William R. Kirkpatrick, Manager of Water Distribution Planning, East Bay Municipal Utility District; July 9, 2014 (2 pages)

- L 3.01 Utilities--Clarification regarding which pressure zone serves which part of the Specific Plan area.

Response: EIR section 17.1.1(d) (Utilities and Service Systems, Water) has been revised to reflect that the San Pablo Avenue Specific Plan area is served by Pressure Zone G0A, known as the Central Pressure Zone; reference to Zone GIAa has been removed. The revised pages are included in section 3 (Revisions to the Draft EIR) of this Final EIR. The impact and mitigation findings remain the same.

- L 3.02 Utilities--EBMUD has not reviewed recommended pipe replacement size; when development plans are finalized, project sponsors should contact EBMUD for review and a service cost estimate with any conditions.

Response: EIR section 17.3.3 (a) assumptions following Tables 17-1 and 17-2 have been revised to include a statement regarding project sponsors applying for water service from EBMUD. EBMUD would then determine the costs and conditions to serve that specific development project. The revised pages are included in section 3 (Revisions to the Draft EIR) of this Final EIR. The impact and mitigation findings remain the same.

- L 3.03 Utilities--Sufficiently high water pressure to support plumbing and fire flow needs for building heights of 55 to 65 feet (or 85 feet in the Higher-Intensity Mixed Use zone) may not be feasible for all portions of the Specific Plan area and will need to be determined for individual projects when a project sponsor applies for water service; alternatives may include installing private pumps to supply upper stories.

Response: EIR section 17.3.3(a) assumptions following Tables 17-1 and 17-2 have been revised to describe that proposed development may need to be connected to a higher pressure zone water system or use a fire pump to supply adequate system pressure to upper building floors. The revised pages are included in section 3 (Revisions to the Draft EIR) of this Final EIR. The impact and mitigation findings remain the same.



Alameda-Contra Costa Transit District

David J. Armijo, General Manager

July 14, 2014

Melanie Mintz
Interim Community Development Director
City of El Cerrito
10890 San Pablo Ave.
El Cerrito, Ca. 94530

Dear Ms. Mintz:

Thank you for the opportunity to comment on the Draft San Pablo Avenue Specific Plan and its Draft Environmental Impact Report (EIR). As you know, AC Transit has commented both on an earlier version of the Complete Streets Chapter of the Plan and on the Notice of Preparation (NOP). While we see elements of the Plan as beneficial to transit, we continue to have serious concerns about the effect of the Plan's proposals on AC Transit operations, as set forth in our letter of May 9, 2014. We list mitigations for Plan impacts in each section of the letter.

L 4.01

Bus/Bicycle Conflicts on San Pablo Avenue

Our fundamental concern about the Plan is the impact of greater bicycle activity on transit along San Pablo Avenue. There are 5,400 weekday passenger boardings and alightings- in El Cerrito along San Pablo Avenue. This ridership makes it a very important transit corridor.

A central element of the Plan is inserting bicycle facilities on San Pablo Avenue. Neither the Plan nor the EIR evaluates the impact of these facilities on transit operations. While there are bicyclists on San Pablo Avenue now, adding bike lanes and sharrows will bring more bicyclists to the street (as it is intended to do). In some segments, physically separated bike lanes are proposed, but in others, buses and bikes will be competing for the same space. We see these conflicts throughout our district.

Focusing bike facilities on San Pablo will degrade not only the speed but the reliability of bus service. By doing so, it will reduce the attractiveness of transit, and likely lead to increased auto traffic, the exact opposite of the result that the city seeks. As we have previously noted, San Pablo is the only feasible through street for frequent service in El Cerrito. This is a central fact for planning San Pablo Avenue itself and a *complete network* of streets for all modes in the San Pablo corridor. In this network, different streets and facilities appropriately play different roles. The fact that El Cerrito has adopted a "Transit First" policy reinforces the need for this type of approach.

Unlike transit, bicyclists can use other routes. The car-free Ohlone Greenway is one of the best and most used bikeways in the East Bay. The Greenway is very close to San Pablo Avenue and is the natural the north-south bicycle spine for El Cerrito. Approximate distances from Ohlone Greenway to San Pablo Ave. at major streets are listed below. Along most of its length, the Greenway is 1 /4 mile or less from San Pablo Avenue:

At Fairmount	.3 miles
At Central	.3 miles
At Stockton	.2 miles
At Moeser	.1 mile
At Potrero	.09 miles
At Cutting	.08 miles

Mitigation: Designate San Pablo Avenue as a transit and pedestrian priority street. Focus transit improvements on San Pablo Ave., bikeway improvements on the Ohlone Greenway and connector routes between the Greenway and San Pablo. Add bicycle facilities to San Pablo only if they can be physically separated, and if they do not reduce existing roadway space used by buses. If the Plan continues to include bike facilities on San Pablo Avenue, evaluate and mitigate their impact on transit operations.

Parking

It is disappointing that the Plan takes on-street parking as a given, and makes no effort to reallocate on-street parking space. Reducing on-street parking space would allow buses and bikes to operate safely in separated lanes. In some locations, it would allow needed sidewalk improvements. The great bulk of businesses along San Pablo Avenue in El Cerrito— including the natural foods store—have off-street parking lots. These off-street lots already provide the majority of available parking there. No data about on-street parking occupancy is included in either the Plan or the EIR. It appears that the perceived value of a parking space in front of a business is being allowed to trump transit (and bicycle) supportive roadway design.

Mitigation: Survey on-street parking occupancy and identify and reallocate on-street parking space in appropriate locations.

Transit Travel Time Estimates

We appreciate the inclusion of travel time estimates for existing and future conditions on San Pablo Avenue. We also support the inclusion of transit improvements such as bus bulbs and relocated stops. However, the EIR does not explain how the future estimates were arrived at, what assumptions were used in making those calculations. Therefore we cannot comment on their validity. The methodology of the travel time estimates should be explained.

We are concerned that the impact of greater bicycle traffic will outweigh the benefits from transit improvements. We are also concerned that proposed improvements will not be fully implemented. Bus stop relocations, for example, are often resisted by property owners near the new bus stop. If these transit improvements do not occur, but bicycle facilities are added, the Plan will result in longer bus travel times.

L 4.03
cont.

Mitigation: To help ensure implementation of improvements, the city should make completion of the improvements a condition of approval for any project located at a transit improvement site.

Major Corridors Study

L 4.04

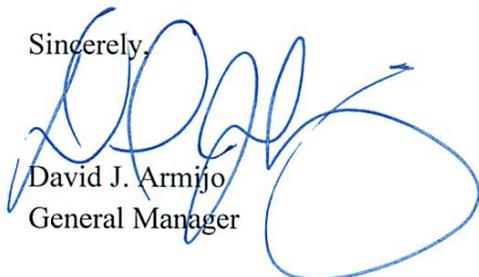
Later this year, AC Transit will be initiating a study of our major service corridors, those with the highest ridership. The full length of San Pablo Avenue in our district will be analyzed in this study. The study will evaluate what transit capital improvements would be appropriate for each corridor. Recommendations could range from modest (e.g. transit signal priority improvements) to major (e.g. dedicated bus lanes). We look forward to the active engagement of El Cerrito in the study.

AC Transit therefore urges the city not to make any roadway changes on San Pablo before this study is complete. Roadway changes, once made—even if only with paint—are generally difficult to undo.

Mitigation: El Cerrito should participate actively in the Major Corridors Study. Defer roadway changes until completion of the study, so that changes are consistent with the Study.

Thank you for your consideration. We look forward to continuing to work with El Cerrito for improved transit.

Sincerely,



David J. Armijo
General Manager



Service Development
1600 Franklin Street, Oakland CA 94612

May 9, 2014

Margaret Kavanaugh-Lynch
Development Services Manager
10890 San Pablo Ave.
El Cerrito, Ca 94530

Subject: Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for San Pablo Avenue Specific Plan

Dear Ms. Kavanaugh-Lynch:

Thank you for the opportunity to provide comments on the Notice of Preparation for the San Pablo Avenue Specific Plan. AC Transit has submitted detailed comments on the draft Complete Streets proposal. This letter will focus on the key issues affecting transit that should be addressed in the EIR and/or the (not yet complete) Specific Plan.

Key AC Transit Concerns

AC Transit is deeply concerned about the potential for delays to bus service—due to bus/bike conflicts— which is inherent in the current Plan. The emphasis on creating bikeways on San Pablo Ave., the one street which can serve as a major transit corridor, seems misplaced. These delays would in turn reduce the reliability (on time performance) and the speed of bus service.

Some of these conflicts could be mitigated, if not resolved, by changing the Plan's commitment to preserve all on-street parking. Removing on-street parking would allow more space for multiple modes to operate safely and efficiently. More detailed on these issues is provided below.

San Pablo Avenue's role in East Bay Transit

San Pablo Avenue is one of the most important streets for transit in the East Bay. San Pablo has the third highest number of passengers of any AC Transit corridor. San Pablo is served by line 72R—one of two Rapid (sometimes called "BRT lite") routes in the District—and local lines 72 and 72M. In addition, several Transbay routes to San Francisco and Supplementary routes to El Cerrito schools use the street. In total, there are 14,300 AC Transit passenger trips which use a segment of San Pablo Avenue in El Cerrito. Of these trips, 5,400 begin or end in El Cerrito. Service on San Pablo represents an annual expenditure of \$11.4 million by AC Transit.

The Plan and EIR should recognize that San Pablo is the only feasible street for frequent north-south bus service in San Pablo. This acknowledgement should form the basis for a more reasonable set of priorities for different streets in the Plan Area.

L 4.05

L 4.06

The Plan places great emphasis on creating a bikeway along San Pablo Ave. Yet there is a first class bikeway facility a few blocks away along the Ohlone Greenway. Bicycle riders could easily access San Pablo from the Greenway—a route that some prefer—particularly if greater emphasis were placed on east-west bicycle connections and streetscape improvements in the Plan. The Plan includes a “Complete Streets” element, but no document has included an analysis of the Plan area’s streets as a *network*, and which streets are best suited to transit, pedestrians, bicycles, and cars. This topic should be addressed.

L 4.06
cont.

Impacts on the San Pablo Roadway

AC Transit’s greatest concern about the Specific Plan is that San Pablo Avenue be maintained and enhanced as a route for bus service. It is not clear that the Specific Plan or EIR would do this. While it is a noble idea to accommodate all users, the realities of limited roadway geometry require that choices be made. These choices can either be made explicitly, or implicitly—the latter approach is often detrimental to transit.

L 4.07

We support the Plan’s proposals for new bus bulbs, and for moving bus stops from the near side to the far side of intersections. But the positive impacts of these improvements could easily be overwhelmed by the impact of making San Pablo a major bicycle corridor. By encouraging greater bicycle ridership on San Pablo, the Plan will inevitably encourage bike/bus conflicts, at least in the sections where separated bikeways would not be built. The bicycle sharrows in the northern and southern portions of the Plan Area would have this effect, while doing little to actually protect bicyclists.

At worst, these conflicts will compromise the safety of roadway users. At best, they will delay bus service. These delays will make bus service both slower and less reliable, in turn reducing ridership on the bus and increasing automobile use. This is directly contrary to the stated goals of the Plan, and could represent a significant impact under CEQA.

In addition, slowing of bus service could cause a financial impact on AC Transit. It would become more expensive to operate the same level of service, making service less cost effective. Alternatively, the District might chose to operate less service in order not to spend additional funds. If this occurred, ridership would be reduced and environmental impacts (as above) of travel would increase.

On-Street Parking

L 4.08

The EIR should also analyze the extent to which bus/bike (and other) roadway conflicts could be mitigated by the reduction of on-street parking on San Pablo Avenue. The Plan maintains on-street parking throughout, even as it seeks to shift travel to more environmentally-friendly modes. Reducing on-street parking in appropriate locations could provide more space for a variety of modes, while improving the quality of life on the street. In addition, many businesses along San Pablo Avenue provide off-street parking—they were required to do so. The EIR should analyze the extent to which on-street parking could be reduced.

San Pablo as a Priority Development Area (PDA)

L 4.09

The entirety of San Pablo Avenue in El Cerrito is a Priority Development Area (PDA). Unlike many PDAs, San Pablo already has frequent transit and neighborhood-serving retail such as

grocery stores. The street should therefore be a focus for future development, with the greatest feasible development, including new housing. The width of San Pablo allows for construction of taller buildings without a creating a canyon effect.

L 4.09
cont.

San Pablo’s Future as a Transit Corridor—The Major Corridors Study

L 4.10

As a PDA in a corridor of PDAs stretching the length of San Pablo Ave, AC Transit’s goal is not merely to maintain service there, but to substantially improve it. AC Transit is initiating a study of our 9 most important Major Corridors, including San Pablo. We hope that this study will develop transit capital improvement recommendations endorsed by both AC Transit and cities in the District. City actions on this corridor should not preclude the development of higher capacity transit in the future. The EIR should analyze and mitigate the impact of roadway changes on the potential for future transit improvements.

Form Based Code Issues

L 4.11

AC Transit’s focus is naturally on street-related issues, but we also have some comments on the proposed Form Based Code. The Plan anticipates replacing the existing conventional zoning with a Form Based Code. AC Transit looks forward to the implementation of a Form Based code. We believe that it can, if drafted properly, carefully tailor the built environment to the needs of transit.

Off-Street Parking: Minimizing off-street parking will:

- reduce the cost of building,
- make the street environment more pleasant and
- encourage residents and workers to use transit.

There should be parking maximums established throughout the Plan Area.

Driveways: The Plan should seek to reduce the number of driveways, especially along San Pablo Avenue. Many communities have minimum allowable distances between driveways. The cities could work to consolidate commercial driveways.

Thank for your interest. We look forward to continuing to work with the cities on Plans and environmental documents that will help develop transit-oriented solutions.

Yours Truly,

Robert del Rosario
Director of Service Development

L4 David J. Armijo, General Manager, AC Transit; July 14, 2014 (and Robert del Rosario, Director of Service Development, AC Transit; May 9, 2014) (6 pages)

L 4.01 Transportation--The Plan and EIR need to discuss potential safety conflicts and service degradation with the addition of bike lanes and sharrows to existing bus routes, including possible reduction of space for buses if physical separation is required for bicycles; also, San Pablo Avenue should be designated as a transit/pedestrian priority street, and bikeway improvements should focus on the Ohlone Greenway with connector routes between the Greenway and San Pablo Avenue.

Response: The City agrees that San Pablo Avenue is an important transit corridor, and that is why the Plan designates transit and pedestrian as the priority modes in the corridor. This is due to the importance of the corridor as a transit route serving the City's downtown and two BART stations and its role as the City's main commercial and mixed use corridor, where walking between residential, retail, and office uses, as well as walking trips to BART, should be promoted. Although transit and pedestrian modes are the main priority, bicycle facilities cannot be excluded and should be improved wherever measures are available to do so. While bicyclists do have the Ohlone Greenway as a parallel car-free route, this route does not accommodate trips made to/from origins and destinations on San Pablo Avenue, and thus the Plan seeks to provide better connectivity and mobility for bicyclists making these trips.

The City disagrees that the impacts of improved bicycle facilities, and corresponding increased bicycling on the corridor, on transit operations are not assessed in the EIR. The methodologies for the vehicle Level of Service (LOS, which includes transit vehicles) and transit travel time calculations include the effects of additional bicycle volumes along with the transit improvements, as described in the Draft EIR chapter 16 (Transportation and Circulation), section 16.1.3 (Analysis Methodology) and demonstrated in the transportation technical appendix. It is noted that dedicated bike lanes are proposed for a portion of the Uptown area, and a cycletrack is proposed for the Midtown area; these sections will thus separate bicycles from buses. In the Downtown and a portion of the Uptown area, the specific effect of increased bicyclists sharing the outside lane with cars and buses cannot be directly quantified by the vehicle LOS and travel time methodology; however, because the projected increase in bicyclists is small in actual numbers (the projected 7 percent mode shift from autos to other modes includes a doubling from the current 1 percent bicycle mode share to 2 percent, with the other 6 percent shifting to pedestrian and transit modes), as described in the transportation technical appendix, the effect is assumed to be small and largely outweighed by the improvements provided by consolidating bus stops and providing far-side bus platforms.

Regarding the proposed mitigation in this comment, the Specific Plan does designate transit and pedestrian modes as the priority modes, as suggested. The Plan does provide physically separated bicycle facilities where feasible, and the Plan does assess the impact of the proposed bicycle facilities, and increased bicycling, on transit operations, as discussed above.

- L 4.02 Transportation--Plan and EIR need to consider reducing on-street parking to allow roadway designs that support transit and bicycles.

Response: Many options for allocation of the right-of-way were considered in the development of the proposed Specific Plan, several of which included reduction or elimination of on-street parking. The City ultimately determined that the urban design, streetscape, economic development, and multi-modal goals of the Plan were best served by preserving on-street parking to the maximum extent feasible. A parking occupancy study was not performed for the Specific Plan or EIR because the Plan's retention of on-street parking is based on the above considerations.

- L 4.03 Transportation--EIR needs to explain existing and future travel time methodology, particularly with respect to bicycle traffic and facilities, and bus stop relocation.

Response: The methodology for the transit travel time estimates is briefly described on Draft EIR page 16-7. A more detailed description of the quantitative process, and the actual transit travel time calculations, are provided in the transportation technical appendix.

Regarding the mitigation proposed in this comment, as the City implements the Specific Plan and applies the Plan requirements to individual development projects, those projects located adjacent to transit improvement sites will likely be required to contribute to the provision of those transit improvements. In addition, as part of the implementation of the San Pablo Avenue Specific Plan, the City will be developing a Multimodal Capital Improvement Program (CIP) that includes a financing and funding strategy, which may include development impact fees and phased implementation.

- L 4.04 Transportation--City should postpone roadway changes on San Pablo Avenue until AC Transit has completed its study of major service corridors and evaluation of appropriate transit capital improvements (Major Corridor Study).

Response: The City looks forward to working with AC Transit on its upcoming Major Corridors Study, and believes this will be an opportunity to link the Specific Plan's vision for improved transit facilities and service in the corridor within El Cerrito with the District's vision for regional improvements. Regarding the mitigation proposed in this comment, while the City cannot commit to delaying any roadway changes until after completion of the Major Corridors Study, it is unlikely that funding to design and construct significant roadway changes will be secured within the next two to three years. In any case, the City will ensure full communication and cooperation with the District so that any improvements being considered prior to completion of the Major Corridors Study do not conflict, or minimally conflict, with the District's plans for improvements in El Cerrito as defined by the upcoming Major Corridors Study.

- L 4.05 Transportation--Concern about conflicts between buses and bicycles, and need to consider removal of on-street parking to allow more space for safe and efficient operation of multiple transportation modes along San Pablo Avenue.

Response: Please see responses to comments L 4.01 and L 4.02.

- L 4.06 Transportation--Plan and EIR should include an analysis of the Specific Plan area's streets as a network with some streets better suited than others for transit, pedestrians, bicycles, or cars.

Response: Please see response to comment L 4.01 for a discussion of the Specific Plan's prioritization of modes on the corridor and the reasons for improving bicycle facilities on San Pablo Avenue. Regarding the Plan's focus on San Pablo Avenue, the City acknowledges that this street is part of the larger street network and that the network connects the street to the Ohlone Greenway, I-80, and the rest of the citywide network. However, the Plan centers on San Pablo Avenue and adjacent properties, and thus does not directly propose or consider changes to cross-streets. It does address the importance of connections to and across the street. (See Table 1 and Figures 18 and 19 in Specific Plan chapter 3.) In addition, the City is concurrently developing the Active Transportation Plan, which considers improvements to the citywide bicycle and pedestrian networks, and the Urban Greening Plan, which addresses open spaces and parks throughout the City.

- L 4.07 Transportation--Plan and EIR need to consider potential conflicts between bus service and bicyclists, including slower transit service, if San Pablo Avenue is turned into a major bicycle corridor without appropriate safety mechanisms.

Response: The City disagrees that the net effect of the Specific Plan would be to slow transit service in the corridor, as demonstrated by the transit travel time estimates provided in Draft EIR chapter 16 (Transportation and Circulation). Also see response to comment 4.01. Regarding the concern about the safety effects of introducing more bicyclists to the corridor, the comment provides no evidence that a small increase in bicycle riders, along with substantially improved facilities--bike lanes in part of Uptown, a cycletrack in Midtown, and sharrows indicating the optimum riding position to cyclists and alerting drivers (including bus drivers) to the potential presence of cyclists in the corridor--will compromise the safety of road users.

- L 4.08 Transportation--EIR should analyze reducing on-street parking as method to mitigate bus/bicycle conflicts and help shift travel to more environmentally friendly modes.

Response: The project alternatives assessed in the Draft EIR (chapter 20) do not include a reduced on-street parking alternative because this would not achieve the urban design, economic development, streetscape design, and multi-modal goals of the Specific Plan. Use of reduced on-street parking in order to mitigate impacts to transit was also not considered because the Draft EIR does not conclude that there would be significant adverse impacts on transit.

- L 4.09 Merits of Project--Future development on San Pablo Avenue should focus on the greatest feasible development (including new housing).

Response: The comment is in support of the Specific Plan objectives (Draft EIR section 3.3). No further response is necessary.

- L 4.10 Transportation--EIR should analyze impacts of roadway changes in relation to potential for future transit improvements, particularly with respect to AC Transit's upcoming Major Corridors Study.

Response: The City believes that the Draft EIR does analyze the effects of the Specific Plan on transit service and facilities in the corridor, as discussed in responses to comments L 4.01 and L 4.03. The City has no desire to preclude the provision of higher transit capacity in the corridor, and looks forward to working with the District on its Major Corridors Study. Also see response to comment L 4.04.

- L 4.11 Transportation--Form-Based Code should include provisions to minimize off-street parking, establish parking maximums throughout the Plan area, and reduce the number of driveways, particularly along San Pablo Avenue.

Response: The Form-Based Code (Specific Plan chapter 2) does use parking maximums, as presented in Table 30 in section 2.05.09.04. The Code also encourages minimizing the number of driveways, as described in section 2.05.09.07.

Date: July 17, 2014

To: Ms. Kavanaugh-Lynch
San Pablo Avenue Specific Plan
10890 San Pablo Avenue, El Cerrito, Ca 94530
Mkavanaugh-lynch@ci.el-cerrito.ca.us

CC: Mary Selva
maryspond@sbcglobal.net

From: Jessica Range & Denis Coghlan
Richmond Annex Residents

Regarding: El Cerrito Specific Plan and Draft EIR

Dear Ms. Kavanaugh-Lynch,

L 5.01

My husband and I are residents of the Richmond Annex and are writing to you regarding the Environmental Impact Report for the proposed San Pablo Specific Plan “Plan” as well as the Plan itself. We understand that the Plan seeks to upzone much of San Pablo Avenue to revitalize the surrounding neighborhoods. I understand that the plan encourages multimodal transportation, focusing on “complete streets” and we fully support changing the LOS standard to lower than LOS D. In fact, we would support a different metric altogether to address vehicle traffic. Regarding the Plan, we fully support the desire to provide an additional 1,700 residential units and 240,000+ sf of new commercial uses along the San Pablo corridor. Please be sure to provide enough economic incentives to ensure development actually occurs. While the San Pablo corridor has seen some great new attractions in the past few years, it is still very much a corridor of dilapidated businesses. The closure of large retail establishments including Safeway and the Guitar Center in the last few years have contributed to much of the blight along San Pablo Avenue. We encourage the City to attract new businesses to the corridor, including new retail establishments serving area residents. New businesses should be developed at the edge of the sidewalk to promote a more vibrant neighborhood. Much of San Pablo’s businesses are set back from the public sidewalk and their frontages are used for unnecessary parking. This layout does not facilitate village-like neighborhoods where residents can walk to necessary amenities.

The San Pablo corridor is a prime location for new residential and retail/commercial uses; new development should occur near public transit. San Pablo Avenue is a transit corridor served by AC Transit and there are two Bart stations within the Plan area.

While we fully support the plan, the Plan could be improved in a number of ways. Specifically, the Plan should maximize pedestrian access at all primary, secondary, and tertiary junctions along San Pablo Avenue. Lower speed limits and signalized pedestrian crossings are much needed along the entire corridor. I would encourage the separated cycletrack to extend all the way to Fairmont Avenue. Existing parking lanes along San Pablo Avenue should be repurposed for dedicated cycletracks. Second, the Plan does not include any open space acquisition. There are numerous properties that are vacant and could be repurposed to provide much needed open space to the residents of El Cerrito and Richmond.

L 5.02

L 5

Examples include properties that have been used as Christmas tree lots, include one adjacent to the Burger King on San Pablo at Central.

**L 5.02
cont.**

It should be noted that the Specific Plan does not approve any actual new development; rather it would facilitate development that meets the infill development goals for the Bay Area region, reducing regional air pollution and harmful greenhouse gas emissions.

L 5.03

Overall, after a thorough read of the Draft EIR, we find the EIR to be accurate, adequate, and complete and encourage the Planning Commission and/or City Council to swiftly approve of the EIR and the Specific Plan so that much needed revitalization of our neighborhood may proceed. I am specifically writing to you in regards to a mailer that was distributed via my neighborhood council encouraging me to oppose the San Pablo Specific Plan. Many of the issues cited in this mailer (attached for your reference) are addressed in the EIR via required mitigation measures. We encourage the City to adopt all necessary mitigation measures in the EIR. The remainder of this letter responds to the concerns identified in the neighborhood mailer and specifically identifies how these concerns are addressed in the EIR and/or provides an alternative view of these concerns.

1. Overbuilt for the Lot: The neighborhood circular states that the Specific Plan would allow for high density in areas that affect the livability of established residential densities. We respectfully disagree. The existing zoning controls have led to blight, which is currently crippling the neighborhood. There is little in the way of neighborhood amenities along San Pablo. The closest grocery store is an overly expensive natural foods store that has proven to be little more than window dressing for area residents. The 55 foot height limit would facilitate new commercial and residential development in proximity to transit and is appropriate. Additional businesses and “eyes on the street” would serve to reduce crime and increase neighborhood livability. Everyone should feel as though they have the “option” to own a car and that without a car they should be able to commute to work and attain all necessary services within walking distance of their homes. Given that there are two BART stations and numerous AC Transit lines running along San Pablo Avenue, this neighborhood is a prime location for transit oriented development.
2. Aesthetics: Although the EIR identifies significant and unavoidable aesthetic impacts, it should be noted that Senate Bill 743 removes aesthetics and parking for qualified infill, transit priority development projects. Individual development projects should not be subject to analysis of aesthetics and parking. Furthermore, while a reduction in private views may be seen as significant to those individuals, the blockage of private views in an urban environment should not be considered significant under CEQA. Furthermore, the EIR identifies numerous mitigation measures to address impacts on important visual resources such as views of the Bay and Golden Gate Bridge. Therefore, the analysis in the EIR is adequate, accurate and complete. The neighborhood council wishes to lower heights to 35 feet; this likely will not allow for new development to pencil out- thus the continuation of blight. What is better for the neighborhood in terms of aesthetics- blight or taller buildings that provide retail and commercial services for our residents?

L 5.04

L 5.05

3. Form Based Codes: Development projects that are consistent with form-based codes should be fast tracked. I do not see anything wrong with this proposal- it encourages consistent development. **L 5.06**
4. Historic Preservation: The neighborhood circular infers that San Pablo between Central and El Cerrito should be preserved as a historic district. First of all, while there may be individually eligible historic buildings in this area, there is absolutely no information provided as to why this area would qualify as a historic district, other than the fact that the buildings are 1 and 2 stories in height. Historic resources must meet certain criteria in order to be designated as a resource and simply because the existing buildings are 1 and 2-stories in height does not make this area qualify as a resource. What historic value would preservation of these buildings provide? What significant persons or events do these buildings represent? What is significant about the architecture? We would prefer to see much of these “strip mall” style buildings demolished and new retail/commercial buildings developed at the sidewalk edge. The vast majority of buildings along this area do not qualify as a historic resource. Individual historic resources would be protected via Draft EIR mitigation measure 7-1. Historic preservation, where no historic resources are present, should not be used as a means to limit building heights. **L 5.07**
5. Central Avenue Made Worse: The neighborhood council circular suggests that there are major traffic problems that would be made worse by increased development. The circular provides no evidence to support this assertion and is contrary to the goals of the plan which are to provide a multimodal transportation system. The public should be made more aware that the single occupant vehicle may not be the best mode of transportation. Vehicles are the primary source of air pollution, noise and pedestrian accidents in urban environments. Providing alternative transportation options to vehicles is good for the environment and good for the people of El Cerrito and the Richmond Annex. The more people who get out of their vehicles and into mass transit, biking, or walking, the less of a “traffic problem” we will have. **L 5.08**
6. Spot Development: The neighborhood circular states that the Plan would allow for mid-block apartment towers that may be undesirable. Development would be limited to 55 feet- hardly the eyesore towers we see on Pierce Street in Albany. I would however encourage ground floor retail for all buildings fronting on San Pablo Avenue. **L 5.09**
7. Traffic Congestion and Diversion: The neighborhood circular states that reducing the speed limit on San Pablo would lead to “gridlock.” On the contrary, reducing the speed limit by 5 mph will NOT induce drivers to take alternative roads to their destination. In fact, I am pretty certain that most people do not know the existing speed limit on San Pablo Avenue and many use this road as a secondary roadway to I-80. High vehicle speeds on San Pablo are not appropriate for our residential, mixed-use neighborhood. Reducing the speed limit will only increase bicycle and pedestrian safety. **L 5.10**
8. Parking Impacts: The Circular notes that increased density will reduce parking and that will hurt businesses. Increasing density should only help businesses in the area. Most businesses along San Pablo are endowed not only with on-street parking on San Pablo, but also have their own off-street parking. Often times these parking lots are nowhere near full and the aesthetics of empty parking lots in front of commercial strips should be considered blight. This unused space could be activated by moving buildings to the sidewalk. There are too many available parking **L 5.11**

spots in the Plan area. Parking should be replaced with more active uses- bicycle lanes, sidewalks, street frontages. Pursuant to SB 743, Parking is not to be considered a significant impact for qualifying urban infill, transit priority projects. All residential and mixed-use projects along San Pablo Avenue would qualify under SB 743.

**L 5.11
cont.**

9. Health and Air Quality Impacts: The Draft EIR includes clear mitigation measures to address new development within the plan area. While existing residences may experience an increase in air pollution as a result of increased population from the specific plan, if folks aren't accommodated here, that means growth will occur elsewhere in the region. If this growth occurs north of El Cerrito, we can be sure that many of those individuals will be commuting to employment centers in Oakland and San Francisco. Thus, more traffic on I-80. The appropriate place for new development is here along San Pablo Avenue, where we have two BART stations that take people directly to Oakland and San Francisco and thereby reduces the proportion of individuals that would otherwise be forced to drive. Furthermore, the Plan's goal to encourage multimodal transportation also promotes low emission transportation options. Riding a bike and walking are emission-free transportation options that the plan encourages. Transit also reduces air pollution. Without growth occurring near transit areas such as those close to BART, regional air pollution and greenhouse gas emissions will only increase, leading to more adverse health impacts from high ozone days, increased heat days, etc. The "no growth" mentality is not conducive to environmental protection goals.

L 5.12

10. Noise and Odors: We encourage the Planning Commission to read the Draft EIR and we note that noise and odors are fully addressed via mitigation measures identified in the draft EIR.

L 5.13

11. Infrastructure: Please note that the EIR did not identify any significant effects related to public services or infrastructure.

L 5.14

In summary, I believe the Draft EIR is adequate, accurate and complete and the Planning Commission/ City Council should certify the EIR and adopt the proposed plan. I would like to continue to stay informed of efforts surrounding this project and would like to receive a copy of the Response to Comments that will be prepared in response to the above comments on the Draft EIR. Please send the Response to Comments document to the address identified below.

Kind Regards,

Jessica Range & Denis Coghlan
5610 Huntington Avenue
Richmond, Ca 94804
jrange@gmail.com

Your Immediate Attention is Needed!
Help prevent San Pablo Avenue from becoming a
High-Density Zone

L 5
attachment

Read this flyer (both sides), and **Write Your Response Today!** The City of El Cerrito is proposing a development plan for San Pablo Avenue, which affects the entire 0.9 mile section next to Richmond Annex residential neighborhoods *and all of El Cerrito*. This plan, called the **San Pablo Avenue Specific Plan (SPASP)**, proposes major changes that will directly impact the quality of life for our residential neighborhoods. **Many El Cerrito and Richmond Annex residents have legitimate concerns about this plan.** Your written input concerning one or more of the following points can make an important difference. **In the event no comments are received by July 21st, the City may presume that you have no concerns.**

1. **Overbuilt for the Lot** - The proposed **SPASP** would allow high density in mass, height, reduced rear setbacks, and reduced parking requirements along the entire Avenue in El Cerrito, adversely affecting the livability of established residential neighborhoods.
2. **Aesthetics / View Blockage** – There are valid concerns about the proposal to allow **55'** or 5 stories (65' with density bonus) between Eureka and Potrero (currently 1 to 3 stories), and **65'** or 6 stories (85' with density bonus) between Eureka and Albany Borderline, and between Gladys and Richmond Borderline. Increased building heights would be overwhelming and impact Bay views that El Cerrito residents strongly desire, and also impact views of the El Cerrito Hills that Richmond Annex residents value as well. *Relative to existing conditions, 35' or 3 stories would allow all commercial buildings in the Midtown Area (majority currently 1-story) to double or triple in height, already allowing for adequate growth; the Richmond Annex Neighborhood Council supports this.*
3. **Form-Based Codes** - The City is also proposing form-based codes, meaning the bulk, scale, and building articulation (strong urban form) outlined in this plan would be pre-approved under this plan, leaving very little room for modifications. Development projects would then be fast-tracked and the public review and hearing process reduced.
4. **Historical Preservation** - If San Pablo Ave. between Central and Fairmount in El Cerrito has 1-to 2-story buildings up to 25', why is the SPASP allowing 65' buildings to crowd out this area? This area should be preserved as a historical district.
5. **Central Avenue Made Worse** - The proposed plan would allow up to 65' on both sides of Central Avenue, between San Pablo, Carlson, Yosemite, Santa Clara, and Belmont. There are concerns about allowing such a high level of density along Central Avenue, which already has a major traffic problem.
6. **Spot Development** - High-density zoning would promote spot-development—mid-block apartment towers replacing commercial buildings. This is desired by developers, but may be undesirable for surrounding residential neighborhoods.
7. **Traffic Congestion and Diversion** - Reducing the speed limit from 30 mph to 25 mph and adding bike lanes along San Pablo, as proposed under the SPASP, could create traffic congestion and eventually lead to gridlock. This would divert traffic onto adjacent residential streets, creating circulation problems. Richmond Street in El Cerrito and Carlson Boulevard in Richmond Annex could be used as the alternative routes, especially during the AM and PM commute hours, including Fridays, Saturdays, and Sundays. Both upgraded Ohlone Greenway and Carlson Boulevard, parallel to San Pablo Avenue, are already used as the bicycle highways and are safer for bicyclists.
8. **Parking Impacts** - Proposed high-density development on San Pablo Avenue would generate additional parking demands. The SPASP dramatically reduces commercial and residential parking space requirements for ALL of San Pablo Avenue, creating parking shortages and hurting the businesses. This condition would likely force customers to park on adjacent residential streets, overloading and saturating our neighborhoods.
9. **Health & Air Quality Impacts** - A significant amount of traffic increase and congestion would result from regional development, forcing vehicles to idle and greatly reducing fuel economy. Idling produces higher levels of particulates and affects our health. Children, the elderly, pets, and those with respiratory problems are most sensitive to poor air quality, especially those who live along major thoroughfares.
10. **Noise Pollution & Odors** - With an increase in density and expanded commercial buildings backing up to homes (rear setbacks reduced to only 5'), residents could be directly impacted by noise produced by refrigeration units, fans and other mechanical equipment. Obnoxious odors from exhaust air ducts and dumpsters could be objectionable and hard to avoid.
11. **Infrastructure** - Excessive development could burden already undermanned city services, such as police, fire, and public works. It could also put a strain on the infrastructure, such as water, sewer, and streets.

Whatever You Say, **WRITE TODAY!**

Direct all comments to:
E.C. is the Lead Agency

Margaret Kavanaugh-Lynch, Planning Manager
San Pablo Avenue Specific Plan

10890 San Pablo Ave, El Cerrito, CA 94530

mkavanaugh-lynch@ci.el-cerrito.ca.us

Final Deadline for Written Comments is

► **July 21, 2014**

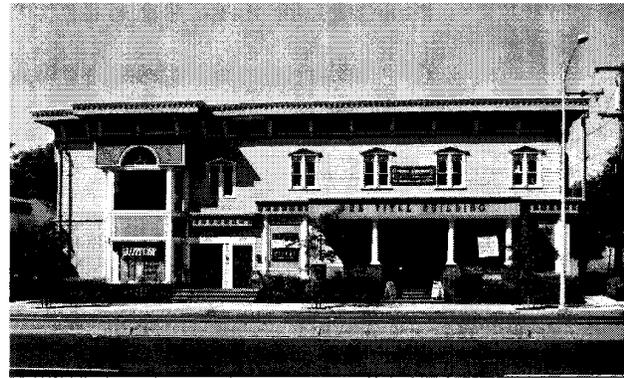
Link to SPASP: www.el-cerrito.org/SPASP

Be sure to email a copy of your letter to the Richmond Annex Neighborhood Council (RANC) maryspond@sbcglobal.net or mail to RANC, PO Box 5436, Richmond, CA 94805, so that we can retain a record of your comments. RANC, 510-375-7769. Thank You

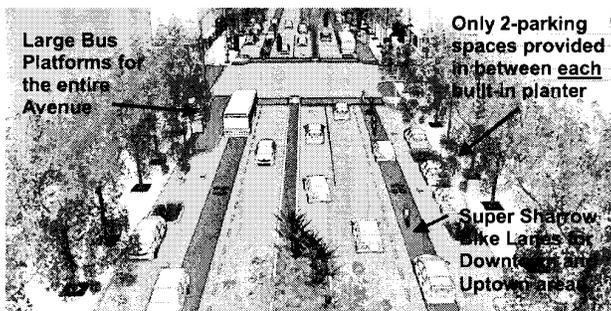


Example of
50' Building

This 5-story building on University Avenue, corner of MLK in Berkeley, is 50 feet for main building; 54 feet to top of penthouses, as verified with city records. Proposed 55' tall buildings in El Cerrito Midtown Area would block views of the Bay and E.C. Hills that residents strongly desire and value.

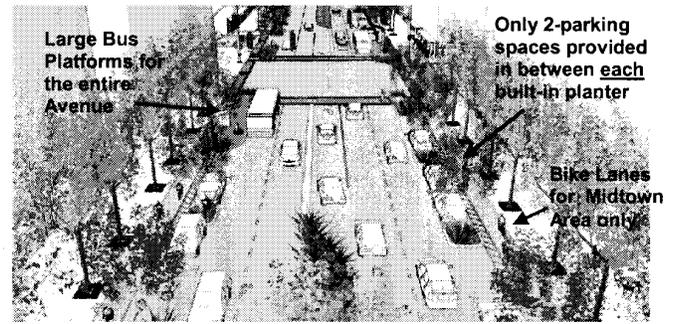


The Vital Building, 25 feet, corner of Orchard in Richmond Annex, is a perfect fit for shallow lot sizes and meets the correct number of parking spaces in the back. The SPASP would allow this building to expand, significantly reducing its parking spaces and creating parking shortages.



Proposed Downtown and Uptown Street Reconfiguration

Right traffic lanes will share the priority with bicyclists in "Super Sharrow" in Downtown (between Eureka and Albany borderline) and Uptown (between Gladys and Richmond borderline). Large bus platforms and built-in landscape planters would significantly reduce on-street curb parking. Only 2-parking spaces provided in between each built-in planter, and buses will block the right-hand lanes when stopped at the platforms.



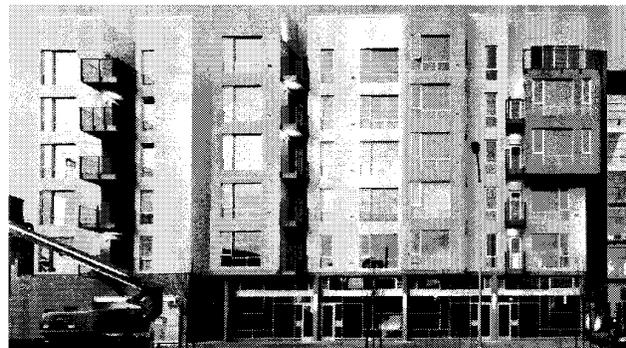
Proposed Midtown Street Reconfiguration

Again, large bus platforms and built-in landscape planters will significantly reduce on-street curb parking for Midtown Area (between Eureka and Potrero). Only 2-parking spaces are provided in between each built-in planter and buses will block the right-hand lanes when stopped at the platforms, creating parking shortages and hurting the businesses. Bike lanes will be located between parking lanes and sidewalks in Midtown Area only.

Below are the types of building articulation (form-based codes) that planners are promoting, as outlined in the SPASP:



Proposed "Form Based Codes" meaning the bulk, scale, and building articulation (strong urban form) would be pre-approved under this plan, leaving very little room for modifications.



This 6-story building at 200 2nd Street in Oakland is 69 feet, as verified with city records.

As resident-taxpayer-voter, YOU are a CITY PLANNER. Our City is employed by YOU to serve the best interests of you and your family and neighbors. It can only do so if you SPEAK UP. It's your choice and your responsibility.

For more information or to help out, please contact RANC listed on the front of this flyer.

L5 Jessica Range and Denis Coghlan, 5610 Huntington Avenue, Richmond, CA; July 17, 2014 (6 pages)

- L 5.01 Merits of Project--Expresses support for project and would like Plan to put more emphasis on economic incentives for development, including new neighborhood retail to serve residents and create vibrant neighborhoods.

Response: Section 15088 (Evaluation of and Response to Comments) of the CEQA Guidelines requires detailed responses only when a comment raises significant environmental issues. This comment relates to the merits of the Specific Plan, not to the content or adequacy of the Draft EIR. No changes to the EIR are necessary. The comment will become part of the administrative record and will be considered by the decision makers.

After public release of the June 2014 Specific Plan document and the Draft EIR, City of El Cerrito staff made revisions to the Specific Plan, including in response to concerns raised by the public. These Specific Plan revisions are included in "Revisions to June 2014 Final Draft," which is available concurrently with the June 2014 Specific Plan for review at the City's website at:

www.el-cerrito.org/SPASP

- L 5.02 Merits of Project--Expresses support for project and would like Plan to maximize pedestrian access along San Pablo Avenue by lowering speed limits and adding signalized crossings; in addition, area would benefit from extending the separated cycletrack to Fairmount Avenue and acquiring vacant properties that could be repurposed for open space uses.

Response: See response to comment L 5.01.

- L 5.03 Merits of Project--Expresses support for Plan and approves the EIR analysis for its accurate, adequate, and complete discussion of issues and possible mitigation measures.

Response: The comment is in support of the Specific Plan and Draft EIR. No further response is necessary.

- L 5.04 Public Services--Current conditions along San Pablo Avenue are a result of existing zoning controls; new business development would promote increased neighborhood livability and encourage "eyes on the street" that could reduce potential for crime.

Response: See response to comment L 5.01. Also, Draft EIR chapter 15 (Public Services) discusses police protection, including "eyes on the street," and concludes that project impacts on police protection would be less-than-significant.

- L 5.05 Aesthetics--Senate Bill 743 removes aesthetics and parking as potential environmental impacts for qualified infill and transit priority development; the blockage of private views in an urban environment should not be considered a significant impact under CEQA; and the EIR mitigation measures are adequate to protect important visual resources.

- Response:* Senate Bill 743, approved by the Governor on September 27, 2013, involves several aspects of the California Environmental Quality Act (CEQA) process which will be implemented over time. It is noted that, even previous to Senate Bill 743, CEQA Guidelines appendix G (the basis for the Draft EIR impact significance criteria) did not identify parking as an environmental issue under CEQA. Draft EIR chapter 4 (Aesthetics and Visual Resources) discusses the other issues in the comment.
- L 5.06 Project Description--Expresses support for “fast-track” processing of development applications that are consistent with the Form-Based Code.
- Response:* Related to the CEQA process as part of development application processing, see Draft EIR section 1.3 (Program EIR Approach and Assumptions). Also see Specific Plan section 2.02 (Administration of Regulating Code).
- L 5.07 Historic Resources--EIR provides means to protect and preserve eligible historic resources through Mitigation Measures 7-1; the neighborhood circular distributed by the Richmond Annex Neighborhood Council (RANC) (attached to the comment letter) offers no evidence that the Specific Plan area meets the criteria for a historic district.
- Response:* Draft EIR chapter 7 (Cultural and Historic Resources) discusses existing and potential historic resources in the Specific Plan area.
- L 5.08 Transportation--Expresses support for providing alternative transportation options (e.g., transit, biking, walking) to improve overall traffic conditions and reduce environmental effects of vehicles.
- Response:* Draft EIR chapter 16 (Transportation and Circulation), as well as Specific Plan chapter 3 (Complete Streets), discuss the issues in the comment.
- L 5.09 Land Use--Encourages ground floor retail for buildings fronting on San Pablo Avenue.
- Response:* See response to comment L 5.01.
- L 5.10 Transportation--Speed limits on San Pablo Avenue should be reduced to encourage residential and mixed use neighborhoods and to increase bicycle and pedestrian safety.
- Response:* Draft EIR chapter 16 (Transportation and Circulation) evaluates pedestrian and bicycle safety, including (1) built environment factor (BEF) level of service to assess the presence of specific improvements that benefit pedestrians and bicyclists, and (2) person delay to assess delay for pedestrians and bicyclists at key intersections.
- L 5.11 Merits of Project--Existing off-street parking along San Pablo Avenue provides sufficient parking for businesses, and on-street parking should be replaced with

bicycle lanes, sidewalks, and street frontages; in addition, Senate Bill 743 would apply to all residential and mixed use projects on San Pablo Avenue.

Response: See response to comment L 5.01. Also, Senate Bill 743, approved by the Governor on September 27, 2013, involves several aspects of the California Environmental Quality Act (CEQA) process which will be implemented over time. It is noted that, even previous to Senate Bill 743, CEQA Guidelines appendix G (the basis for the Draft EIR impact significance criteria) did not identify parking as an environmental issue under CEQA.

- L 5.12 Air Quality/Greenhouse Gas Emissions/Growth-Inducing Impacts--New development in the Specific Plan area would benefit from existing transit facilities, and the Specific Plan's multi-modal transportation goals would encourage reduced dependence on automobiles, thereby reducing air pollutants and greenhouse gas emissions; discouraging development from the Specific Plan area and trying to accommodate it elsewhere might increase commuting distances or result in fewer users of alternative transportation means, thereby increasing air pollutants and greenhouse gas emissions.

Response: The issues in the comment are discussed in Draft EIR chapters 5 (Air Quality), 9 (Greenhouse Gas Emissions and Global Climate Change), and 19 (CEQA-Mandated Sections--Growth-Inducing Effects).

- L 5.13 Air Quality/Noise--The EIR fully addresses, and provides mitigations for, impacts of odors and noise.

Response: The issues in the comment are discussed in Draft EIR chapters 5 (Air Quality) and 13 (Noise). Related to odors, Draft EIR Impact/Mitigation 5-4 has now been incorporated into the Specific Plan Land Use Regulations (see "Revisions to June 2014 Final Draft," section 2.02.03[E], p. 02.02-14), so that impact is now considered less-than-significant.

- L 5.14 Public Services/Infrastructure--The EIR did not identify any significant impacts on public services or infrastructure.

Response: The comment is consistent with the Draft EIR. Public Services are discussed in Draft EIR chapter 15, and utilities (including their infrastructure) and service systems are addressed in chapter 17. Related to these environmental topics, the Draft EIR analysis concludes that project and cumulative impacts on the following areas would be less-than-significant with implementation of uniformly applicable development policies, standards, or regulations, including Specific Plan standards: fire protection/emergency medical services, police protection, public schools, parks and recreational facilities, other municipal services (e.g., library), water supply, utility infrastructure, and solid waste disposal/recycling.

5717 Van Fleet Ave
Richmond, CA 94804

VIA EMAIL

July 20, 2014

City of El Cerrito
10890 San Pablo Ave.
El Cerrito CA 94530

Attn: Margaret Kavanaugh-Lynch

Re: Draft Environmental Impact Report, San Pablo Avenue Specific Plan, June 2014

Greetings:

My wife and I are long time residents of Richmond Annex and live in an area that will be directly impacted by the proposed San Pablo Area Specific Plan. On a daily basis we use the services that are provided in the San Pablo Area and frequent the local retail and entertainment establishments. We are very familiar with the elements and qualities of this neighborhood that provide the significant values that make this area a desirable one in which to live.

We are very concerned about the proposed San Pablo Avenue Specific Plan and find that the analysis of the plan provided in the draft EIR does not adequately consider the significant and unavoidable impacts that would come from implementation of the San Pablo Area Specific Plan. These impacts include significant negative impacts to the scenic vistas, especially from those residents living in the adjacent lower elevation areas; destruction or degradation of the historic resources in the neighborhood; construction impacts over the 25-year period of this plan; and cumulative traffic impacts, especially to areas already suffering from significant adverse traffic effects.

L 6.01

Because of this inadequate consideration, Alternative 2 should not be considered the Environmentally Superior Alternative, and the EIR should be revised to present *Alternative 3: Mitigation of Significant Unavoidable Impacts* as a the better alternative. Alternative 3, through mitigation of the significant unavoidable impacts found in Alternative 2, should be presented as the Environmentally Superior Alternative.

L 6.02

Sincerely,



Brian Ullensvang

L6 Brian Ullensvang, 5717 Van Fleet Avenue, Richmond, CA; July 20, 2014 (1 page)

- L 6.01 Aesthetics/Historic Resources/Cumulative Impacts--The EIR does not adequately discuss significant impacts related to aesthetics, particularly for residents in lower elevation areas, as well as potential for destruction or damage of historic neighborhood resources; in addition, impacts over the Plan's 25-year period, including construction and traffic impacts, need to be considered.

Response: The comment is conclusory. The Draft EIR does evaluate the issues raised in the comment, pursuant to the requirements of the California Environmental Quality Act (CEQA). For example, see EIR chapters 4 (Aesthetics and Visual Resources), 7 (Cultural and Historic Resources), and 16 (Transportation and Circulation). Construction impacts are discussed throughout the Draft EIR as they apply to particular environmental topics (e.g., air quality, noise, public services, utilities).

- L 6.02 Alternatives--Expresses support for Alternative 3 because Alternative 3 mitigates significant unavoidable impacts.

Response: Draft EIR section 20.5 (Alternatives to the Proposed Project, Environmentally Superior Alternative) concludes that Alternative 2: Plan Bay Area Growth Allocations is considered the "environmentally superior alternative." Note that evaluation of the commenter's preferred Alternative 3 (Mitigation of Significant Unavoidable Impacts) concludes (section 20.3.3) that the alternative might be considered infeasible within the context of a future, site-specific development proposal and might be considered too restrictive to formulate innovative, feasible solutions between the City and an applicant. The decision-making process includes consideration of the alternatives to the proposed Specific Plan.



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

July 21, 2014

Margaret Kavanaugh-Lynch
Development Services Manager
City of El Cerrito
10890 San Pablo Avenue
El Cerrito, CA 94530-2323

Subject: San Pablo Avenue Specific Plan Draft Environmental Impact Report (DEIR)

Dear Ms. Kavanaugh-Lynch:

Bay Area Air Quality Management District (Air District) staff reviewed the Draft Environmental Impact Report (DEIR) for the San Pablo Avenue Specific Plan (Plan). The Plan is a joint effort between the cities of El Cerrito and Richmond, and represents a multi-year collaborative planning effort between the cities to identify a shared vision for the future of San Pablo Avenue. The Plan anticipates approximately 1,700 additional residential units and 234,000 additional square feet of commercial use in the Plan area by 2040. The Air District supports infill development and applauds efforts of El Cerrito and Richmond to ensure that these developments are protective of public health.

Air District staff has the following comments on the DEIR.

Toxic Air Contaminant (TAC) Exposure Long-Term Operations Impact 5-3 and Mitigation 5-3: The DEIR finds that sensitive receptors within the Plan area could potentially be exposed to TAC emissions above the stated thresholds and that this would be a potentially significant impact. Mitigation 5-3 states that if a site-specific analysis reveals significant exposure, the installation of an indoor air filtration system shall be required. The Air District recommends the following specifications be added to this mitigation:

- Air filtration systems installed shall be rated MERV-13 or higher and a maintenance plan for the air filtration system shall be implemented.
- Trees and/or vegetation shall be planted between sensitive receptors and pollution source, if feasible. Trees that are best suited to trapping particulate matter shall be planted, including the following: Pine (*Pinus nigra* var. *maritima*), Cypress (*X Cupressocyparis leylandii*), Hybrid poplar (*Populus deltoids X trichocarpa*), and Redwoods (*Sequoia sempervirens*).
- Sites shall be designed to locate sensitive receptors as far as possible from any freeways, roadways, diesel generators, distribution centers, and rail lines.

ALAMEDA COUNTY

Tom Bates
Margaret Fujioka
Scott Haggerty
Nate Miley
(Chair)

CONTRA COSTA COUNTY

John Gioia
David Hudson
Mary Piepho
Mark Ross

MARIN COUNTY

Susan Adams

NAPA COUNTY

Brad Wagenknecht

SAN FRANCISCO COUNTY

John Avalos
Edwin M. Lee
Eric Mar
(Secretary)

SAN MATEO COUNTY

Carole Groom
(Vice-Chair)
Carol Klatt

SANTA CLARA COUNTY

Cindy Chavez
Ash Kalra
Liz Kniss
Jan Pepper

SOLANO COUNTY

James Spering

SONOMA COUNTY

Teresa Barrett
Shirlee Zane

Jack P. Broadbent
EXECUTIVE OFFICER/APCO

L 7.01

- Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall not be located immediately adjacent to a loading dock or where trucks concentrate to deliver goods.

**L 7.01
cont.**

The Air District also recommends that the language in Mitigation 5-3 be modified to make clear that an analysis be completed that considers the *cumulative* cancer risk and fine particulate matter (PM2.5) concentration from all sources within a set distance of the project. For more information on risk analysis methodologies, please see the Air District's *Recommended Methods for Screening and Modeling Local Risks and Hazards*, available for download at <http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES/Tools-and-Methodology.aspx>.

L 7.02

If you have any questions regarding these comments, please contact Alison Kirk, Senior Environmental Planner, at 415-749-5169.

Sincerely,



Jean Roggenkamp
Deputy Air Pollution Control Officer

C: BAAQMD Director John Gioia
BAAQMD Director David E. Hudson
BAAQMD Director Mary Piepho
BAAQMD Director Mark Ross

L7 Jean Rogenkamp, Deputy Air Pollution Control Officer, Bay Area Air Quality Management District; July 21, 2014 (2 pages)

- L 7.01 Air Quality--The EIR determined that impacts to sensitive receptors in the Plan area from exposure to toxic air contaminants could be reduced by installation of indoor air filtration (Mitigation Measure 5-3); specific filtration system ratings, tree and vegetation planting, and siting/location recommendations should be added to Mitigation 5-3.

Response: Draft EIR chapter 5 (Air Quality) has been revised to incorporate the BAAQMD recommendations. The revised pages are included in section 3 (Revisions to the Draft EIR) of this Final EIR. The impact and mitigation *conclusions* remain the same, while the recommendations strengthen the mitigation.

- L 7.02 Air Quality--An analysis of the cumulative risk of cancer and concentration of fine particulate matter (PM_{2.5}) from all sources within a prescribed distance of the project area should be required in Mitigation 5-3.

Response: Similar to comment L 7.01, Draft EIR chapter 5 (Air Quality) has been revised to incorporate the BAAQMD recommendations. The revised pages are included in section 3 (Revisions to the Draft EIR) of this Final EIR. The impact and mitigation *conclusions* remain the same, while the recommendations strengthen the mitigation.



SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

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2014

July 21, 2014

Joel Keller
PRESIDENT

Thomas M. Blalock, P.E.
VICE PRESIDENT

Grace Crunican
GENERAL MANAGER

Melanie Mintz
Margaret Kavanaugh-Lynch
10890 San Pablo Avenue,
El Cerrito, CA
94530

RE: San Pablo Avenue Specific Plan and Draft EIR

L 8.01

Dear Ms. Mintz and Ms. Kavanaugh-Lynch,

DIRECTORS

Gail Murray
1ST DISTRICT

Joel Keller
2ND DISTRICT

Rebecca Saltzman
3RD DISTRICT

Robert Raburn, Ph.D.
4TH DISTRICT

John McPartland
5TH DISTRICT

Thomas M. Blalock, P.E.
6TH DISTRICT

Zakhary Mallett, MCP
7TH DISTRICT

James Fang
8TH DISTRICT

Tom Radulovich
9TH DISTRICT

On behalf of the San Francisco Bay Area Rapid Transit District (BART), I would like to thank the City for its invitation to provide the comments on the Draft San Pablo Avenue Specific Plan (Specific Plan) and Draft Environmental Impact Report (EIR).

In July 2005, the BART Board of Directors adopted a Transit-Oriented Development Policy, which promotes high quality, more intensive development at or near BART stations. Station area development will, in turn, generate increased ridership as well as new revenues for transit. In addition, transit-oriented development (TOD) reduces the impact of congestion and increased air pollution by encouraging built-in ridership at the station. The development proposed in the Specific Plan is supportive of this goal and BART looks forward to collaborating with the City to make the vision in the Specific Plan a reality.

We therefore support the vision for new development that is outlined in the Specific Plan, one that features a walkable setting and includes a mix of uses, higher density, placemaking elements and other public amenities. Importantly, the Plan also encourages sustainable transportation modes, such as taking transit. As BART ridership grows, BART seeks to expand the station access mode share for pedestrian and bicyclists, and supports the creation of a robust bicycle and pedestrian network that connects all areas of new development to the BART station as outlined in the Complete Streets Plan. Appropriate pedestrian and bicycle improvements would make significant strides to accommodate growing demand for access to the BART system, which BART greatly appreciates.

Please see our specific comments outlined below and contact Sadie Graham, Senior Planner, with any questions.

Sincerely,

Val Joseph Menotti
Planning Department Manager
San Francisco Bay Area Rapid Transit District

Specific Plan Comments:

L 8.02

At the El Cerrito Plaza station the BART parking area bound by the Ohlone Greenway to the west, Willow Street to the north, Richmond Street to the east, and Central Ave to the south is not included in the Plan area. BART would like this area to be considered for integration into the Specific Plan area and included in the Transit-Oriented Higher-Intensity Mixed Use zone.

BART is supportive of the maximum parking standards which is supportive of smart growth developments that recognize a wide variety of potential development types in locations that are highly served by transit. These standards are strengthened by the opportunity for parking adjustments for projects within a ¼ mile of BART stations, which may provide no parking spaces by right.

L 8.03

BART is very supportive of Transportation Demand Management (TDM) Strategies and the cumulative impact of strong TDM strategies can have a great impact on helping individuals to modify their travel behavior. BART is supportive of the standard that requires all projects to have a TDM Plan. BART suggests either strengthening the language in the Specific Plan to communicate the importance and the City's dedication to the necessity of an area-wide Transportation and Parking Management Agency or more specifically articulates the requirements of the TDM plan and how the City will manage, monitor, and evaluate the effectiveness of the individual programs.

L 8.04

Draft EIR Comments:

The DEIR finds there are potentially significant impact Project Light and Glare Impacts 4-2 (see below) and finds BART as the responsible party for mitigation.

L 8.05

“The San Pablo Avenue Specific Plan anticipates development on the surface parking lots around the El Cerrito Plaza and El Cerrito Del Norte BART stations. As part of this development, new parking structures for the BART stations are anticipated. These BART parking structures may result in light and glare from vehicles using the parking structure at night.

In addition, future multi-story buildings (or renovations) in the Specific Plan area, if faced in reflective materials (e.g., reflective glass), could result in glare impacts on adjacent and nearby properties.”

BART is not the only location within the Specific Plan area that would potentially include new parking structures, and thus is not the only location/developer which could result in glare impacts on adjacent and nearby property. IN addition, all new projects would be held accountable for the City's Design review process to mitigate these impacts.

BART asks that the City change the language within this analysis to direct the potential impact and mitigation responsibility to all potential developers, rather than specifically BART.

L8 Val Joseph Menotti, Planning Department Manager, San Francisco Bay Area Rapid Transit District (BART); July 21, 2014 (2 pages)

- L 8.01 Merits of Project--BART supports the transit-oriented development goals of the Specific Plan as well as policies designed to encourage increased use of transit.

Response: The comment is in support of the Specific Plan. Section 15088 (Evaluation of and Response to Comments) of the CEQA Guidelines requires detailed responses only when a comment raises significant environmental issues. This comment relates to the merits of the Specific Plan, not to the content or adequacy of the Draft EIR. No changes to the EIR are necessary. The comment will become part of the administrative record and will be considered by the decision makers.

After public release of the June 2014 Specific Plan document and the Draft EIR, City of El Cerrito staff made revisions to the Specific Plan, including in response to concerns raised by the public. These Specific Plan revisions are included in "Revisions to June 2014 Final Draft," which is available concurrently with the June 2014 Specific Plan for review at the City's website at:

www.el-cerrito.org/SPASP

- L 8.02 Project Description--BART requests inclusion of the El Cerrito Plaza station parking area into the Specific Plan (Transit-Oriented Higher-Intensity Mixed Use zone).

Response: See response to comment L 8.01.

- L 8.03 Merits of Project--BART supports the Specific Plan's maximum parking standards.

Response: See response to comment 8.01.

- L 8.04 Transportation--Strengthen Specific Plan language to emphasize the importance of an area-wide transportation and parking management agency or emphasize the requirements of the Transportation Demand Management plan (TDM) with specifics on City plans to implement and evaluate it.

Response: See response to comment 8.01.

- L 8.05 Aesthetics--Mitigation Measure 4-2 (light and glare impacts) implies that BART is the sole responsible party for mitigation; please revise the impact and mitigation discussion to include all developers of projects around the two BART stations for their respective contributions to light and glare impacts.

Response: Impact/Mitigation 4-2 has been revised to reflect the comment. The revised pages (4-10 and 4-11) are included in section 3 (Revisions to the Draft EIR) of this Final EIR. No additional changes to the Draft EIR are required.

Dan Cloak Environmental Consulting

21 July 2014

Melanie Mintz
Interim Community Development Director
City of El Cerrito
10890 San Pablo Avenue
El Cerrito, CA 94530

Subject: **San Pablo Avenue Specific Plan
Comments on Plan and Draft EIR**

Dear Melanie,

Thank you for the opportunity to comment on the Plan and Draft EIR. I have lived in El Cerrito since 2009 and operate my 1-man consulting firm from my home. My consulting work focuses on implementation of Low Impact Development methods of stormwater management—to improve water quality in our local streams and San Francisco Bay and to comply with applicable water-quality regulations.

General Comments:

I strongly support the Plan's objectives and principal features. In particular, the emphasis on promoting bicycling and use of mass transit and the increase in density and land use intensity are laudable. The development standards are appropriate as to maximum and minimum heights, frontages, and setbacks.

I also strongly support the approach to parking requirements, including what is specified in FBC Tables 04 and 30. In particular, I support the proposed maximum auto parking allowances for residential and commercial uses in both the high-intensity and medium-intensity zones.

Comments Regarding Stormwater Quality Requirements and Low Impact Development

L 9.01

Development projects are subject to the requirements of Provision C.3 of the Municipal Regional Stormwater NPDES Permit issued by the California Regional Water Quality Control Board for the San Francisco Bay Region. The City's stormwater ordinance (Municipal Code 8.040.050) specifies that "Every application for a development project, including but not limited to a rezoning, tentative map, parcel map, conditional use permit, variance, site development permit, design review, or building permit that is subject to the development runoff requirements in

Melanie Mintz
re: SPA Specific Plan
21 July 2014
Page 2 of 4

the city’s NPDES permit shall be accompanied by a stormwater control plan that meets the criteria in the most recent version of the Contra Costa Clean Water Program *Stormwater C.3 Guidebook*.”

L 9.01
cont.

The NPDES permit specifies that Low Impact Development (LID) features and facilities be used to manage stormwater on most development projects. Projects in the Specific Plan area will generally be required to include bioretention facilities (rain gardens).

The *Guidebook* specifies that the footprint and locations of bioretention facilities be shown on site plans and landscaping plans as well as on the grading and drainage plan. This helps ensure an integrated, functional project design—and avoids the unfortunate circumstance of having the Design Review Board approve site and landscaping plans that have not adequately considered the need to incorporate bioretention.

The Form-Based Code does not incorporate this requirement, and therefore is in conflict with the city’s stormwater ordinance.

The project team should review the Specific Plan as a whole to identify the best ways to facilitate the incorporation of bioretention facilities into developments within the Specific Plan area. When integrated creatively into the site, bioretention facilities can be an attractive landscape amenity. On the other hand, when the stormwater compliance design is deferred until after the site and landscape designs have been completed and approved, the result can detract significantly from project aesthetics.

As a starting point, following are some suggestions for where in the Specific Plan this need for integration should be addressed:

02.02.08.01.02—Types of Design Review. B. Tier II Design Review. 2. Authority. “The Design Component shall include...”

L 9.02

The list of required information should include “Locations and footprints of proposed bioretention facilities as required for stormwater management.”

2.05.06—Sustainable and Environmentally Friendly Elements.

Stormwater compliance requirements to use LID and bioretention should be incorporated elsewhere but can also be explained and cross-referenced here—the other requirements in this section are generally not mandatory and don’t directly affect site design and the layout of landscaped area.

2.05.05.07 Front Yards

In 2.05..05.07.02, Elements, instead of “provide stormwater improvements,” note the need and potential to use these areas to comply with mandated stormwater treatment requirements.

2.05.08—Landscaping, Fencing, and Screening Standards.

2.05.08.05 E. Contra Costa Clean Water Program—Delete this entire subsection as the information in it is inaccurate, misleading, and wrong.

Melanie Mintz
 re: SPA Specific Plan
 21 July 2014
 Page 3 of 4

FBC Table 28—Omit the reference to “Border and stormwater” and instead include a brief explanation and reference to design guidance in the *Guidebook*.

Section 2.05.08 should include specific information on integrating bioretention into landscaping and should reference the design information in the *Guidebook*.

Section 2.05.08.06 should specifically discuss how to incorporate bioretention facilities into parking lot medians and buffers, at the same level of detail provided for trees and other landscape elements, and should reference the design elements and details provided in the *Guidebook*.

Section 2.05.08.07 should summarize the specific maintenance requirements for bioretention facilities and reference the detailed explanation of requirements included in the *Guidebook*.

Section 2.05.08.07 should also reference Bay Friendly Landscape Guidelines and other publications and programs of the Bay Friendly Coalition with regard to all landscaping.

2.05.09.07 Parking Spaces, Lot Design and Layout

2.05.09.07.C. Materials—paragraph d.

Delete what is here and instead reference the information in the *Guidebook*.

2.05.09.07.M. Drainage.

Delete “shared community stormwater management devices” and substitute “bioretention facilities designed according to criteria in the *Stormwater C.3 Guidebook*.”

2.06 General Public and Private Open Space Standards

2.06.01—Intent

Include here a brief explanation of Provision C.3 and the mandatory use of bioretention and how bioretention can be incorporated into open space, including open space required to meet minimum standards of this section.

2.06.02.01.01—Pocket Parks

The reference to “natural drainage bioswales in open spaces as a way to filter surface runoff” is excellent but should be expanded to explain that runoff is directed there from adjacent roofs and paving in compliance with C.3 requirements.

2.06.02.01.01—Plazas (note need to correct subsection numbering)

The reference to permeable paving in paragraph F should note that design requirements apply and refer to the design criteria in the *Guidebook*. It’s good to simply “minimize surface runoff” as stated here; however, in fact these surfaces are subject to specific regulatory requirements and design criteria.

Comments on Environmental Impact Report

11.3.2 Hydrology and Water Quality, Relevant Specific Plan Components

**L 9.02
cont.**

L 9.03

Melanie Mintz
re: SPA Specific Plan
21 July 2014
Page 4 of 4

This paragraph seems to reference the paragraph in 2.05.08.05 (referenced here in the EIR as 2.05.08.03) in the Specific Plan. As that information is wrong (see above) this section needs to be corrected as well. The EIR should note that all projects that create or replace impervious area in excess of the thresholds specified in Provision C.3 of the City’s stormwater NPDES permit will be required to incorporate Low Impact Development features and facilities, including stormwater treatment facilities, in accordance with the Contra Costa Clean Water Program’s *Stormwater C.3 Guidebook*.

L 9.03
cont.

11.3.3 Hydrology and Water Quality, Impacts and Mitigations

L 9.04

This section mixes up construction-phase (temporary) and post-construction (long-term) impacts and mitigations. This is confusing and is poor practice under CEQA. The section should be rewritten to clearly separate the two issues.

The paragraph that begins, “Under the terms of the countywide Municipal Regional Stormwater Permit...” is almost entirely outdated (by more than a decade) and generally incorrect. The criteria in the *Stormwater C.3 Guidebook* are mandatory under the City’s stormwater ordinance, they are not recommendations; runoff treatment requirements apply to roof runoff and all other impervious surfaces as well as from parking lots; allowable treatment measures are specified in the Permit and in the *Guidebook* and do not include oil/grease traps, filters, or oil/water separators.

The paragraphs that follow include some more recent information, but still mischaracterize both the process for integrating LID treatment measures into the project design in compliance with the NPDES Permit and the outcome of that process. In fact, development projects will need to follow a specified process for preparation and review of drainage design, and the design will have to meet specific technical criteria. This should be made clear in the EIR.

This need to follow a design process and meet specified technical criteria is mandated by the NPDES permit, but it is also recommended as a way to assess potential impacts and identify mitigations under CEQA. It is recommended that the City’s CEQA consultant review the 2009 OPR Technical Advisory *CEQA and Low Impact Development Stormwater Design* prior to revising this section of the EIR.

The EIR should note that the area covered by the Specific Plan is already developed (and largely impervious) and that drainage from new and replaced impervious surfaces to be built under the Specific Plan will be directed to LID treatment. In this way, existing loading of PCBs, mercury, trash, and other pollutants of concern will be reduced as the Plan is realized.

Very truly yours,



Dan Cloak

L9 Dan Cloak, Dan Cloak Environmental Consulting, P.O. Box 2415, El Cerrito, CA; July 21, 2014 (4 pages)

- L 9.01 Merits of Project/Hydrology and Water Quality--The Form-Based Code needs to require use of Low Impact Development features, including bioretention facilities, in developments proposed in the Specific Plan area in order to comply with the Municipal Regional Stormwater NPDES permit for the San Francisco Bay Region.

Response: Section 15088 (Evaluation of and Response to Comments) of the CEQA Guidelines requires detailed responses only when a comment raises significant environmental issues. This comment relates to the merits of the Specific Plan, not to the content or adequacy of the Draft EIR. The comment will become part of the administrative record and will be considered by the decision makers.

After public release of the June 2014 Specific Plan document and the Draft EIR, City of El Cerrito staff made revisions to the Specific Plan, including in response to concerns raised by the public. These Specific Plan revisions are included in "Revisions to June 2014 Final Draft," which is available concurrently with the June 2014 Specific Plan for review at the City's website at:

www.el-cerrito.org/SPASP

Revisions to the Specific Plan incorporate recommendations in the comment. Similar to the comment, Draft EIR chapter 11 (Hydrology and Water) includes information about the NPDES Permit, the El Cerrito stormwater ordinance, and C.3 requirements (see especially sections 11.2 [Regulatory Setting] and 11.3.3 [Impacts and Mitigations]), including a revised EIR page 11-7, included in section 3 (Revisions to the Draft EIR) of this Final EIR. The impact and mitigation findings in the Draft EIR remain the same.

- L 9.02 Hydrology and Water Quality--The Plan should be revised in various places to incorporate low impact development and bioretention techniques and measures, including, but not limited to, sections on "Types of Design Review," "Sustainable and Environmental Friendly Elements," "Front Yards," "Landscaping, Fencing, and Screening Standards," "Parking Spaces, Lot Design and Layout," and "General Public and Private Open Space Standards."

Response: See response to comment L 9.01.

- L 9.03 Hydrology and Water Quality--EIR needs to note that all projects that will create or replace impervious area that exceed the NPDES C.3 provisions will be required to incorporate Low Impact Development (LID) features and facilities that comply with the Contra Costa Clean Water Program C.3 Guidebook.

Response: New text, taken from the comment, has been added to Draft EIR section 11.3.3 (Hydrology and Water Quality, Impacts and Mitigations). The revised page 11-7 is included in section 3 (Revisions to the Draft EIR) of this Final EIR. The impact and mitigation findings in the Draft EIR remain the same.

- L 9.04 Hydrology and Water Quality--EIR needs to update information regarding C.3 requirements and Low Impact Development (LID) treatment measures; *CEQA and Low Impact Development Stormwater Design* (Governor's Office of Planning and Research, 2009) recommended for guidance.

Response: Draft EIR chapter 11 (Hydrology and Water Quality) has been updated. Revised pages are included in section 3 (Revisions to the Draft EIR) of this Final EIR. The impact and mitigation findings in the Draft EIR remain the same.

July 21st, 2014

Dear Melanie Mintz, Margaret Cavanaugh-Lynch and MIG consultants,

Please consider the following comments for the San Pablo Specific Plan Environmental Impact Report.

Thank you for your time and effort on this project,



Howdy Goudey
635 Elm St

The comments below are in no particular order. An effort was made to refer to the relevant section of the document for each comment. They have been enumerated for easier identification if you have any questions/clarifications that require follow-up.

1. Table 5.4, VMT: I am surprised and disappointed by the large projection for increased vehicle miles traveled both with and without the mode shift. Why isn't there more of a difference between the scenarios without mode shift (+ ~18 million VMT) and with mode shift (+ ~15 million VMT)? The per person VMT for the 2013 existing condition is 26.7M VMT / 6619TSP = ~4000VMT/person. The incremental 2040 projection without mode shift is 18M VMT / 11,204 TSP = ~1600VMT/person. Why is there a 2.5x reduction in VMT/person with no mode shift between 2013 and 2040? The mode shift scenario is not much different than without mode shift 15M VMT / 11,204 TSP = 1340 VMT/person. About 260 miles per person is a very small mode shift. Is this really representative of a successful multi-modal corridor? Are the figures for VMT representing miles traveled in the plan zone only, or does it include local trips out of the plan zone? For reference/comparison, the 2005 data from the Climate Action Plan indicates a total (San Pablo + local streets + in county driving) of 114.6M VMT or ~5000VMT/person if you use a 23,000 person basis. If you only consider local streets and San Pablo (internal city traffic) with 23,000 people, you get 3400VMT/person. If you consider only local street traffic without San Pablo with the 20,000 people outside the plan area, you get 2900 VMT/person. Why is the 2013 baseline in Table 5.4 higher than the 2005 San Pablo/local comparison? Does it include local county trips?
2. More than 50% is a very large VMT increase for the plan area under the best case scenario and this seems like it will have a significant impact on quantity of vehicle emissions/pollution in and around the plan area (Table 5-4) The climate action plan calls for lowering the VMT in the city. Seeing VMT raise nearly as high as without the projected mode shift suggests, that the realization of the CO2 emission reductions associated with land use and mode shift is not really living up to the promise suggested in the Climate Action Plan.

L 10.01**L 10.02**

L 10.03

3. Table 9-1, GHG emission: There is very little detail provided regarding the assumptions used to calculate the results in table 9-1 regarding GHG emissions. The emissions remain substantially dominated by mobile sources whether with or without the mode shift, which does not suggest that the plan is achieving significant GHG emission reduction by mode shift or succeeding in reducing transportation related air quality emissions all that much. Also, this GHG emission profile does not really mirror the pattern demonstrated in the Climate Action Plan 2005 GHG inventory, where commercial and residential energy use were more than 40% of the total GHG emissions (and transportation about 50%). The improved energy performance of new construction can explain some difference, but the Table 9-1 data in the EIR suggest residential/commercial energy use are only about 12% of the total contribution to GHGs, and transportation is about 84%? This seems suspiciously out of balance and inconsistent with past figures. Does this estimate include an appropriate amount of energy associated with 243,112 net new square feet of commercial space? What else can account for the discrepancy? If something is currently missing, or the wrong magnitude, will the threshold be exceeded when everything is properly accounted for? Please improve the documentation and support for these results. Other sections (traffic and noise study) had very lengthy reports regarding the procedure, inputs and results. This section merely states a summary table with little supporting context and analysis. While there is a reference to an established procedure/model for this type of work, there should be a more thorough presentation of the inputs and assumptions leading to the model results, and a discussion of the applicability of model assumptions to the particular situation being studied. Without an ability to evaluate what went into generating these results, there is the potential for the typical garbage-in garbage-out problem with computer modeling.

4. What VMT is assumed for the table 9-1 GHG estimate of transportation. Is any VMT outside the plan area included in the analysis reported in table 9-1? Using the Climate Action Plan conversion $\sim 6.5e-4$ tons/VMT the emission would equate to 23.4M VMT and 21.8M VMT for no mode shift and mode shift respectively. These are higher than the numbers reported in table 5-4. (note: the Climate Action Plan uses short tons rather than metric tons, so there is about a 10% inflation to the values, but table 9-1 and 5-4 still do not reconcile, are there different assumptions/conversions that link these two results, or do they come from different estimates/analysis that don't agree exactly?). What is the CO₂ emission factor versus VMT used in the Table 9-1 data? Using a crude estimate that each new housing unit would average about 1 metric ton CO₂ equivalent per year (from ~ 70 therm/year and ~ 2000 kWh/year estimation) the 1706 units would take up most of the no transport energy use estimated in table 9-1. What were the assumptions for new commercial energy use and new energy use associated with general plan area improvements (kWh/sqft and Therms/sqft). It doesn't seem like the remaining figures are large enough to account for this completely. It is possible that my housing unit energy assumption is too high for multifamily dwellings. What are the assumptions used for the residential energy intensity? Are these based on energy code projections or on actual customer metered data for similar new construction units in a similar climate? As a reference, consider that the CO₂ emissions associated with gas and electricity for a reasonably efficient

L 10.04

single family house (assumed to be 140therms/year and 4000kWh/year), combined with 5000mi of driving a 35mpg car, comes in under the 4.7mtonCO₂/person-year threshold, so this isn't a particularly exemplary target that can only be reached with the alternative land use policy envisioned by the plan.

**L 10.04
cont.**

5. Impact 4-2, Light and Glare: I did not find a reference restricting reflective building materials in the form based code other than signs and windows, is this a City requirement found in another document, or does it (can it?) reside only in the EIR? How is reflective building material defined? White paint can be about 85% reflective in the visible spectrum, this is quite high reflection, but I'm not clear that this is what is being targeted by this mitigation. Is the intention to address shiny metallic specular reflections? Also, there is no definition of what constitutes a reflective window in the specific plan? How can the mitigation be determined to be adequate if the level of the mitigation is not known? By "non-reflective coating" do you mean a special anti-reflection (AR) coating (expensive additional feature), or do you mean typical window coatings with a reflection below a certain threshold? What is that reflection level? Would this standard exclude typical low-e coatings that are needed to meet energy codes? They cause windows to have slightly higher visible reflection than plain glass (but they have much larger increase in reflection outside the visible spectrum in the solar infrared)? You should look for further guidance on choosing this threshold, but, for windows, I think requiring a visible spectrum reflection that is below a 15%-20% threshold, may be an appropriate standard to minimize undesirable visible reflections.

L 10.05

6. Mitigation 5-1, Construction Period Air quality: This mitigation indicates implementation of recommended BAAQMD measures. Are these measures required as parts of the Specific Plan document or just recommendations in the EIR? These otherwise optional/recommended measures seem to be required for this case, but elsewhere (Chapter 11, water) there are no additional standards/recommendations above prevailing law. Why the distinction in this case? I guess chapter 11 was deemed to have less than significant impacts. Why does air quality reach the significant standard but not water quality? There are other measures with significant designations that have mitigations with non-binding recommendations. 13-3 (construction noise) has recommendations that don't appear to be mandatory, while the 5-1 mitigations that come from BAAQMD recommendations appear to be mandatory. Do I understand this correctly? Why are some mitigations recommendations when others are binding? Why is standing law deemed sufficient in some cases while recommended measures above prevailing standards are required in other cases?

L 10.06

7. Impact 5-3, Long Term Air Contamination: While it probably meets the direction under CEQA, this strikes me as a very weakly diminished potential impact. Why wouldn't this also be an Unavoidable Significant impact, given that there is a mode shift to more diesel for transit and trucks associated with increased residency and business intensity, and there is no guarantee that higher standards for emissions control will continue to progress and/or remain in place. Adequate mitigation of these

L 10.07

- impacts appears to be similarly subject to pleasure of political powers as is the case for the other “unavoidable significant impact” (such as views). **L 10.07 cont.**
8. Impact 7-1, Historic Resources: It is unclear why this is both LS/SU. There appears to be just as much ambiguity, if not more, regarding how the City may decide to act upon or interpret the historical advice given, so it seems like it should be SU just like others impacts that are ultimately decided by a political process. There is a reference to an expert historical opinion, but is this opinion really independent of the final politically-based decision process? **L 10.08**
9. Archaeological 7-2: Conservation easements are discussed as a mitigation for significant archaeological resources, however there is no mention of conservation easements for creeks and riparian habitat. This seems an equally important and valuable resource to identify for protection using a conservation easement. **L 10.09**
10. Section 6.3.3: It may not be the typical approach of the EIR process, but rather than just identifying the existing creeks and riparian habitat in the plan area as special resources, it would be worth mentioning that the Specific Plan identifies creek daylighting and restoration potential in the plan area, as this restoration of a biological resources previously lost to past development is an important reversal of past impacts and serves as an important mitigation for stormwater and other impacts considered in the EIR. **L 10.10**
11. Impact 8-1, Ground instability: While the mitigation calls for site specific evaluation, it should be emphasized that seismic hazard maps typically indicate higher risks related to ground stability adjacent to historical creeks. This is a further reason to maintain setback and restore natural riparian corridors to avoid the risk to buildings associated with building too close to the unstable soils near creek beds. This is especially important as climate change may introduce a higher frequency of extreme storm events that challenge the existing stormwater infrastructure, potentially resulting in a greater reach of water influence (flooding/saturation) out from existing drainages. **L 10.11**
12. Impact 5-4 (odors): there doesn't appear to be consideration of construction fumes from diesel equipment and other construction activities as part of the odor impact and mitigations. Mitigation 5-4 describes several new actions, but they are vaguely described and I find no reference in the Specific Plan. Where are these fully described? In the EIR? **L 10.12**
13. Impact 5-1 (construction emissions), 5-4 (odors), and 13-3 (construction noise): All of these could have superior mitigation by the encouraging/requiring the use of electric powered (grid connected) construction equipment over engine driven equipment, resulting in less noise, smell and particulate air pollution. Electric construction equipment exists and is used in the mining industry and other confined areas. It isn't common for construction use, but it is feasible and reduces impacts. In situations where the temporary construction power connection cannot support **L 10.13**

equipment needs, a high quality, quiet, low emission generator running a variety of electrical pieces of construction equipment may be superior to the impacts associated with many independent engine driven machines that have inferior emissions. It seems that the resulting impacts are still significant without taking feasible measures to more fully mitigate. The EIR should be honest that the current standards do not really achieve the levels of mitigation possible and thus a significant remaining hazard is imposed upon the population.

**L 10.13
cont.**

14. Impact 13-1, Noise: Where does the 45dBA standard come from (Specific Plan or another document?) Although there appears to be a threshold over which special study and consideration regarding noise is required, it seems there may be a bit of latitude in the interpretation by the City and it may not be obvious when the standard is exceeded. Does the noise study/survey in the EIR provide a static, location based trigger whether to proceed with further analysis, or will site specific measurements be made for each project, or is it up to the city or applicant to decide to proceed with a noise study? Because conditions influencing noise may change over time and the City may be uneven in the application of this standard, it seems as though it would have to be a significant unavoidable impact, because of the uncertainty involved.

L 10.14

15. Table 5-4 indicates 746 as the increase in employees in the plan area. This is inconsistent with the assumptions in 9.3.3c which states 830. Not a big difference, but it might be worth explaining why these numbers are different, if there is a good reason.

L 10.15

16. Section 11.1.13 water quality: Some of the recommended measures like pervious pavements, green roofs, etc are mentioned, but as these are not required and can't be guaranteed, why isn't there an unavoidable significant impact designation to this impact? Other areas applied recommended standards are requirements for mitigation rather than just resting on prevailing laws. What determines the level of extra specification embraced by the EIR?

L 10.16

17. Section 11.3.1(b) This has already happened over most of the plan area which is covered in hardscape, with limited infiltration. There are the state C3 requirements for improved stormwater management that will apply to most larger projects, but it should not be neglected that there is still significant impact associated with the large area hardscape coverage within the plan area, and just because its was already degraded is not an excuse to continue with more of the same without substantial effort to mitigate. I suppose the EIR doesn't require going beyond the laws on the books, but there is still significant impact even with the existing well intended measures. Many superior measures are recommended but not required by the Specific Plan. For that reason, I would characterize this impact as significant and unavoidable, because it is not guaranteed that the higher standards called for will be realized. Why not require some of the higher standards as is done for other topics (construction air pollution).

L 10.17

18. Section 11.1.2 Importing water from the Sierras has a large environmental impact. This practice should not diminish our attention to the water quality and management of our local ground water, even though we don't drink it, as it is important for the water quality and flow duration in the remaining open streams and it provides ground water accessible to open space landscaping and street trees, etc. In the future we may need to rely more heavily on our local watershed to displace the need for imported water serving the landscape, etc. and we will be well served on many fronts to restore this resource to greater potential, rather than allowing high peak flow runoff from hardscape that is lost to further use and causes water quality problems. Climate change and the associated uncertainty of future weather patterns will both stress the water supply (local and imported) as well as potentially change the intensity of storm events. A resilient and productive local watershed is a necessary aspect of city infrastructure that needs careful attention to assure that conditions steadily improve, It should be given equal or greater attention than the traditional stormwater infrastructure that swiftly convey precious water away from the city, losing a valuable resources and contributing to water pollution. **L 10.18**
19. Section 11.3.1(d) Creek restoration could alter the course of a stream for the better over its degraded current state. This should be identified as a positive exception that would not be a significant impact. The current conditions are largely artificial and degraded, these should not be considered a status quo to protect or maintain, but rather a legacy impact that needs to be actively reversed and restored to attain an adequate level of environmental services. **L 10.19**
20. Hydrology and water quality (impacts and mitigations) 11.3.3: Construction water quality impacts and other water quality impact are not really fully considered, because they aren't deemed a significant impact due to prevailing law and thus no mitigation is required. Why are these less than significant impacts when elsewhere the prevailing law wasn't sufficient and additional mitigation was necessary? We should be clear and consistent that we require the highest prevailing standard of all mitigations and not just rest on prevailing standards as good enough. They all still have potentially significant impacts. Is the EIR standard uneven in scrutiny for different topics, or is it the varied level of existing standards that introduces the inconsistency in the EIR mitigations? Construction runoff mitigation and best practices on the construction site regarding hydrology should be recommended or required just as in other topics, especially when undertaking a creek restoration involving daylighting culverted creeks and working the streambed, as indicated as an opportunity in the Specific Plan. **L 10.20**
21. Mitigation 13-3: Voluntary recommendations are entered into the mitigation section for construction noise. It appears these are not binding and do not avoid a significant unavoidable designation for this impact. Other impacts do not receive the same level of mitigation recommendations (11. Water/hydrology). If best practice recommendations are to be included, they should be included for all topics. **L 10.21**

22. Table 14.1 Population for 2010 seems higher than other figures I have seen. For instance, 2010 population was 23,549 according to Climate Action Plan, source 2010 Census. Why is the ABAG number higher by almost 4000 people? **L 10.22**
23. Is the level of service increment associated with a mode shift reported for section 16 consistent with the VMT change reported in Table 5-4? The table 5-4 values seem to remain rather high for VMT and there is only a small incremental change for the mode shift. Does this really represent the intended outcome of a multi-modal system that is said to have “transit and pedestrian mode as the priority in the corridor”? (Page 2-31) **L 10.23**
24. Impact 4-1, Scenic vistas: It is not clear why there is language to protect public vistas from BART stations and east-west streets, but not from private homes, where these views are more likely enjoyed on a routine basis, although, admittedly, not by as many people, or in public. While I enjoy looking at the bay from the BART platform, it is not something I would consider a significant component of a high quality of life. Also, the locations west of the BART stations are some of the most prime spots for transit oriented development, such that it seems this limitation would undue the potential to get the most out of these sites to be consistent with the transit oriented development spirit of the plan. If it meant embracing a bit greater density and loss of views at BART stations in order to preserve views more completely through the midtown area, I think that might be an acceptable compromise. (note: I have no particular personal interest in maintaining the views from private homes, I just think this might be an important factor to consider for public relations/acceptance, as the bay viewshed is a highly sought and valued resource in the community. Focusing the height and block view potential to core density regions rather than the whole avenue, would be a potential mitigation. **L 10.24**
25. In general, it would be worth presenting the EIR in the context of how many project sites and how much land area would be expected to be redeveloped for the 1706 unit limit in the EIR to be reached. As the Specific Plan has a large transformative vision for the entire plan area, it would be relevant to consider how the limited scope of the EIR (1706 units, over about 25years) may or may not reduce the potential for the desired transportation mode shift. If 1706 units are added, will the multi-modal infrastructure improvements be realized, and sufficiently utilized compared to if the same analysis were completed on a plan area allowed to build out to the capacity allowed by the plan? Is it appropriate to limit the EIR to evaluating 1706 units when the stated vision of the plan is clearly targeting a higher potential? Shouldn't the ultimate impacts be evaluated before we embark on the first piece of the process? **L 10.25**

L10 Howdy Goudey, 635 Elm Street; July 21, 2014 (7 pages)

- L 10.01 Air Quality--Questions regarding vehicle miles traveled calculations in Table 5-4. There should be a greater difference between the scenarios without mode shift; EIR needs to explain how calculations were made.

Response: The question regarding the vehicle miles traveled (VMT) rate per person going down without mode shift can be explained by the fact that the new trips generated by development in the San Pablo Avenue corridor are already more likely to use non-auto modes than the average trip generated in El Cerrito, due to existing proximity to transit and compatible uses. The mode shift effect captures the additional shift that can be achieved with the Specific Plan's comprehensive policy and infrastructure changes. The additional mode shift with the Plan is conservatively estimated given demonstrated shifts in local communities in the Bay Area; while the City of El Cerrito will strive for larger reductions in VMT rates, the Draft EIR analysis is based on reasonably achievable reductions. Regarding the question of how the rates are calculated, the industry standard approach of (a) counting all of the trips with both ends in the City, (b) half of the trips with one end (origin or destination) in the City, and (c) none of the trips with both origin and destination outside the City, is used.

As described in section 5.3.4 (Air Quality - Impacts and Mitigations) of the Draft EIR, annual VMT for 2040 was based on CalEEMod modeling, described in Draft EIR chapter 9 (Greenhouse Gas Emissions and Global Climate Change). VMT is included in the output of the model. Existing VMT was estimated at the direction of the Specific Plan EIR traffic consultant.¹ Five percent of the 2005 VMT listed for San Pablo Avenue (within the City of El Cerrito) from the El Cerrito Climate Action Plan² was added to estimate VMT in the Specific Plan area, which also includes a portion of the City of Richmond. 2013 VMT was estimated by interpolating between 2005 VMT and 2040 VMT.

- L 10.02 Greenhouse Gas Emissions --If VMT increases as suggested in Table 5-4, then the Specific Plan will not realize the CO₂ emissions reductions described in the City's Climate Action Plan, reductions that should result from the land uses and mode shift such as those called for in the Specific Plan.

Response: As discussed above in response to comment L 10.01, Specific Plan area VMT was based on the EIR transportation analysis, and the EIR air quality and greenhouse gas (GHG) emissions impacts were calculated using the Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines and the methodology recommended by BAAQMD.

The VMT reduction goals in the City's Climate Action Plan were projected for the entire City of El Cerrito, whereas VMT listed in the EIR Table 5-4 pertain only to the Specific Plan Area. The Climate Action Plan did not specifically analyze the VMT as

¹Personal communication between Joshua Carman, Illingworth & Rodkin, Inc., and Ellen Poling, Fehr & Peers, April 28, 2014.

²City of El Cerrito, 2013. *Climate Action Plan*. May.

it pertains to the Specific Plan Area. While VMT in the Specific Plan Area is anticipated to increase with a growth in the service population, the VMT reductions anticipated by the Climate Action Plan assumed that residents and employees citywide would be able to meet more of their daily needs within El Cerrito and closer to home, rather than driving to other communities, based on the implementation of sustainable community strategies.

- L 10.03 Greenhouse Gases--EIR needs to explain the methodology used to determine greenhouse gas emissions described in Table 9-1.

Response: Project GHG emissions were calculated using BAAQMD-recommended methodology and criteria for specific plans. BAAQMD recommends using the California Emissions Estimator Model (CalEEMod) Version 2013.2.2. Draft EIR section 9.3.3(b) addresses inputs that were used to model the Specific Plan GHG emissions, including the year of analysis, land use descriptions for commercial and residential, trip generation rates and average travel distances used, and electricity generation. Refer the EIR appendix (on-line at www.el-cerrito.org/SPASP). which documents all inputs, including adjustments from the model default, and model outputs. The CalEEMod User's Guide can be accessed at: <http://caleemod.com/>.

The Draft EIR document is consistent with the California Environmental Quality Act (CEQA) Guidelines, section 15147 (Technical Detail), which state in part, "Placement of highly technical and specialized analysis and data in the body of an EIR should be avoided through inclusion of supporting information as appendices to the main body of the EIR."

- L 10.04 Greenhouse Gas Emissions--EIR needs to explain why the Table 9-1 GHG estimate for transportation is higher than the figures shown in Table 5-4, as well as discuss the assumptions used for residential energy intensity.

Response: The EIR appendix (on-line at www.el-cerrito.org/SPASP) shows the CalEEMod data for both the 2040 conditions - Without Mode Shift and With Mode Shift. See section 4.2 ("Trip Summary Information") of both model runs, which shows calculated VMT associated with the Specific Plan area. As discussed in Draft EIR section 5.3.4, Table 5-4 ("2040 with Specific Plan without Mode Shift" and "2040 with Specific Plan with Mode Shift") are based on the CalEEMod modeling output using the input adjustments detailed in Draft EIR chapter 9 (Greenhouse Gas Emissions). Mobile CO₂e emissions are calculated by CalEEMod using emission factors from the California Air Resources Board (CARB) EMFAC2011 model. Refer to the CalEEMod User's Guide/Appendix A on how these emission factors were based on EMFAC runs including the Pavley (Clean Car Standards) and Low Carbon Fuel Standards. The assumptions for residential and commercial energy use are detailed in Draft EIR section 9.3.3(b)(4) (Electricity Generation). Natural gas consumption was calculated using the CalEEMod model default factors for the proposed Specific Plan uses. Refer to the CalEEMod User's Guide for how the model calculates energy use for electricity and natural gas. The CalEEMod User's Guide can be accessed at: <http://caleemod.com/>.

- L 10.05 Aesthetics/Visual Resources--The Plan and EIR need to specify a threshold for non-reflective coatings for exterior building materials and treatments, not solely signs and windows.

Response: The wide variety of possibilities and suggestions mentioned in the comment indicates why an all-inclusive, area-wide, blanket solution to mandating the specifications of non-reflective building materials is not feasible for the entire Specific Plan area. Such decisions would be made on a case-by-case basis during the various decision-making processes and by designated authorities, consistent with Specific Plan section 2.02 (Administration of Regulating Code).

- L 10.06 Air Quality--EIR is unclear whether the BAAQMD measures recommended in Mitigation 5-1 are requirements or recommendations, and needs to explain why some measures seem to be non-binding (such as for construction noise) while others appear to be mandatory (such as BAAQMD measures).

Response: BAAQMD is the regional (nine-county Bay Area) jurisdictional agency responsible for monitoring air quality. The BAAQMD CEQA Guidelines contain recommended best management practices for controlling fugitive dust and exhaust emissions from construction activity on all projects. These recommendations are based on years of experience and observations by BAAQMD in controlling fugitive dust and exhaust emissions from construction sites. Because the practices (see Mitigation 5-1) are considered to be feasible and reasonable (CEQA requires mitigations to be feasible) to implement during project construction, the practices are considered necessary to maintain construction impacts to a less-than-significant level. Therefore, the recommended best management practices from BAAQMD are included as mitigation in the Draft EIR; they would be implemented during the construction phase of each individual project developed under the Specific Plan.

Regarding construction noise (Draft EIR chapter 13), the measures in Mitigation 13-3 would be applied as necessary to maintain the noise standards described in section 13.2 (Regulatory Setting).

Each environmental topic chapter (chapters 4 through 17) of the Draft EIR includes a "Significance Criteria" section particular to that environmental topic, based on CEQA Guidelines appendix G, that describes the thresholds for determining whether an environmental impact would be considered "less-than-significant" or "significant." In the "Impacts and Mitigations" section of each of these same chapters, the text explains if the application of standard City-adopted procedures and regulations would result in a less-than-significant impact, which means that no EIR-defined mitigation measures are necessary under CEQA (Guidelines section 15126.4). Potentially significant impacts, each of which is identified in a text box and individually labeled, align with corresponding EIR-defined mitigations (also each in a text box and labeled to match the impact). Note that, in many cases described throughout the EIR (some of which are referred to in the responses to this comment letter), options exist within mitigations as long as specified environmental performance standards are met, consistent with CEQA law. Also see Draft EIR Table 1.1 (Definitions of Key EIR Terminology).

- L 10.07 Air Quality--EIR should consider long-term air contamination impacts significant and unavoidable because of potential for increased diesel from transit resulting from mode shift and more business development, with no specific mitigation measure to reduce the impact.

Response: Diesel particulate matter (DPM) emissions in California are projected to decrease in the future and are reflected in the EMFAC2011 emissions data. New California Air Resources Board (CARB) regulations require on-road diesel trucks to be retrofitted with particulate matter controls or replaced to meet new 2010 engine standards that have much lower DPM and PM_{2.5} emissions. This regulation will substantially reduce these emissions between 2013 and 2023, with the greatest reductions occurring from 2013 through 2015. While new trucks and buses will meet strict federal standards, this measure is intended to accelerate the rate at which the fleet either turns over so there are more cleaner vehicles on the road or is retrofitted to meet similar standards. With this regulation, older, higher-polluting trucks would be removed from the roads much more quickly. Draft EIR Mitigation 5-3 would substantially reduce toxic air contaminant (TAC) risk to Specific Plan sites. The Draft EIR was reviewed by BAAQMD and additional measures suggested by BAAQMD have been added to Mitigation 5-3. See section 3 (Revisions to the Draft EIR, p. 5-29) of this Final EIR.

- L 10.08 Cultural and Historic Resources--The finding for Impact 7-1 of "less-than-significant/significant and unavoidable" is unclear, especially if the ultimate decision is left to the political process, regardless of whether an expert opinion is involved (because there is no guarantee that an expert opinion would be independent of politics).

Response: The EIR preparers disagree with the commenter's opinions on the political process and the integrity of professionally licensed preservation experts. An overarching objective of both the Specific and Plan and the Draft EIR is to minimize subjectivity and whim in the decision-making process. The Plan and EIR integrate goals, standards, guidelines, environmental analysis, and mitigation into a comprehensive program that can be implemented over the long-term.

The California Environmental Quality Act (CEQA) – as embodied in the Specific Plan EIR (chapter 7, Cultural and Historic Resources) – recognizes historic resources as valuable components of a community. For that reason, CEQA requires their evaluation, and the CEQA Guidelines include a separate section (15064.5) specifically for "Determining the Significance of Impacts to Archaeological and Historical Resources." EIR chapter 7 has been prepared in accordance with CEQA Guidelines section 15064.5.

In addition, the Specific Plan has been revised to include a discussion of cultural and historic resources in the Preamble (section 2.01.01) of the Specific Plan. This new text is also included in section 3 (Revisions to the Draft EIR) of this Final EIR, on revised page 7-6

As Draft EIR Mitigation 7-1 (Destruction/Degradation of Historic Resources) explains, only adherence to the Secretary of the Interior's Standards for preserving, rehabilitating, restoring, and reconstructing historic buildings and structures (which,

by definition, include adaptive reuse) is considered adequate mitigation for reducing a potential impact on a historic resource to a less-than-significant level (unless the resource is relocated under strict conditions). Demolition or degradation of a historic resource is a significant unavoidable impact under CEQA. Since it is unclear at this time whether particular projects in the Specific Plan area would be capable of feasibly mitigating historic resource impacts and the City is prohibited from speculating, the proposed finding is that the City conservatively finds that the impact is significant and unavoidable. However, the City also wants to make clear that specific future projects would not automatically have a significant and unavoidable impact should it be feasible for a specific project to adequately mitigate the impact.

- L 10.09 Cultural and Historic Resources--EIR should consider use of conservation easements to protect creek and riparian areas, similar to those described in Mitigation 7-2 for protecting archaeological resources.

Response: Draft EIR Mitigation 7-2 is derived from CEQA Guidelines section 15124.6, as noted in the mitigation. The potential for a conservation easement (not a mandatory requirement) is included because the State law preferred manner of mitigating potential impacts on archaeological resources is through “preservation in place” (also noted in the mitigation). Based on individual, future, project-specific proposals, the City has the option to consider conservation easements for other resources, consistent with adopted plans, policies, and programs (e.g., see Draft EIR chapter 18, Project Consistency with Local and Regional Plans).

- L 10.10 Biological Resources--EIR should reference Specific Plan identification of creek daylighting and restoration potential in the Specific Plan area.

Response: The Draft EIR does include the daylighting and restoration of creeks as a vital aspect of the Specific Plan. See Draft EIR page 6-6, including in section 3 (Revisions to the Draft EIR) of this Final EIR. Also, the water quality requirements in Draft EIR chapter 11 (Hydrology and Water Quality) apply to existing creeks as well as their future daylighting or restoration. Also see El Cerrito and Richmond General Plan policies in Draft EIR Tables 18.1 and 18.2, especially pages 18-12, 18-23, and 18-24.

- L 10.11 Geology and Soils--EIR should emphasize greater setbacks from creeks and restoration of natural riparian corridors to avoid increased ground instability, particularly as a consequence of potentially extreme storm events caused by climate change.

Response: As explained in Draft EIR chapter 8 (Geology and Soils), Mitigation 8-1 (Potential Ground Instability Impacts), geotechnical studies – as well as other studies undertaken near creeks and riparian corridors, such as biological and hydrological studies - are highly site-specific and project-design specific. Therefore, a standardized, mandatory, blanket setback requirement from creeks and riparian corridors is not considered effective environmental policy. In addition, El Cerrito Municipal Code chapter 19.12 (Creek Protection Overlay District) applies to the Specific Plan area.

- L 10.12 Air Quality--EIR should consider odor impacts from construction equipment diesel exhaust and include mitigation.

Response: Potential odor impacts are described under Impact 5-4 (Impacts from Odors) in the Draft EIR, including the following:

“Future construction activities could result in odors from diesel exhaust associated with construction equipment. However, because of the temporary nature of these emissions and the highly diffusive properties of diesel exhaust, exposure of sensitive receptors to these emissions would be limited.”

Also, the measures included in Mitigation 5-1 (Construction Period Emissions) requiring emission controls and proper equipment tuning, and limiting idling and use of compressors, would inherently reduce diesel odors.

As identified in the Draft EIR and included in revised page 5-32 (see section 3, Revisions to the Draft EIR), Mitigation 5-4 (Impacts from Odors) has been incorporated into the Specific Plan. As part of the Specific Plan – which is a long-term plan, not an individual development project - the new policy and three new actions would guide decision-making relative to potential odor impacts from future, site-specific, individual project proposals.

- L 10.13 Air Quality/Noise--EIR should disclose that electric construction equipment would provide more effective mitigation of construction period air and noise impacts than current measures recommended in the EIR.

Response: This is not a feasible mitigation measure for construction-related activities under the Specific Plan. CEQA Guidelines section 15364 (Feasible) mandates that adopted mitigations be feasible (“capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors”). The cost associated with practices recommended in the comment would be far too high and would take excessive amounts of time to install for each individual project developed within the Specific Plan area.

Because the Specific Plan is a long-term plan, not a single development project, project-level construction details are not yet available, such as particular equipment proposed for use, construction schedules, and construction hours. Draft EIR Mitigation 5-2 requires project-level construction health risk assessment. Reduction in potential health risk impacts can be accomplished through construction equipment selection including, but not limited to, the use of alternative fuels and engine retrofits. EIR Mitigation 5-2 has been revised to include “use of alternative fuels and engine retrofits, temporary line power or electric equipment.” See section 3 (Revisions to the Draft EIR) of this Final EIR.

- L 10.14 Noise--EIR needs to explain where the 45 dBA standard comes from and consider noise impacts significant and unavoidable because of the uncertainty of how the City will determine if site-specific noise studies are necessary for future individual projects.

Response: The 45 dBA L_{dn} interior noise standard derives from City of El Cerrito General Plan Policy H3.3: Interior Noise Levels. Project-specific acoustical analysis is required by the City (Policy H3.9) for individual future projects. Future analysis will include site-specific noise measurements for each project.

- L 10.15 Air Quality/Greenhouse Gas Emissions--EIR needs to explain the difference in employee projection figures in Table 5-4 and section 9.3.3(c).

Response: The number of future plan area employees in Draft EIR chapter 9 (Greenhouse Gas Emissions and Global Climate Change) was initially based on the difference between 2010 employees and a 2040 employee estimate, whereas Table 5-4 shows 2013 and 2040. Chapter 9 (including Table 9-1) has been revised based on the 2013 employee estimate for consistency with chapter 5, and section 9.3.3(c) has been revised as follows: "The number of future new plan area employees is anticipated at ~~830746~~, for a total service population of ~~4,6694,585~~ for proposed Specific Plan land uses." The impact and mitigation findings in the Draft EIR do not change.

- L 10.16 Hydrology and Water Quality--EIR should explain why mitigation measures that cannot be guaranteed do not result in a significant unavoidable impact and how different levels of specification are determined.

Response: Each environmental topic chapter (chapters 4 through 17) of the Draft EIR includes a "Significance Criteria" section particular to that environmental topic, based on CEQA Guidelines appendix G, that describes the thresholds for determining whether an environmental impact would be considered "less-than-significant" or "significant." In the "Impacts and Mitigations" section of each of these same chapters, the text explains if the application of standard City-adopted procedures and regulations would result in a less-than-significant impact, which means that no EIR-defined mitigation measures are necessary under CEQA (Guidelines section 15126.4). Potentially significant impacts, each of which is identified in a text box and individually labeled, align with corresponding EIR-defined mitigations (also each in a text box and labeled to match the impact). Note that, in many cases described throughout the EIR (some of which are referred to in the responses to this comment letter), options exist within mitigations as long as specified environmental performance standards are met, consistent with CEQA law. Also see Draft EIR Table 1.1 (Definitions of Key EIR Terminology).

- L 10.17 Hydrology and Water Quality--EIR-identified mitigation measures for stormwater runoff cannot mitigate extent of pollutants from existing hardscape in Specific Plan area, so the impact should be determined significant and unavoidable; additional general concern expressed that some impacts require higher standards than others.

Response: See response to comment L 10.16 and Draft EIR section 1.3.2 (Impact Assessment Baseline). Project mitigations must have a "nexus" to the impacts created by the project, and the extent of the mitigations must be "roughly proportional" to the extent of the impacts created by the project (CEQA Guidelines section 15126.4[a][4][A] and [B]). In short, a project is responsible for mitigating its impacts on the environment. Existing conditions that require improvements are under the purview of the City's ongoing policy, priority, and budgeting process (e.g.,

Capital Improvement Program process), which would be integrated with Specific Plan implementation and provide a more efficient and effective use of the City budget.

- L 10.18 General Hydrology and Water Quality--Various comments regarding water importing, water quality and management, ground water and watershed.

Response: The comment does not reference the accuracy or adequacy of the Draft EIR. The topics in the comment are discussed throughout the Draft EIR, including in chapters 6 (Biological Resources), 11 (Hydrology and Water Quality), and 17 (Utilities and Service Systems).

- L 10.19 Hydrology and Water Quality--EIR should discuss restoration of creeks to their original conditions as a positive outcome rather than compare restoration efforts to the current artificial conditions of the creeks.

Response: The comment refers to the Significance Criteria for hydrology and water quality (Draft EIR section 11.3.1), which are based on CEQA Guidelines appendix G. See responses to comments L 10.10, L 10.17, and L 10.18. The Specific Plan does emphasize the daylighting and restoration of creeks as a vital component of the Plan, not as a reaction to the EIR Significance Criteria.

- L 10.20 Hydrology and Water Quality--Construction period water quality impacts are not fully considered; recommend best management practices and other measures to control runoff impacts; additional general concern expressed that the EIR has an uneven standard of scrutiny among the topics evaluated.

Response: See response to comment 10.16.

- L 10.21 Noise--EIR mitigation measure for construction period noise includes only voluntary recommendations that are not binding and do not avoid a significant unavoidable impact; concern expressed that if best practices are included for some topics, they should be included for all topics.

Response: See response to comment 10.16. Even though construction noise is considered significant and unavoidable (Impact 13-3), the recommended noise reduction measures would help reduce construction noise levels to the greatest extent feasible. During the analysis of individual development proposals, similar measures would be required and implemented by the BAAQMD, the City of El Cerrito, and the City of Richmond. These measures also would be required to be monitored during construction activities to ensure compliance.

- L 10.22 Population and Housing--Explain why the ABAG population figure used by the EIR estimates a higher population (by approximately 4,000 people) than the 2010 Census figure used in the Climate Action Plan.

Response: As referenced in the Draft EIR (see especially chapter 14, Population and Housing), population figures used in the Draft EIR are based on demographic data developed by the Association of Bay Area Governments (ABAG) and published in Plan Bay Area. This information is the most reliable relevant to the proposed

Specific Plan because it includes population data for the cities of El Cerrito and Richmond **as well as for the Priority Development Area (PDA) whose boundaries coincide with the San Pablo Avenue Specific Plan area.**

Nevertheless, these existing population numbers do not form the basis for the impact analysis and mitigation findings in the Draft EIR.

The City's Climate Action Plan was developed before ABAG's Plan Bay Area was developed. Thus the City's Climate Action Plan uses population projects for 2020 and 2035 from ABAG's "Projections and Priorities 2009" publication.

- L 10.23 Air Quality--Explain how the level of service increment associated with mode shift is consistent with the vehicles miles traveled indicated in Table 5-4 when Table 5-4 shows only a small incremental change with mode shift.

Response: See response to comment L 10.01.

- L 10.24 Aesthetics/Visual Resources--EIR should address views from private homes; in addition, EIR should consider utilizing the entire avenue for new development to reduce aesthetic impacts in a few core density regions.

Response: The Specific Plan regulations, standards, and guidelines are based on the Plan's goals and strategies (see Draft EIR section 3.3, Project Objectives), which in part are intended to maximize Transit-Oriented Development (TOD) potential near the BART stations. Therefore, the overall highest density development is expected to be located there, and this is reflected in the Specific Plan.

Scenic vistas and views evaluated in the Draft EIR were selected from the El Cerrito General Plan (see EIR p. 4-3, El Cerrito General Plan). Regarding the visual effects of individual, future proposals on their surrounding environment, see Specific Plan section 2.02 (Administration of Regulating Code), which describes the responsibilities of the City of El Cerrito Design Review Board. While the City respects the importance of private views, interference with private views are generally not considered impacts on the environment under CEQA.

- L 10.25 Project Description--EIR is limited in scope and should consider a larger vision for the entire Specific Plan area, rather than focusing on a maximum of 1,706 units developed over a 25-year period; "the stated vision of the Plan is clearly targeting a higher potential."

Response: Draft EIR section 1.3.1 (Impact Assessment Assumptions), section 3.3 (Project Objectives), and section 3.5 (Development Capacity Assumptions) address the comment. As evidenced by these sections, the Specific Plan is not targeting a higher potential. If the City reaches the development capacity, the Specific Plan EIR would need to be updated, taking into account the same environmental issues evaluated in the current EIR.

July 21, 2014

Margaret Kavanaugh-Lynch
City of El Cerrito
10890 San Pablo Avenue
El Cerrito, CA 94530

Dear Margaret,

I would like to congratulate you and your team on the Draft San Pablo Avenue Specific Plan document and the accompanying Draft EIR. The package is impressive, both by virtue of its scope and also for the vision that it lays out for the future.

I have attached several pages of my comments on the package. I have also listed below a few higher-level concerns that I would like to share with you:

- The document properly acknowledges the existence of historic and possibly historic resources in the Plan Area but then fails to treat them as assets. These are some of the most important elements that we have in the built environment, elements that we should be highlighting. They add character to our neighborhoods; give people a better context & appreciation for our town and for places that they frequent; are natural gathering points; and make our town more interesting and more walkable. The Specific Plan should treat these resources as assets and leverage them, not just classify them as a bland subclass of objects that exist in the built environment.

L 11.01

- We are a town of individuals who are committed to reducing our impact on the environment in as many ways as is possible. But I see no reference to or discussion of the adaptive reuse of existing structures. Study after study has shown a wide spectrum of environmental benefits resulting from the reuse of existing structures rather than the demolition and then reconstruction of the same. As written the Specific Plan appears to be endorsing the environmentally undesirable bulldoze and rebuild scenario.

L 11.02

- The specific plan is literally brimming with prescriptive statements about all aspects of development in the Plan Area. Why are most of the statements about creeks, habitats, and green features in the Specific Plan suggestions rather than prescriptions? In my mind a green wall is at least as important as the Upper Floor Transparency in a Mid-block Connector.

L 11.03

Thanks so much for the enormous efforts by you and many others to move the San Pablo Avenue Specific Plan forward.

Sincerely,



Tom Panas

**Please proceed to Draft EIR
comments on page "DEIR 1/5," L11.04.**

page #

- 01.02-13
- Assets should include resources that appear to have integrity as indicated on the City of Berkeley Historical Society "Building-Structures-Objects" list in the Appendix of the SP.
- 15
- misspelled "garde" vs. "garden"
 - potential cultural resources should be listed as a type of asset
 - what constitutes "lower Fairmount"
- 16
- potential cultural resources should be listed as a type of asset
- 17
- potential cultural resources should be listed as a type of asset.
 - Can either the City limit or the 1/2-mile BART walkshed be changed from a dashed line to a dotted line throughout the document? It is hard to tell the difference in places.
- 18
- another way to ~~highlight~~ enhance the sense of place is by highlighting potential cultural resources.
 - a goal of the plan should be to encourage adaptive re-use. the plan currently completely ignores this topic

- 02.01-2 • The 1/2-mile BART walksheds appear to have been made by a computer rather than someone who is familiar with the area.
- 3 • Re sidewalk ~~amenity~~ ^{activity} space for Midblock & Plaza connections: Does ~~same~~ ^{"same"} mean another 5' or 14' strip or does it mean it's included in the 5' or 14' sidewalk amenity zone?
• the "Bldg form" section is completed for Mid-block connector. Does this mean we will have bldgs oriented to a mid-block connector - and no vehicular access? the same question holds true for Potential Plaza connections & On-line Greenway.
- 4 • On the bottom shadow illustration - the legend shows 65'; how would it work for an 85' bldg?
- 5 • It seems odd there are only 2 places identified for rain gardens.
• the legend refers to possibly daylight creeks. Are we requiring this? What the City works on SPA are we requiring this?
- 6 • There should be cultural resource standards.
• There should be creek standards.
• There should be reference to the Calif State Historic Building code.

Draft SPASP 3/11

- 02-01.6 • The Plan should anticipate that Historic Districts ~~will~~ ^{may} be established.
- 13 • "Personal Improvement Services" is blank
- 14 • Warehousing & Storage are inherently vehicle-driven. IS "A" the correct classification? (Where would the buildings on the former Andrew Wilkins site fall in this table?)
- 20 • The list of properties that may have historic, cultural, or archeological significance is missing from the document.
- 23 • 82 appears to indicate that a Historical Society meeting with a walk requires a conditional use permit?
 - A person who owns a single family residence in the Specific Plan Area as of the date the plan is adopted should be able to remodel or demolish and replace that residence without any conditions beyond those doing the ~~same~~ ^{same} to a residence not in the Specific Plan Area.
- 02.05-76 • The list of views should include San Francisco Bay and Mt. Diabolo. This same list should be used throughout this document & the EIR.

Draft SPASP 4/11

02-05.78 - Should "2.05.04 Building Articulation" be "2.05.03"?

.79 - Why are ~~there~~ ^{there} all the exceptions at the end of "Art in Public Places." This section appears to apply to an expensive home remodel.

- Sustainable Design fails to address adaptive reuse and the wide spectrum of benefits that flow from it regarding both sustainability and city identity.

.83 - Are awnings really necessary here and do they need to be attached to the building?

.94 - Make B & C imperative by removing "consider."

.99 - Call this "Historic Sites" not "Historic Buildings"

- Add an item E - Owner may not oppose any local, state, or national register nomination.

.105 Does this apply to City-owned or installed landscaping?

.123 vs .124 - Are these pages the same?

Draft SPASP 5/11

5206-152 I see creeks mentioned in lots of places but using more of the prescriptive language ~~I~~ I see in many places.

301-02 Aren't there Napa County (VINES) and Solano Transit buses at Del Norte?

-09 the 71 line at the Plaza is missing

-11 This only shows the Plaza area ^{stop} lights on San Pablo Avenue. There are other stop-lights in the Plaza Area.

-20 IS the southbound 72R stop at Peter's going away?

-21 the last sentence in paragraph 2 needs work.

-24 A midblock connector on the East Side of San Pablo between Central and ~~Fairmount~~ Fairmount would be nice.

-28 All the proposed new Midblock connectors will be great.

03.03-29 • Where is the primary gutter in Figure 33?

-32 • There is no 72R stop on San Pablo in front of Del Norte BART?

• Why aren't the 72R stops for NB & SB roughly kitty-corner from each other?

-34 • Are some bulb-outs going to be dropped from the plan - maybe a certain type?

-36 • This document truly needs a glossary with all acronyms and arcane ~~terms~~ terms clearly defined. The "Fog Index" is quite high and it would also benefit by ~~the~~ changing the British forms to American.

~~37~~ -37 • We ~~are~~ are going to put stairways on Wank??

-42 • The strong implication of these designs is that the current Plaza Shopping Center will be completely replaced by mixed-use development. Correct?

• Why a "Continuous Paved Surface"? This is counter to the idea of no ~~new~~ ^{new} net hardscape.

-44 • More "Continuous Paved Surface." Bad for run-off and many, many things.

3-04-46 . Does "high" mean "high delay" or "little delay (because a high score is good)" This is a great example of the impenetrable nature of the document and this page had a high Fog index.

-47 . Why Conlon instead of the more congested Hill or Cuttings? Using Conlon trivializes the analysis.

- Does "Built Environment Factors" mean something akin to "current" or "existing"? Why are we using terminology that is not familiar to at least 99% of the residents of El Cerrito?

- Does "Project" in the table headings mean "projected"? Maybe "if the plan is adopted"? Why is the reader left wondering about this?

-48 . What is EFLOS? Why isn't it defined?

-51 . Why are we investing all this time and energy in bike accommodations of all possible varieties if bicycle modes is not a priority?

- Why Waldo? Why not Eureka or Madison?

- Should visibility be dropped as a factor since it doesn't appear to affect the outcome of the calculation? Is this for bikes traveling

3.01-51 on San Pablo Avenue, on cross-streets, ~~or~~ or both? How would I know? This same comment applies to ~~last~~ pages 52 and 53.

- 52. The end of the 4th line needs editing.

- 53. What is the meaning of the two right-hand columns in the table? Why isn't the transit line much higher if it is the sum of all these improvements in the table along the entire length of the corridor?

- 54. Why isn't safety #1?? If it is, then put it at the top.

• We are increasing the speed limit on (parts of) San Pablo Avenue to 35?

- 55. Current lane widths in () would be very useful.

- 58. We appear to be ~~under~~ below the preferred criterion on San Pablo Avenue.

- 61. There is picture after picture of outdoor food service seating in this document. Would the leaders required to actually ^{realise} ~~be~~ this be appropriate under the Climate Action Plan?

3.05-62 • The "Design Speed" heading in the Table is at best an obscure reference to the contents of the column. This section should make clear reference to 3.05.04.02.04 (Bike Racks.)

-68 • Figure 113 - I thought the visually impacted preferred cross walks that ~~were~~ were straight, not meandering.

-69 • the text should clearly note that mid-block crossings in particular should be made of materials that set them apart from the normal part of the street.

-72 • the average person knows what "structural soil" is?

-73 - what is "shy distance"?

-74 - Line 2 misspelled foott vs foot

-76 • The arcane term re: Streets is used ~~several~~ ^{a couple} times in this document before it is kind of defined on this page. the concept embodied by this term is fine, the use of the term obscures.

- highlighting and focusing on Cultural Resources should be high up the list in Section 3.05.05

Draft SPASP 10/11

- 3.05-77 - Section 6 - are there pieces of art that are designed to turn on an axis or pieces of art that are changed out frequently?
- 79 • I like this section but at least the first few bullets appear to have come ~~out~~ directly from a book or article. The middle picture is appealing but ~~is~~ takes all ~~safety concepts~~.
the safety bullet
- 80 • EC has never encouraged street vending. How much outreach to the business community has been done on this?
• Sec 07.D - "monumental gateway features"??
- 82 • Seating and planter design should both be designed to discourage ~~laying~~^{lying} down and skate boarding.
- 83 • I understand that waste cans are a problem. Lack of waste cans is an even bigger problem and 200 feet between them is too far.
- 84 • There should be a standard for the number of and distance between bike racks.
- 86 • What is the lighting standard for the Ohlone Greenway?

Draft SHSP 1/11

- 3.05-89
- There are multiple references in this document to parking meters. Are they coming our way?
 - Wind/Solar panels on light poles - is this a prescriptive statement or is it a suggestion (implementation of which would face rather tough skedding at the Design Review Board?)
 - Section C - Transit Depots? Trains? Maybe this section needs to find a home in another City's document?
- 4.02-02
- Railroad Crossing: BART or the former Santa Fe?
- pp. Fig 6 / pg 8
- Here and on several following pages the AC Transit Line 71 has not been included.
- pg 9
- BART bus discussion omits the Napa & Contra Costa buses & Solano County Transit buses
- pg 10
- What is Transportation Mode Split? (Does anyone in @ know what this is?)
- 5 Phase Comm' Street Map
Final Proj
- pg 7 - An Eco pass would be great but we're not going to get Hill residents out of their cars until there is bus or shuttle service from the Plaza to the Common Center to the Arlington to Del Norte/Home Depot.

DEAR YS

page#

2-4 The views of San Francisco Bay and Mt. L 11.04
Burdell should be included here and all
other places in the document that reference
views.

2-8 Why not turn off the gas ^{as well as} ~~gas~~ diesel L 11.05
equipment standing idle for 5 minutes? This
would support the Climate Action Plan.

2-9 Average daily traffic on Specific Plan L 11.06
streets isn't available?? Isn't it detailed
in various past analyses and in the
Specific Plan? Also, the Caltrans letter requested it.

2-10 Housing projects typically include sensitive L 11.07
receptors and senior housing is a sensitive
receptor. We are saying here that we
may have to move the sensitive receptors -
~~the~~ the housing units - away from the
Plan Area?

2-12 The last months of the Feb 1 - Aug 31 L 11.08
period are when the Fire Dept issues warnings
about weeds vegetation. This mitigation should
be rewritten to reflect this.

2-13 the overall discussion regarding Impact 7-1 looks quite good. In the case of measure "b)" the structure should be rehabilitated according to the Secretary of the Interior's Standards, which should ensure that the structure is eligible for listing on the California Register even if ^{was} removed. In the case of "f)" we should say "thought fully and thoroughly interpret"; "f)" should apply even if "a)" or "b)" occur. Also, in the case of "c)" or "b)" the owner shall not object to a local, state, or national register listing. L 11.09

2-17 7.2 looks quite complete, thank you! L 11.10

2-22 8.1 - Shouldn't this section list, in addition to potential damage to structures, potential damage to humans? L 11.11

2-31 16-1. There appears to be no data in the EIR which quantifies the impact of the specific plan on the traffic flow on cross-streets. This would appear to be a significant omission. The EIR also fails to quantify, or even discuss, the ^{possible} diversion of traffic to the two ~~to~~ primary reliever streets L 11.12

- 2-31 In San Pablo Avenue: Richmond Street / Key Blvd and Carlson Blvd. This also appears to be a significant omission. L 11.12 cont.
- 4-2 the Scenic Vistas need to be modified as noted on page 1 of this document. L 11.13
- 5-8 This table would be much more useful if it included the California limits. L 11.14
- 7-2 It's the Krieger, not Krieger Bldg. L 11.15
- 7-4 It may be useful to note that if a resource has been found to be eligible for listing on the National Register it is automatically entered on the California Register. L 11.16
- 7-7 The National Park Service and the State Office of Historic Preservation found the first Historic Resource Review of the Mabuchi property to be incomplete because it failed to address, in any fashion, the cultural significance of the site. It is a heap of faith to base any findings in an EIR on a study that the two authoritative bodies found to be incomplete. L 11.17

- 10-4 There are a number of former automobile L 11.18
 related sites in the plan area that ~~are~~ ^{no longer} ~~are~~
 have the look ^{of} ~~to be~~ auto-related. These are listed in the
 material submitted by the Q Enviro Historical
 Society that is found in the Appendix.
 Reference to that should appear here. This
 list also includes other types of sites,
 such as cleaners, that may have left toxic
 residue in the specific plan area.
- 10-5 There is no indication as to whether a L 11.19
 site whose status is "Completed-Case closed"
 represents a potential hazard to public health.
- 10-6 Perhaps there should be a section on the L 11.20
 hazards implicit in ~~and~~ ^{and} adjacent to a former
 railroad right of ~~way~~ way. The entire
 Ohore Greenway was a very busy railroad at
 a time when leaks and accidents involving
 petroleum products and many other toxic
 materials ~~was~~ ^{were} considered business as usual.
 The Ohore Greenway and areas down slope
 from it should be treated as possibly con-
 taminated sites. The same is true for the
 former nursery sites and manufacturing
 sites in town.

11-2 The historical record indicates that the area west of San Pablo and south of Central has flooded with some frequency over the past 100 years. L 11.21

14-2 The population table says the 2010 population of @ Covito was 27,277. The 2014 Housing Element says the 2010 population was 23,549. L 11.22

16-15 This table is missing a number of Ae Transit Routes. L 11.23

16-18 This table is missing a number of traffic lights in the Specific Plan area. It is also missing data for the cross streets, which often suffer for the benefit of San Pablo Avenue. This data should be presented for analysis. L 11.24

16-50 This discussion fails to analyze impacts on cross-streets and fails to analyze possible diversion of traffic to Richmond Street and Carlson Blvd. L 11.25

19-8 Adaptive reuse of buildings has been shown to ~~reduce~~ reduce irreversible environmental impacts. L 11.26

L11 Tom Panas; July 21, 2014 (17 pages)

Note The comment letter includes 11 pages of comments labeled “Draft SPASP.” As noted by the commenter, these comments relate to the merits of the Specific Plan, not to the content or adequacy of the Draft EIR. Section 15088 (Evaluation of and Response to Comments) of the CEQA Guidelines requires detailed responses only when a comment raises significant environmental issues. No changes to the EIR are necessary. The comments will become part of the administrative record and will be considered by the decision makers.

After public release of the June 2014 Specific Plan document and the Draft EIR, City of El Cerrito staff made revisions to the Specific Plan, including in response to concerns raised by the public. These Specific Plan revisions are included in “Revisions to June 2014 Final Draft,” which is available concurrently with the Specific Plan for review at the City’s website at:

www.el-cerrito.org/SPASP

L 11.01 Cultural and Historic Resources--The Plan and EIR should treat historic resources as community assets and important elements in the built environment.

Response: The California Environmental Quality Act (CEQA) – as embodied in the Specific Plan EIR (chapter 7, Cultural and Historic Resources) – recognizes historic resources as valuable components of a community. For that reason, CEQA requires their evaluation, and the CEQA Guidelines include a separate section (15064.5) specifically for “Determining the Significance of Impacts to Archaeological and Historical Resources.” EIR chapter 7 has been prepared in accordance with CEQA Guidelines section 15064.5.

In addition, the Specific Plan has been revised to include a discussion of cultural and historic resources in the Preamble (section 2.01.01) of the Specific Plan. This new text is also included in section 3 (Revisions to the Draft EIR) of this Final EIR, on revised page 7-6.

L 11.02 Land Use--The Plan and EIR should discuss the environmental benefits of adaptive reuse of existing structures as an approach more preferable than demolition and new construction.

Response: See response to comment L 11.01. As Draft EIR Mitigation 7-1 (Destruction/Degradation of Historic Resources) explains, only adherence to the Secretary of the Interior’s Standards for preserving, rehabilitating, restoring, and reconstructing historic buildings and structures (which, by definition, include adaptive reuse) is considered adequate mitigation for reducing a potential impact on a historic resource to a less-than-significant level (unless the resource is relocated under strict conditions). Demolition or degradation of a historic resource is a significant unavoidable impact under CEQA.

L 11.03 Merits of Project--Why are most of the statements about creeks, habitats, and green features in the Specific Plan suggestions rather than prescriptions?

Response: Section 15088 (Evaluation of and Response to Comments) of the CEQA Guidelines requires detailed responses only when a comment raises significant environmental issues. This comment relates to the merits of the Specific Plan, not to the content or adequacy of the Draft EIR. No changes to the EIR are necessary. The comment will become part of the administrative record and will be considered by the decision makers.

After public release of the June 2014 Specific Plan document and the Draft EIR, City of El Cerrito staff made revisions to the Specific Plan, including in response to concerns raised by the public. These Specific Plan revisions are included in "Revisions to June 2014 Final Draft," which is available concurrently with the Specific Plan for review at the City's website at:

www.el-cerrito.org/SPASP

The Specific Plan includes "standards," which are mandatory, and "guidelines," which are strongly encouraged. Because the Specific Plan is a long-term plan and not a site-specific development proposal, the design details of individual, future project proposals are not yet available. The Specific Plan standards and guidelines intend to provide direction for future development wherever it occurs in the Plan area while retaining the City's (El Cerrito or Richmond) ability to impose conditions of project approval that are specific to an individual project site and detailed project design. See Specific Plan section 2.02 (Administration of Regulating Code) for further details.

Note Section 15088 of the CEQA Guidelines requires detailed responses only when a comment raises significant environmental issues. The next 11 handwritten pages (labeled by the commenter as "Draft SPASP 1/11," etc.) of comments relate to the merits of the Specific Plan, not to the content or adequacy of the Draft EIR. No changes to the EIR are necessary. The comments will become part of the administrative record and will be considered by the decision makers.

After the comments on the Specific Plan and beginning on the handwritten page labeled by the commenter as "DEIR 1/5," the comments apply to the Draft EIR. These comments are coded and responded to below.

L 11.04 Aesthetics/Visual Resources--EIR should include views of San Francisco Bay and Mt. Burdell.

Response: Scenic vistas and views evaluated in the Draft EIR were selected from the El Cerrito General Plan (see EIR p. 4-3, El Cerrito General Plan). Views of San Francisco Bay are inherent in the panorama that includes Mt. Tamalpais, the Golden Gate Bridge, and the San Francisco skyline – all of which are considered visual resources. Mt. Burdell, which is approximately 10 miles north of Mt. Tamalpais, is not considered a scenic view in the El Cerrito General Plan or on the General Plan scenic vista map.

L 11.05 Air Quality--EIR should recommend that gasoline as well as diesel construction equipment standing idle for five minutes or longer should be turned off.

Response: California law imposes a five minute idling time on construction equipment – diesel as well as gasoline. Five minutes is considered a reasonable amount of time that a piece of construction equipment may idle before being required to be shut off. Because the vast majority of construction equipment runs on diesel, Draft EIR Mitigation Measure 5-1 (Construction Period Emissions), which is based on Bay Area Air Quality Management District (BAAQMD) recommendations, refers only to diesel equipment. However, the accompanying impact statement (Impact 5-1) refers to “gasoline-powered equipment.” The mitigation’s reference to “idling” has been revised to include diesel and gasoline equipment. See section 3 (Revisions to the Draft EIR).

- L 11.06 Air Quality—Aren’t the average daily traffic calculations for Specific Plan streets available?

Response: Draft EIR Mitigation 5-3 (Toxic Air Contaminant Exposure Long-Term Operations, including revisions in section 3 of this Final EIR) requires site-specific toxic air contaminant (TAC) analysis for proposed future development under the Specific Plan that would include sensitive receptors, if the development is to be located near surface streets with daily traffic volumes exceeding 40,000 ADT (average daily traffic) **for any street that is not already included in the setback distance criteria (Draft EIR Table 5-7)**. Note that the mitigation already includes the TAC analysis requirement for projects within specified setback distances from San Pablo Avenue and I-80 because these locations already meet the Bay Area Air Quality Management District (BAAQMD) screening threshold for such analyses (based, in part, on their ADT).

Since the precise locations of future development under the long-term (horizon year 2040) Specific Plan are unknown at this time, ADT on nearby surface streets not already included in the setback distance criteria should be calculated at the time when site-specific project plans are available. As Draft EIR chapter 5 (p. 5-27, “Highway and Road Traffic”) concludes, the results of site-specific studies would likely show lower TAC exposure because the BAAQMD screening criteria are conservative.

- L 11.07 Air Quality—Is the EIR suggesting that sensitive receptors, such as senior housing, need to be moved away from the Plan area?

Response: No. Mitigation 5-3 (Toxic Air Contaminant Exposure Long-Term Operations, including revisions in section 3 of this Final EIR), consistent with the California Environmental Quality Act (CEQA), applies to **future** development under the Specific Plan, not existing development on the ground now. The mitigation states that if the performance standard of “cancer risk of less than 10 in one million or cumulative cancer risk greater than 100 in one million” cannot be met through changes to the proposed project (e.g., air filtration), then the project would not be approved for habitation by sensitive receptors.

- L 11.08 Public Services--EIR Mitigation 6-1 (Potential Impacts on Nesting Birds) should be revised to emphasize Fire Department warnings about weedy vegetation during the final months of the February-August period.

Response: The February to August window in EIR Mitigation 6-1 (Potential Impacts on Nesting Birds, revised in section 3 of this Final EIR to also include roosting bats) is predicated on the bird nesting season, and would apply to proposed development sites in the urbanized Specific Plan area. Any Fire Department requirements for a proposed development site would be part of project review by the City.

- L 11.09 Cultural and Historic Resources--EIR should revise Mitigation 7-1 so that item (f) applies regardless of (a) or (b), and any interpretation should be "thoughtful and thorough"; in addition, in the case of (a) or (b), owners of property should not object to listing on local, state, or national registers.

Response: Mitigation 7-1 (Destruction/Degradation of Historic Resources) is based on CEQA Guidelines section 15064.5 (see response to comment L 11.01) and professionally accepted standards. Applying the Secretary' of the Interior's Standards does not preclude the City from also requiring an on-site historical exhibit; the comment's reference to "thoughtfully and thoroughly interpret" is subjective within the context of CEQA, but the quality of the exhibit is presumed as part of the City decision-making process. Any existing laws pertaining to an owner's right to object to a historic nomination cannot be overridden by this EIR.

- L 11.10 Cultural and Historic Resources--EIR analysis for Impact and Mitigation 7-2 looks complete.

Response: The comment supports the mitigation. No response is necessary.

- L 11.11 Geology and Soils--EIR analysis should include potential damage to humans as well as structures.

Response: Potential injury to humans is inherent in potential damage to buildings. Therefore, geotechnical analysis generally focuses on performance standards for soil preparation and building construction. As an example of the human-built environment connection, Draft EIR Table 8.1 (earthquake intensity scale) describes typical human reactions to earthquakes of various magnitudes.

- L 11.12 Transportation--EIR should provide data quantifying traffic impacts on Richmond Street, Key Boulevard, and Carlson Boulevard.

Response: The Specific Plan and the Draft EIR impact analysis focus on the San Pablo Avenue corridor, and all signalized intersections within the Plan area are analyzed. Analysis of these intersections reflects conditions for all movements, including turns to and from the cross-streets. The traffic growth on all of these cross-streets is shown in the intersection volume graphics--Figures 16-7A/B for the Existing Plus Specific Plan case and Figure 16-10A/B for the Cumulative Plus Specific Plan case. While the traffic LOS analysis shows that congestion and delays are projected to increase with the Plan due to the land use development included in the Plan along with a small increase in regional traffic use of the corridor, the resulting peak hour service levels are generally projected to be LOS D or better, with one exception (San Pablo Avenue/Cutting Boulevard in the Cumulative [2040] Plus Project case.) The projected mode shift that can be achieved with implementation of the Plan--i.e., all of the policy and infrastructure improvements that together will support and promote

alternatives to the automobile--would reduce this impact to a less-than-significant level. Therefore, based on the analysis in the Draft EIR, conditions along the corridor would not incentivize drivers to use alternate routes. However, the City of El Cerrito monitors traffic conditions throughout the City on a regular basis, and will consider improvements or changes to neighborhood streets if significant traffic diversion patterns should develop.

- L 11.13 Aesthetics/Visual Resources--EIR needs to revise discussion of scenic vistas as previously noted.

Response: See response to comment L 11.04.

- L 11.14 Air Quality--EIR Table 5-3 would be more useful if it included the California limits.

Response: Draft EIR Tables 5-2 (San Francisco Bay Area Attainment Status) and 5-3 (Highest Measured Air Pollutant Concentrations at San Pablo Monitoring Station) are presented separately and sequentially due to their considerable statistical content, including numerous footnotes. As noted in a footnote, the **bold** values in Table 5-3 show concentrations that exceed the California standards listed in Table 5-2.

- L 11.15 Cultural and Historic Resources--The building name is Kiefer, not Kiefert.

Response: The comment is correct. The spelling has been corrected, and the revised Draft EIR page 7-2 is included in section 3 (Revisions to the Draft EIR) of this Final EIR.

- L 11.16 Cultural and Historic Resources--EIR should note that resources found to be eligible for listing on the National Register are automatically entered on the California Register.

Response: The comment is correct. CEQA Guidelines section 15064.5, which the Draft EIR (chapter 7, Cultural and Historic Resources) text summarizes, does not directly state that conclusion. However, the State Office of Historic Preservation website does note this. The information does not change the impact or mitigation conclusions in the Draft EIR.

- L 11.17 Cultural and Historic Resources--The EIR should not base any of its findings on the historic resource review for the Mabuchi property.

Response: As clearly indicated on Draft EIR page 7-7, the Mabuchi property is described "as one example" of a project in El Cerrito that will be rehabilitated according to the Secretary of the Interior's Standards. The project was subject to its own CEQA requirements. The Specific Plan Draft EIR does not base any of its findings on the historic resource review for the Mabuchi property. Since the comment does not apply to this EIR, the merits of the comment were not investigated.

- L 11.18 Hazards and Hazardous Materials--EIR should include information from the El Cerrito Historical Society (included in the EIR appendix) that includes formerly auto-related and other properties that may have left behind toxic residues.

Response: The hazardous materials sites listed in Draft EIR Table 10.1, including the status of the clean-up investigations, are taken directly from the jurisdictional agency inventories listed in the table. This is considered the most complete and up-to-date information available from the jurisdictional agencies responsible for ensuring hazardous materials clean-up and monitoring.

- L 11.19 Hazards and Hazardous Materials--EIR needs to specify if a site with the status of "Completed--Case Closed" still represents a potential hazard to public health.

Response: According to performance standards and protocols administered by the jurisdictional agencies, and as indicated on Draft EIR page 10-5: "A closed hazardous materials site signifies that a federal or State regulatory agency has determined that a site does not require any further remediation. However, in some cases a closed hazardous materials site may contain land use restrictions limiting the future use of the site as a result of residual contamination that may exist." Any land use restrictions are put in place to protect the public from potential hazards (e.g., prohibiting use of a site as a senior center or preschool). Any such deed restrictions are included with the title information for a property.

- L 11.20 Hazards and Hazardous Materials--EIR should consider the Ohlone Greenway (site of a former railroad line) as well as former nursery and manufacturing sites as potentially contaminated sites.

Response: See response to comment L 11.18. The Ohlone Greenway is not listed on the Department of Toxic Substances Control (DTSC) Envirostor website or on the Regional Water Quality Control Board (RWQCB) GeoTracker website (see Draft EIR Table 10.1).

- L 11.21 Hydrology and Water Quality--Areas west of San Pablo Avenue and south of Central Avenue have flooded with some frequency over past 100 years.

Response: This information has been added to EIR chapter 11 (Hydrology and Water Quality), subsections 11.1.4 (Flooding and Flooding Hazards) and 11.3.3 (Impacts and Mitigations – Risk of Flooding). The impact and mitigation findings in the Draft EIR remain the same. The revised pages (11-2 and 11-10) are included in section 3 (Revisions to the Draft EIR) of this Final EIR.

- L 11.22 Population and Housing--EIR population table has a different 2010 population figure than the 2014 Housing Element.

Response: As referenced in the Draft EIR (see especially chapter 14, Population and Housing), population figures used in the Draft EIR are based on demographic data developed by the Association of Bay Area Governments (ABAG) and published in Plan Bay Area. This information is the most reliable relevant to the proposed Specific Plan because it includes population data for the cities of El Cerrito and

Richmond *as well as for the Priority Development Area (PDA) whose boundaries coincide with the San Pablo Avenue Specific Plan area.*

On July 19th, 2014, City Staff presented population figures from the California Department of Finance Population Estimates at a 2014 Housing Element Community Workshop. Based on the Department of Finance's 2010 estimates, the City of El Cerrito is home to 23,549 persons.

- L 11.23 Transportation--EIR Table 16-2 (AC Transit Service Summary) is missing some transit routes.

Response: As stated on Draft EIR page 16-13, only the routes traveling the entirety of the corridor are shown in Table 16-2. Figure 16-5 (Existing Bus Routes) does show all routes that use the corridor.

- L 11.24 Transportation--EIR does not include several signalized intersections in Table 16-3 (Intersection Levels of Service--Existing Conditions) and does not include data for cross-streets.

Response: The EIR analysis, and Table 16-3 in particular, addresses all signal-controlled intersections within the Plan area. Regarding the cross-streets, see response to comment L 11.12.

- L 11.25 Transportation--EIR does not analyze traffic impacts on cross-streets, including Richmond Street and Carlson Boulevard.

Response: See response to comment L 11.12.

- L 11.26 Cultural and Historic Resources--EIR should discuss how adaptive reuse of buildings can reduce irreversible environmental impacts.

Response: See response to comment L 11.02.

Richmond Annex Neighborhood Council

Founded 1974

PO Box 5436, Richmond, California 94805 * *Neighbors Helping Neighbors* *

July 21, 2014

Melanie Mintz, Planning Director;
Margaret Kavanaugh-Lynch, Planning Manager
El Cerrito City Hall
10890 San Pablo Avenue
El Cerrito, CA 94530

RE Comments on the Draft San Pablo Avenue Specific Plan (SPASP) and related EIR

Dear Ms. Mintz and Ms. Kavanaugh-Lynch:

We have met with the Richmond Planning Department and it was agreed that the proposed land use designation for the Richmond Annex side of San Pablo Avenue be changed to a different category (lower height and mass) for the one-parcel 100' deep San Pablo Avenue commercial strip, entirely abutting residential property (90% of which are single-family homes). We concur with this and we will be working with staff to effect an attractive and high quality form to greatly improve our side of San Pablo Avenue.

The special nature of this commercial area requires Specific Plan definition not found in the currently proposed 2014 San Pablo Avenue Specific Plan. It was well-defined in the 2009 SPASP (Volume I, Chapter 4, p. 82), as a result of numerous well-attended community meetings during a period of two full years. These factors affect height, rear setback, parking requirements, permissible types of business operation, and other significant factors (RANC letters submitted on 5-8-14, 11-18-13, 9-30-09, and 4-30-09).

Bay Area newspapers have named El Cerrito and Richmond Annex as stable and desirable living areas in the greater San Francisco Bay Area, citing our ethnic and economic diversity and healthy environment. We believe that increased housing density will overcrowd our area, sacrificing long-range stability for potential short-range revenue—overbuild and leave town.

Attached are the Richmond Annex Neighborhood Council's comments regarding the 2014 DRAFT Plan and EIR, as it affects both El Cerrito and Richmond Annex residents. We believe the proposed SPASP should properly reflect the best interests of all residents and property owners, rather than serving a uniformity standard. Established neighborhoods in El Cerrito and Richmond Annex are typified by mixed zoning, which achieves the type of housing and commercial balances intended in the General Plan.

As stated policy, the Annex Council strongly believes in working with both cities toward goals common to the best interests of all. It is surely preferable for both City and residents (and for developers) to have a consistent, relevant and technically workable Plan, which, as its stated policy proclaims, will sustain established neighborhoods.

Sincerely,

Mary Selva,
President

Attachments: RANC Comments for the SPASP and EIR

I. Aesthetics / View Blockage of Desirable Vistas / Building Heights

L 12.01

The proposed 55' or 5-stories building height for the El Cerrito Midtown Area would dramatically exceed other commercial buildings on adjoining properties. To get a better perspective of building heights, please see attachment.

Because El Cerrito and Richmond Annex are primarily single-family residential neighborhoods, the large bulk and scale becomes overpowering for this area. CD4.1 Compatibility in Building Scale states, "Avoid big differences in building scale and character between developments on adjoining lots." We find the dramatic increase in bulk and scale, particularly the 55-foot height, to be incompatible to the surrounding commercial area and established residential neighborhoods.

On Solano Avenue the maximum building height is 28' in Berkeley and 35' in Albany. On San Pablo Avenue the maximum building height is 38' in Albany. Thirty-eight feet (38') is reasonable and would be more appropriate for the Midtown Area on the El Cerrito side, rather than 55 feet. The Midtown Area is located in the middle of a major view corridor and has an unparalleled view directly out through the Golden Gate, where residents on El Cerrito slopes have a desirable Bay view. This is a unique and irreplaceable scenic resource of world-class value. There is no major necessity to place tall buildings in an area in direct-line-of-site of considerable El Cerrito neighborhoods, which would affect their property values. Likewise, Richmond Annex hillside residents have a dramatic view of the El Cerrito Hills that they strongly desire and consider of great value as well. These types of tall buildings with a strong urban form, as outlined in the SPASP, will have a negative effect on the quality of life in El Cerrito and Richmond Annex and block views. Views are always an issue and are always contentious. El Cerrito residents who bought their properties with a view, paid extra for it. So did Richmond Annex hillside residents. They should not be resigned to the loss. As the population grows, it should become even more of a priority to have a policy of protection. Their views merit protection. Over the past few years, a scattering of cities across the country, particularly on the West Coast, have taken on the issue of view protection. Santa Barbara, Belvedere (a bedroom community north of San Francisco), and Tiburon, a town adjacent to Belvedere with Bay views, among several others in California have enacted rules to ensure that Bay views are not obscured by tall buildings.

The differing approaches to view protection reflect the fact that zoning ordinances are controlled by local authorities, not the federal government or the states. And rules and regulations vary tremendously. While cities often provide for open spaces, and codify building heights and setbacks to try to protect these Bay views, they know that they cannot guarantee protection of everyone's view. However, establishing reasonable building heights has made a big difference in protecting these views as best as they possibly can.

People moved to El Cerrito for the views — that's one of the major attractions. Homeowners believe the loss of a view risks reduction in a property values. It is the responsibility of the City to respect that and not allow obstruction by permitting such tall buildings. **If the City builds a fortress along San Pablo Avenue, it's going to make the residents feel enclosed or blocked in and obstruct valuable views.**

► Factors to Consider in Evaluating Building Height

- **Urban Form/Community Character**
Will additional height change community character in undesirable ways?
– Dwarf other important features of the natural and built environment?
– Detract from the desirable view of the El Cerrito Hills and Golden Gate Bridge?
- **Visual/View Impacts**
Will additional height block views of important features (e.g. El Cerrito Hills and Golden Gate Bridge)?
- **Human Scale**
Can the building be designed to establish a human scale?
How will additional height affect the sunlight on key pedestrian/open space features?

The RANC recommends that you maximize your housing opportunities next to the Bart Stations (E.C. Plaza and Del Norte), and retain your major view corridor in the Midtown area. The Midtown Area is severely deficient in commercial development and already has sufficient housing in this area.

II. Historical Preservation

If San Pablo Avenue between Central and Fairmount in El Cerrito has 1-to 2-story buildings, why is the SPASP allowing up to 65' buildings to crowd out this area? This area should be preserved as a historical district. This is where El Cerrito was born, formerly called the town of Rust. There should be an historical analysis done on this block. A different type of building form should be carefully created for this historical area, rather than the strong urban form prescribed under the SPASP.

L 12.02

III. Form-Based Codes¹

L 12.03

The building forms and articulations outlined in the proposed 2014 SPASP have a strong urban form and appear bold and overpowering. REAR /SIDE SETBACKS adjacent to Residential uses - Any infill high rise development should be located so that it would not interfere with the light, open space, and building safety buffer that is usually provided for residential homes, especially at their rear and side yards. Thus, these developments need to respect a 10-15 rear setback from any adjacent residential property, not zero setbacks. The daylight plane provision adopted in the Albany Zoning Ordinance appears to address access to direct light, including indirect light, and preventing loss of privacy in a better way and should be seriously considered. It is important to remember that form-based codes are rare in the Bay Area and California as a whole. As for the cities that do have it, form-based codes are located within a small segment of their cities (e.g. a one or two block area or just within their downtown areas).

California planners have exercised careful consideration when pondering the use of form-based codes. The form-based codes approach is not always an ideal fit for certain areas. Form-based codes can ignore the political reality of a City Council giving up discretionary control over projects. Form-based codes is a land development regulation that **fosters predictable built results**. Since the design parameters in a form-based code are specific, there is very little room for negotiation at the time the project comes forward, and the public may feel that they lack a voice in the most important part of their town—the commercial districts.

We all want a fairer, quicker review process, but are we forgetting the essence of community-based planning—involving the public in individual (case-by-case) decisions made in their own downtown or their commercial neighborhoods? These decisions are basically being made upfront under this Specific Plan. Since the design parameters in a form-based code are so specific, it leaves very little room for modifications.

We need to define each area's specific DNA. The form-based conundrum could be modified to employ more essential elements of organic urbanism, such as specific uses, appropriate density, design context, reasonable parking requirements, and most importantly a local review (i.e. public hearing and right-of-appeal).

¹ Ref. California Chapter of the American Planning Association, January - February 2007

IV. Central Avenue Made Worse

L 12.04

Central Avenue between San Pablo Avenue and the I-80 Freeway experiences major traffic back-ups and heavy congestion daily, which worsens on the weekend. A little over half of this distance lies within El Cerrito, with the remaining distance in Richmond. With the exception of commercial development on Pierce Street in Richmond Annex, both sides of Central Avenue consist of residential areas comprised primarily of single family homes. A proposal by the Contra Costa County Traffic Authority to temporarily reduce the weekend traffic congestion was recently approved by the Richmond City Council, with certain conditions recommended by the Richmond Annex Neighborhood Council Traffic Committee. In addition, a developer has informally proposed a large residential housing complex for the Dolan Lumber site on Central Avenue. The RANC submitted specific guidelines to reduce the bulk and scale prior to drafting a formal set of plans. The SPASP proposes high density and building heights of up to 65 feet on both sides of Central Avenue between San Pablo Avenue and Belmont Avenue, which would cause significant and unforeseen additional traffic congestion and restricted views, and would be totally out of character for the surrounding El Cerrito neighborhoods. Several high-intensity uses (Pacific East Mall, Costco Warehouse and Discount Gas Station, Pt. Isabel Regional Park) are already huge draws to this area, contributing major traffic problems on Central Avenue. This is including the primary I-80 and I-580 Central Avenue Interchanges accessed by El Cerrito, Richmond Annex, and Albany Hill residents, in addition to the regional clientele enroute to the El Cerrito Plaza Shopping Center, all of which depend on this considerably overburdened corridor.

- ▶ In conclusion, Central Avenue is already overburdened and cannot handle high-density developments with its major traffic congestion.

V. Noise Pollution and Odors

L 12.05

With an increase in density and expanded commercial buildings backed up to homes with rear setbacks reduced to only five feet, residents would be directly impacted by noise produced by refrigeration units, fans and other mechanical equipment. Obnoxious odors from exhaust air ducts and dumpsters would be objectionable and hard to avoid.

VI. Cumulative Effects

L 12.06

The EIR should include up-to-date traffic counts on all major intersections, and analysis of cumulative and long-term traffic impacts associated with the proposed developments. The EIR should also analyze the incremental effects of past developments, the effects of other current developments, and the effects of future developments under the proposed development standards outlined in the SPASP.

VII. Parking Impacts

The information provided below, summarizes existing zoning code sections establishing parking standards in the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, San Francisco, Santa Clara, Solano, and Sonoma. **L 12.07**

All of the cities surveyed include parking standards for retail and office uses. Standards are typically a specified number of parking spaces per 1,000 square feet of gross floor areas in a development. Average commercial or office minimums by place type were lowest in the regional centers (3.3 for retail and 2.3 for office), and averaged around 4 spaces per 1,000 feet for all other place types (from 3.8 for office to 4.2 for retail).

Retail

Minimums for retail range from 1.0 to 6.25 spaces per 1,000 square feet of floor area, with the average requirement being around 4.0 spaces per 1,000 square feet of floor space. Only two cities, San Francisco and Gilroy, include maximums for retail parking citywide.

Special District Reductions

Oakland and San Jose have no minimum requirement for retail in their Central Business District and Downtown zoning areas. The average requirement in special districts for retail is 3.1 spaces per 1,000 square feet, nearly 1 space per 1,000 square feet less than the citywide standards.

Office

Minimums for office range from 0.7 to 6.66 spaces per 1,000 square feet of floor area, with the average requirement around 3.8 spaces per 1,000 square feet of floor space. Only three cities include maximums for office parking: San Francisco, which varies; Gilroy at 3.6 spaces per 1,000 square feet; and Pleasant Hill at 4.0 spaces per 1,000 square feet.

Special District Reductions

Oakland has no minimum requirement for office in its Central Business District. The average requirement in special districts for office is 3.1 spaces per 1,000 square feet, only slightly less than the average for citywide requirements.

Conclusions:

There is a wide range of parking policies in the cities of the Bay Area. Almost all cities, with the exceptions of downtown San Jose, downtown Oakland, and certain areas of San Francisco, have required parking minimums for residential units, commercial parking facilities, or other transport options; all cities have parking minimums for non-residential (retail and office uses), typically determined based on the square feet of a development.

The proposed SPASP recommends the same parking requirements for ALL commercial uses (blanket approach), which we strongly believe is the wrong approach for San Pablo Ave. We all know there are certain intensive uses that generate a higher demand for parking, such as fast-food restaurants, full-service restaurants, grocery stores, convenience stores, liquor stores, banks, medical offices, church assemblies, recreational facilities, membership organizations, clubs, motels/other lodging places, etc... All cities in the Bay Area recognize this difference and as a result, they set their parking requirements according to the type of commercial use. The RANC recommends this as well.

Reducing off-street commercial parking availability only encourages vehicles to park in residential neighborhoods, which is already happening in Berkeley, creating circulation problems, parking shortages, and hurting the businesses. Use of residential streets for the overflow of commercial patron parking should be avoided.

If the current minimum commercial parking requirements cause more parking to be built than would be demanded by either the renters in the housing market or the retailers or office users, then both Richmond and El Cerrito could include a parking waiver provision with a conditional use permit. We would recommend a parking survey, which would be required for projects requesting a waiver for any parking required under the Zoning Ordinance or SPASP. The two cities could prepare a "Parking Survey" Instructions and Guidelines.

V. Traffic Congestion and Diversion / Street Reconfiguration

L 12.08

Reducing the speed limit to 25 mph and adding bike lanes, large bus platforms, flex parking lanes, and only two parking spaces provided in between each built-in planter along San Pablo Avenue, as proposed under the SPASP, would create parking shortages and hurt the businesses. This would divert traffic onto adjacent residential streets, creating circulation problems. Richmond Street in El Cerrito and Carlson Boulevard in Richmond Annex would more than likely become the alternative routes, especially during the AM and PM peak hours. Both upgraded Ohlone Greenway and Carlson Boulevard, parallel to San Pablo Avenue, are already used as the bicycle highways and are sufficient for bicyclists.

VI. Flex Parking Lane

L 12.09

The proposed flex parking lane used for outdoor dining is undesirable, compromising the health, safety and welfare of the community, further creating on-street parking shortages along the curb. We prefer the recessed outdoor dining areas, as recommended in RANC's San Pablo Avenue Slide Presentation, dated 11-18-13, and provided below.

Building is set back from the sidewalk to accommodate outdoor seating, making the pedestrian experience more inviting.



This is a wonderful example of outdoor restaurant seating. The area is kept clean and neat with well-decorated plants and umbrellas. Notice building is recessed from sidewalk to accommodate outdoor dining, leaving plenty of room for pedestrians to pass by.



Recessed outdoor seating provides a safe & pleasant dining experience, separated by pedestrian passerby.



Another great example of where the building is set back enough to provide a recessed area for outdoor seating, separated by the pedestrian right-of-way. Tasteful, neat and organized.

VII. Health and Air Quality Impacts

L 12.10

We believe a significant amount of traffic increase and congestion will result from increased housing and regional development, forcing vehicles to idle.

Why is idling a big problem?

Idling produces pollution. Idling creates more pollution that is released into our environment, contributing higher levels of smog and poor air quality.

Idling affects our health. Idling produces higher levels of particulates and affects our health. Children, the elderly, pets, and those with respiratory problems are most sensitive to poor air quality, especially those who live along major thoroughfares or for those eating at an outdoor cafe.

Idling affects our environment. The extra pollution created by idling contributes to climate change.

Idling wastes fuel and money. Idling a vehicle gets you 0 miles per gallon fuel economy. Ten minutes of idling a day wastes an average of 27 gallons of fuel a year.

Creation of Idle-Free Zones: Designated community idle-free zones, areas where idling is particularly discouraged, are becoming popular. Most of these zones have been established at municipal facilities and schools, but other popular locations include hospitals, daycare centers, parks, recreation centers, and most importantly residential neighborhoods.

We need to seriously discourage idling on San Pablo Avenue. This means we should not allow the level-of-service to deteriorate to E or F.

VIII. Public Safety Concerns

L 12.11

The high-density development, reduced speed limit, reduced commercial parking, bike lanes and other changes proposed under the SPASP for San Pablo Avenue will all inevitably contribute to traffic congestion, especially at certain times of the day. RANC is reasonably concerned about the effect this congestion will have on emergency response vehicles, which must use San Pablo Avenue to reach destinations in a hurry. Fire, ambulance and police vehicles may have to use narrower side streets in Richmond Annex and El Cerrito, causing delays, excessive noise, and risks to residents and pedestrians. These vehicles will take extra time to reach Central Avenue, Fairmount Avenue, and Carlson Boulevard. With business patrons parking on the narrower side streets, these emergency vehicles may have no choice except to park in the middle of the street, blocking traffic in both directions.

IX. Level of Service (LOS)

L 12.12

While most of the direct traffic impacts from local land use intensification will fall upon Regional Routes such as San Pablo Avenue, Central Avenue, Cutting Boulevard, Carlson Boulevard, and Fairmount Avenue, it is equally important that such activity not burden the basic route system and thus avoid deteriorated level-of-service for this major thoroughfare and its signalized intersections.

The City should make a committed effort to reduce traffic congestion and improve the efficiency and safety of its local street system, monitor traffic conditions on a systematic basis, and develop programs to maintain reasonable level-of-service standards. Incremental high-density growth along San Pablo Avenue, Central Avenue, Carlson Boulevard, Fairmount Avenue, Moeser Lane, Potrero Avenue, and Cutting Boulevard can potentially overburden this regional route and cause traffic to filter into our local collector and arterial residential streets, if not maintained at a reasonable level-of-service.

The operation of transportation facilities (freeways, roadways, intersections) is classified in 6 “level-of-service” categories. Level of service (LOS) is defined in terms of a letter grade ranging from A to F. LOS A is the best level of operation, representing free flow conditions, and LOS F is the worst level of operation, representing excessive delays, long vehicle queues, and generally intolerable conditions.

Level of Service	Description
A	No congestion. All vehicles clear in a single signal cycle.
B	Very light congestion. All vehicles clear in a single signal cycle.
C	Light congestion, occasional back-ups on some approaches or turn pockets.
D	Significant congestion on some approaches, but intersection is functional. Vehicles required to wait through more than one cycle during short peaks.
E	Severe congestion with some long back-ups. Blockage of intersection may occur. Vehicles are required to wait through more than one cycle.
F	Total breakdown. Stop and go conditions.

Since most intersections in El Cerrito operate at LOS C or better, the City should strive to maintain LOS C on San Pablo Ave. Since all City operated intersections and residential streets (excluding major thoroughfares) operate at LOS A or B, the City should also strive to maintain LOS A and B on those streets. The City of El Cerrito policy calls for achievement of LOS D or better conditions in its current General Plan. Moving from LOS D to LOS E & F, as proposed in the SPASP, would be a significant negative impact! Our local residential collector streets and potentially our arterial streets would then shift from LOS A to LOS D or E. This would also be a significant negative impact and unacceptable to the residential neighborhoods throughout Richmond Annex and El Cerrito.

Portions of San Pablo Avenue in El Cerrito (Del Norte Bart area), and Pierce Street and Central Avenue in Richmond Annex can be as bad as LOS E or F conditions, especially during the AM and PM peak hours or during the weekends when the high-intensity uses (Del Norte Bart area, Pacific East Mall, Costco, and Pt. Isabel Regional Park) reach critical mass, or when an incident on I-80 results in a higher-than-normal diversion of Regional traffic onto San Pablo Avenue.

As mentioned in the SPASP, the proposed LOS Standards for the SPASP would allow the level-of-service to deteriorate to LOS E, and LOS F would be acceptable to ensure non-auto goals are achieved for San Pablo Avenue and Central Avenue. LOS E means severe congestion with some long back-ups. LOS F means gridlock, forced or breakdown flow. Both “E” and “F” are unacceptable levels-of-service. The non-auto goals in Berkeley have not been achieved, despite their best efforts. Traffic conditions have deteriorated and parking is deficient. This is something that we do not want to emulate.

Traffic Improvements for New Development

Improvements to the circulation system consisting of arterial roadways, intersections, traffic signal improvements and projects needed to accommodate new development need to be addressed. The City should impose Major Thoroughfare Impact Fees to maintain LOS C, which may require the payment of a fee as condition of approval of a final map, or as a condition of issuing a building permit for purposes of helping to defray the actual or estimated cost of improving major roadways, traffic signals and other modifications. Such fees, if imposed either as a condition of subdivision approval or issuance of a building permit should be considered to mitigate on or off-site project specific traffic impacts for a new development, particularly a large one.

L 12.12
cont.

RANC recommendation: Establish a citywide achievement goal of LOS C for major thoroughfares (a maximum congestion threshold). The City should not allow San Pablo Avenue to deteriorate to LOS E or F. The City should require mitigation for significant LOS impacts, if streets and/or intersections begin to deteriorate to LOS E or F.

RANC recommendation: Establish a citywide achievement goal of LOS A and B for residential streets. Again, the City should not allow our collector and arterial residential streets to deteriorate to LOS C, D or E. Currently, the vast majority of local residential streets operate at LOS A - B. The City should discourage cut-through traffic on residential streets, maintain the existing system of collector streets, and, where necessary, employ traffic management techniques to minimize the speed of vehicles traveling through residential neighborhoods.

- ▶ The EIR needs to address the impacts of congestion on the livability of the established residential neighborhoods. This means the EIR needs to address not only the health impacts, but also the effects on quality of life, doing business in our cities, and the negative impacts it would have on property values. Since traffic congestion slows all movements of goods and services (including emergency services), as well as the public, how is this an improvement for the community?
- ▶ The proposed LOS standards in the Draft Plan need to be adequately addressed in the EIR. Better solutions are needed to prevent deterioration of the current LOS. El Cerrito should try to avoid the pattern that has become chaotic and a permanent condition in Berkeley.

In conclusion, the LOS E and F standards proposed for the entire Avenue would negatively affect the livability of established residential neighborhoods and impact our businesses.

X. Commercial vs. Residential Development

Commercial development generates more local sales tax revenues than residential and brings in much needed jobs for local residents. Areas along San Pablo Avenue may be developed for either commercial businesses or for residential multi-unit projects. Before any major or long-term changes to San Pablo Avenue are considered, it therefore becomes necessary to conduct the appropriate feasibility studies to determine which type of development is a better fit for the area. There are several types of these studies, such as cultural, economic, market and real estate, and all three types are relevant for inclusion in the SPASP. In a cultural feasibility study, the project's alternatives are evaluated for their impact on the local environment, which includes long established single-family neighborhoods. An economic feasibility study assesses the positive/negative economic consequences of the project/development, and includes a cost/benefit analysis. Market and real estate feasibility studies focus on the importance of, or the need for, commercial businesses or residential unit projects in the selected area, and is used to determine if the project is economically reasonable and cost-effective. For San Pablo Avenue, all three types of feasibility studies should be made for five, ten, twenty and more years in advance to assess the cultural and economic value of the proposed changes to businesses, adjacent neighborhoods, and transportation pathways.

L 12.13

Building Height Perspectives

As verified with city records; building heights as measured from grade to roof ridgeline)



The Vital Building (formerly the Historical El Cerrito Mill & Lumber Building). The building is a **perfect fit** for shallow lot sizes, abutting single-family homes. 10837 San Pablo at Orchard Ave., Richmond Annex Building height: **25 ft.** as verified with City records.



Village at Town Center (mixed-use building) 10810 San Pablo at Schmidt Lane, El Cerrito Building height: **42 ft.** as verified with City records.



Eskaton Hazel Shirley Manor (senior housing) 11025 San Pablo at Madison Ave. El Cerrito Building height: **40 ft.** as verified with City records.



Del Norte Place (mixed-use building) 11720 San Pablo at Knott Ave., El Cerrito Building height: **45 ft.** as verified with City records.

L 12

L 12.14 cont.



1800 San Pablo at Delaware Ave., Berkeley (*mixed-use building*), as shown in the proposed SPASP.
Building height: 50 ft. as verified with City records.



Unknown location, as shown in the proposed SPASP.



1885 University at MLK, Berkeley (*mixed-use building*)
Building height: 50 ft. for main building; 54 feet to top of penthouses, as verified with City records.

L 12.14
cont.



200 2nd Street, Oakland, as shown in the SPASP. Seventy-five units.
Building height: 69 ft. as verified with City records.



Proposed strong urban form and building articulation (form-based codes) for San Pablo Avenue. Building is in direct contrast with Single-Family Residentially-Zoned Districts. There is no transition zone, which is atypical in most cities.

L12 Mary Selva, President, Richmond Annex Neighborhood Council (RANC), P.O. Box 5436, Richmond, CA; July 21, 2014 (11 pages)

Note The first page of Letter 12 introduces issues whose environmental topics are reiterated in more detail in the comments below. Also refer to the Specific Plan document, including revisions, on-line at www.el-cerrito.org/SPASP.

L 12.01 Aesthetics/Land Use--Housing opportunities should be maximized next to the El Cerrito Plaza and Del Norte BART stations, and Midtown Area building heights should be limited to 38 feet instead of 55 feet to protect views.

Response: The Specific Plan goals and strategies (see Draft EIR section 3.3, Project Objectives) do emphasize transit-oriented development (TOD) near the BART stations, as well as many other objectives.

Draft EIR chapter 4 (Aesthetics and Visual Resources) analyzes project impacts on scenic vistas (Impact/Mitigation 4-1) and explains that the City shall require evaluation (including visual simulations, if deemed necessary) of individual project proposals' effects, consistent with Specific Plan section 2.02 (Administration of Regulating Code). Because the outcome of this future decision-making process for any individual, future proposal cannot be guaranteed within the framework of this program EIR (see EIR section 1.3, Program EIR Approach and Assumptions), the impact is considered significant and unavoidable. As part of the CEQA and decision-making process, the City of El Cerrito City Council and City of Richmond City Council must decide if the benefits of the proposed Specific Plan outweigh this identified impact.

L 12.02 Cultural and Historic Resources--San Pablo Avenue between Central Avenue and Fairmount Avenue should be preserved as a historical district, and a historical analysis should be completed for it along with formulation of a different type of building form.

Response: Draft EIR chapter 7 (Cultural and Historic Resources, including revised page 7-6) adequately discusses and analyzes the issues raised in the comment. As explained in the chapter, individual buildings and sites in the Plan area have been designated as historic, and more may be designated in the future as buildings meet the age and other historic criteria described in the chapter's Regulatory Setting (section 7.2). Mitigation 7-1 requires historical evaluation of properties that may contain a potentially significant historic resource (e.g., a recorded historic resource or an unrecorded building or structure 45 years or older) prior to development of any such properties. In addition, Draft EIR section 7.3.2 (Relevant Specific Plan Components, including revised page 7-6) reiterates the Specific Plan's intent and direction related to historic and cultural resources.

L 12.03 Merits of Project--The Form-Based Code should revise rear and side setback requirements for development adjacent to residential areas and incorporate daylight plane provisions similar to those in the Albany Zoning Ordinance; in general, because form-based codes are specific in their design parameters, they should be applied only to small segments of the City.

Response: Section 15088 (Evaluation of and Response to Comments) of the CEQA Guidelines requires detailed responses only when a comment raises significant environmental issues. This comment relates to the merits of the Specific Plan, not to the content or adequacy of the Draft EIR. No changes to the EIR are necessary. The comment will become part of the administrative record and will be considered by the decision makers.

After public release of the June 2014 Specific Plan document and the Draft EIR, City of El Cerrito staff made revisions to the Specific Plan, including in response to concerns raised by the public. These Specific Plan revisions are included in “Revisions to June 2014 Final Draft,” which is available concurrently with the June 2014 Specific Plan for review at the City’s website at:

www.el-cerrito.org/SPASP

The Specific Plan discusses and illustrates setback standards and “daylight plane provisions” (as termed by the commenter) extensively, especially in sections 2.3 (Regulating Plan), 2.4 (Development Standards), and 2.5 (Supplemental General Development Standards).

- L 12.04 Transportation--The high density development allowable under the Specific Plan would create traffic congestion along Central Avenue that cannot be accommodated.

Response: The comment makes general conclusions regarding traffic conditions. Draft EIR chapter 16 (Transportation and Circulation) quantitatively analyzes existing and future (project and cumulative) traffic conditions with and without the proposed Specific Plan, pursuant to State, regional, and local transportation plans, standards, and protocols (see EIR sections 16.2 [Regulatory Setting] and 16.3.1 (Significance Criteria)). Based on the Draft EIR analysis, the Specific Plan would contribute to a significant cumulative impact at the intersection of San Pablo Avenue/Cutting Boulevard *if* the projected mode shift under the Plan is not achieved and *if* the new multi-modal Level of Service (LOS) goals are not adopted. The Draft EIR identifies no other significant transportation or circulation impacts. Also see response to comment L 11.12.

- L 12.05 Air Quality/Noise--EIR should discuss noise and odor impacts to residential areas from commercial development in close proximity (five-foot setbacks).

Response: The comment does not reference where the conclusion of “rear setbacks reduced to only five feet” is located in the Specific Plan; the Specific Plan Development Standards (section 2.04) refer the reader to the Shadow Standards for rear setbacks, which are based on the casting of shadows, not on a five-foot setback.

Draft EIR chapters 5 (Air Quality) and 13 (Noise) evaluate the other issues in the comment, including construction period emissions (Impact/Mitigation 5-1), impacts of toxic air contaminants on sensitive receptors (Impact/Mitigation 5-2), toxic air contaminant exposure from long-term operations (Impact/Mitigation 5-3), impacts from odors (see revised EIR pgs. 5-31 and 5-32 in section 3 of this Final EIR), noise and land use compatibility (Impact/Mitigation 13-1), commercial

development noise (Impact/Mitigation 13-2), and construction noise and vibration (Impacts/Mitigations 13-3 and 13-4). All of these impacts would be reduced to a less-than-significant level with the associated mitigations identified in the Draft EIR, with the exception of construction noise and vibration, which is considered significant and unavoidable after mitigation. Odor impacts would be less-than-significant with implementation of regulations in Specific Plan section 2.02.03(E) – Odors.

- L 12.06 Transportation--EIR should include up-to-date traffic counts for all major intersections and analyze cumulative and long-term traffic impacts as well as incremental effects of past development, current development, and future development.

Response: The comment briefly paraphrases CEQA requirements for cumulative impact analysis, which is fully explained in Draft EIR section 19.1 (Cumulative Impacts), but does not refer to any portion of the Draft EIR transportation and circulation analysis (chapter 16) that the commenter deems inadequate. As detailed in section 19.1, analyses of quantitative cumulative impacts throughout the EIR are based on the “summary of projections” method, rather than the “list of projects” method, as authorized by section 15130(b)(1)(B) of the CEQA Guidelines. Also see response to comment L 12.04.

- L 12.07 Merits of Project--The Plan should recommend parking minimums defined by land use (residential, commercial, etc.) rather than one standard parking requirement regardless of differing parking needs; also, proposed reductions of off-street commercial parking would encourage vehicles to park in residential neighborhoods and thereby create circulation problems and parking shortages, as well as hurt local businesses.

Response: See response to comment L 12.03. Particular to parking, see Specific Plan sections 2.03.02 (Transect Zones), 2.05.09 (Parking Standards), 3.02.01 (Complete Streets Goals, especially CS.6), and 3.03 (Project Streetscape Design, especially 3.03.02, San Pablo Avenue), including “Revisions to June 2014 Final Draft.” As evidenced by these references, the Specific Plan does not recommend one standard parking requirement.

- L 12.08 Transportation--Specific Plan recommendations to reduce speed limits, add bike lanes, bus platforms, and flex parking lanes, and limit parking spaces between planters along San Pablo Avenue would create parking shortages as well as divert traffic to adjacent residential streets, including Richmond Street and Carlson Boulevard, especially during the AM and PM peak hours.

Response: See responses to comments L 12.12 (below), L 4.01, and L 11.12. Regarding parking supply, the comment relates to the merits of the Specific Plan, not to the content or adequacy of the Draft EIR. No changes to the EIR are necessary. The comment will become part of the administrative record and will be considered by the decision makers.

After public release of the June 2014 Specific Plan document and the Draft EIR, City of El Cerrito staff made revisions to the Specific Plan, including in response to concerns raised by the public. These Specific Plan revisions are included in

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Related to parking, see Specific Plan sections 2.03.02 (Transect Zones), 2.05.09 (Parking Standards), 3.02.01 (Complete Streets Goals, especially CS.6), and 3.03 (Project Streetscape Design, especially 3.03.02, San Pablo Avenue), including “Revisions to June 2014 Final Draft.”

- L 12.09 Merits of Project--The proposed flex parking lane compromises community health, safety, and welfare, and creates on-street parking shortages.

Response: The comment is conclusory. Related to environmental topics under the California Environmental Quality Act (CEQA), Draft EIR chapter 16 (Transportation and Circulation, pgs. 16-51 and 16-52) concludes that the Specific Plan would result in safer conditions for bicyclists and pedestrians, and a redesign that would better serve all travel modes - in particular buses, pedestrians, and bicyclists - while reducing conflicts between travel modes.

Regarding parking, see response to comment L 12.08.

- L 12.10 Air Quality--The Plan and EIR should discourage vehicle idling on San Pablo Avenue by not allowing the Level of Service [LOS] to deteriorate to E or F.

Response: The analysis in Draft EIR chapter 5 (Air Quality, pgs. 5-23 and 5-24) concludes that the Specific Plan impact related to localized carbon monoxide (CO) concentrations from vehicle exhaust would be less-than-significant. Regarding LOS, see responses to comments L 12.12 (below) and L 11.12.

- L 12.11 Transportation--Increased traffic congestion from the Specific Plan as a result of high-density development, reduced speed limits, etc., could delay emergency response or divert emergency responders to side streets.

Response: Regarding side streets, see responses to comments L 12.12 (below) and L 11.12. Regarding emergency response, Draft EIR chapter 15 (Public Services, subsection 15.3.3) concludes that Specific Plan impacts on fire protection/emergency medical service and police service would be less-than-significant. Draft EIR chapter 16 (Transportation and Circulation, subsection 16.3.6) concludes that the Specific Plan impact on emergency access would be less-than-significant.

- L 12.12 Transportation--EIR should adequately address impacts of LOS standards proposed by the Specific Plan, including the impacts of congestion on livability and established residential neighborhoods; in addition, the City should not allow the Level of Service [LOS] for San Pablo Avenue to deteriorate to LOS E or F, nor should the City allow the level of service for residential streets to deteriorate to LOS C, D, or E.

Response: The City acknowledges the concern regarding the potential effect of lowering the traffic LOS standard for San Pablo Avenue intersections on the traffic volumes and congestion on neighboring streets and intersections, both in El Cerrito

and Richmond. In crafting the Complete Streets Plan for San Pablo Avenue, the City has recognized the effect that maintenance of high LOS standards--LOS D or LOS C as proposed by the comment--can have on mode choice. This is why the Plan proposes lowering the standard to E, and accepting F only when maintenance of E or better would damage the City's ability to provide the pedestrian, bicycle, and transit facilities that will help maximize the use of those modes. However, as discussed in response to comment 11.12, the Draft EIR analysis indicates that LOS E can be maintained at all but one intersection in the Cumulative (2040) Plus Project condition, and that the impact can be reduced to a less-than-significant level with the projected mode shift from auto to transit, pedestrian, and bicycle use that can occur with the Plan's policy and street design changes. Therefore, based on the analysis in the Draft EIR, conditions along San Pablo Avenue would not incentivize drivers to use alternate routes. The City of El Cerrito monitors traffic conditions throughout the City on a regular basis, and will consider improvements or changes to neighborhood streets if significant traffic diversion patterns should develop. If such diversions should occur onto Richmond streets, the City of El Cerrito commits to working with the City of Richmond on necessary improvements or changes.

The comment also uses terms such as "livability," "quality of life," and "impacts on property values." These issues are not directly environmental topics under the California Environmental Quality Act (CEQA), although the topics can be considered in the decision-making process. The Draft EIR does analyze many environmental topics that can be considered to contribute to livability and quality of life, such as air quality (chapter 5), greenhouse gas emissions (chapter 9), hazards and hazardous materials (chapter 10), and noise (chapter 13), among other environmental topics.

- L 12.13 General--The City should conduct cultural, economic, and market and real estate feasibility studies of the Specific Plan's effects on businesses, adjacent neighborhoods, and transportation pathways for 5, 10, 20, and more years.

Response: The comment refers to a "cultural feasibility study" as one that evaluates impacts "on the local environment [including on] long established single-family neighborhoods." With the purview of CEQA, the Draft EIR does evaluate such impacts. "Transportation pathways" (as termed by the commenter) are analyzed in Draft EIR chapter 16 (Transportation and Circulation), from current conditions to projected future conditions in the year 2040, pursuant to State, regional, and local transportation plans, standards, and protocols (see EIR sections 16.2 [Regulatory Setting] and 16.3.1 [Significance Criteria]).

Economic and market and real estate feasibility studies are not within the purview of CEQA.

- L 12.14 Merits of Project and Aesthetics--Photographs are provided, showing heights of buildings in Richmond, El Cerrito, Berkeley, and Oakland. One illustration from the Specific Plan is also shown.

Response: The photos are in comparison to the Specific Plan, not to the Draft EIR and no specific comments regarding the adequacy of the Draft EIR are provided. The Specific Plan Form-Based Code includes numerous photos of existing buildings side-by-side with conceptual drawings, to illustrate the Code's standards and

guidelines. Draft EIR chapter 4 (Aesthetics and Visual Resources) analyzes potential visual impacts of the Specific Plan.

Comments on the Draft Environment Impact Report of the City of El Cerrito Proposed San Pablo Specific Plan

Marilyn Sterling
536 Kearney
El Cerrito 94530

L 13.01

Procedural Concerns

I am concerned that all the citizens affected by this plan have not had the opportunity to review and comment on it. I have called the City a number of times to suggest ways to increase awareness and communication but these have not been implemented.

First of all, I am concerned that many (in my rough estimation- half) of the neighbors living in the area surrounding the project are primary speakers of a language other than English. When I raised the suggestion with the city that they send out a short notification in other languages and identify a point person who could community what is going on in the most important languages I was told this was impossible. Certainly it would be impossible to provide information in the ten or more different languages spoken on my block. However, about half of my neighbors are property owners who read Chinese and would have welcomed the chance to have a say in what happens to their property.

I also suggested to several different people that copies of the plan which could be checked out would be made available at City Hall and the library. Since no one can read 900 pages while at the library or at City Hall, having the only hard copy of the plan only available at those two locations limited the ability to provide input to those who have Internet access. Senior citizens, in particular, were not able to participate.

The issues that I am raising here were all issues which I suggested be included in my EIR input comment letter, which the City solicited from citizens.

Comments on the DRAFT Environmental Impact Report on the San Pablo Specific Plan

L 13.02

The EIR prepared for the San Pablo "Improvement" Project focuses solely on the precise boundaries of the project itself and neglects to address how the project addresses the environment in which the project is located: the streets and neighborhoods which adjoin the project.

Thus the sections on Land Use and Planning, Population and Housing, Recreation, Transportation/Traffic, and therefore of course Cumulative Impact, Significant Irreversible Changes, and Alternatives should be amended to include this analysis. Some of the omissions which result from failure to consider the surrounding neighborhood are serious, not able to be mitigated, and would significantly impact the quality of life for current residents. Therefore alternatives must be fully explored.

Chapter 1 Aesthetics.**L 13.03**

This section should include the impact of 55 to 85 foot structures on residents who live in back of the development. There should be a shade and sun analysis assuming maximum height and buildouts for all areas of the project which shows exactly how solar access will be affected for not only the residents living directly in back of the development, but for all those in the neighborhood whose solar access will be affected.

This section should also include an analysis of the extent of invasion of privacy that will result from having 6 to 8 stories of apartments next to residential neighborhoods. Again, the analysis should assume maximum allowable height and buildout not only for residents living directly in back of the development but for all those in the neighborhood whose privacy will be affected.

The section on views needs to include the impact on scenic views by those living in the neighborhood. The EIR makes the assumption that only those living in the hills have views but this is not correct. In addition to views of the Bay and bridges enjoyed by some neighborhood residents, all neighborhood residents enjoy views of the morning sun and the sun in the late afternoon and the colorful clouds that hang in the sky in the sunset. These views are important to the quality of life of neighborhood residents and the impact on them from the 6-8 story structures should be assessed.

Mitigation: There should be an analysis of whether reducing allowable height to 2 or three stories would mitigate aesthetic concerns for neighborhood residents.

Chapter 2. Air Quality, Chapter 5 Hazardous Materials, and Chapter 6 Noise.**L 13.04**

The EIR should note that in addition to schools, daycare centers, the senior center, and other “sensitive receptors” located within 1 block of the proposed project, the population living in the blocks surrounding the project has a much higher percentage of children and seniors than the rest of the City.

This should be considered when air quality, hazardous materials, and noise mitigation measures are set, possibly requiring a smaller development.

Chapter 3. Biological Impact.**L 13.05**

This should include an analysis of whether or not reducing the sunlight to neighboring areas reduces the ability of residents to grow food and to garden on their property.

Chapter 4. Land Use.**L 13.06**

This should include an analysis of whether or not solar access will be limited and for how much in the residential blocks surrounding the development.

The EIR should explore whether and to what extent the proposed street cutaways from San Pablo Avenue to the streets behind it will disrupt current community ties. It should consider the fact that blocks currently serve as self-enclosed neighborhood communities. Would cutting through the middle of these change the nature of the community environment and disrupt the safe little communities that have developed?

L 13.07

Chapter 14. Population and Housing:

1. Population figures are incorrect and should be corrected, especially because they are being used to justify the project.

L 13.08

2. The EIR should consider the effect of the project on housing density of the neighborhood surrounding the project, which will be more than doubled with this project. The EIR should discuss whether this more-than- doubled population density will affect the quality of life of existing residents. The EIR should address the fact that the surrounding neighborhood already has the highest density of the city. It should also address the fact that it also has the lowest income levels in the city and that the current population is largely immigrant.

L 13.09

The EIR should address the fact that all of the proposed development is planned to occur in this high density low income area. What is the impact of this rather than 30% of development being spread out throughout the city as the Association of Bay Area Governments recommends?

L 13.10

3. The EIR should address the effect of the project on meeting all housing needs of the local population. The justification for the plan is that the City will be meeting (and far exceeding) their share of the proposed entire Bay Area's projected future population growth. If this is correct, then the plan should also include an analysis of the entire Bay Area's need for low and very low housing, supportive, transitional, and emergency housing and how this plan will address the City's share of this need as well as how the project will provide those types of housing to the current City population. It should explain why the City currently has none of those types of housing and how those populations will be affected by the plan. It should explain why voluntary bonuses for developers who provide low income housing will be successful and provide enough low income housing.

L 13.11

4. The plan needs to address the current population demographic of the City and how that demographic will change when the plan is fully implemented, in terms of age, race, income, and mental and physical disability status. In particular, the plan should address the very high population of blind people, unique to this area, and how the planned development will accommodate their needs.

L 13.12

5. The plan needs to address the fact that there are residents living in the areas outlined in the plan who would be displaced by the development and what safeguards or mitigations if any will be undertaken to protect their homes.

L 13.13

Chapter 15 Public Services (Parks) and Chapter 16 Recreation.

L 13.14

While the draft EIR lists the parks in the City, it does not provide an analysis of the parks and recreation areas close to the proposed project. It should address the fact that current residents in the neighborhoods next to the project now suffer from a serious dearth of parks and recreation areas; contain the highest proportion of children and seniors in the city (populations with a high demand for parks and recreation facilities) ; and contain the highest number of children living in apartments without access to yards where they live. The EIR must address the extent to which the project will worsen the stress on already meager recreation and natural resources. While the EIR addressed small open areas and pocket parks, it should also address the need for larger parks where children can run and where residents can interact with nature.

**L 13.14
cont.**

The EIR should also address current usage of the library, swim pool, rec hall, preschool, summer camp, and other recreation programs and explain why all of the new proposed residents will not unduly stress these programs and will not require new facilities.

L 13.15

The EIR should address the current crisis in provision of West County emergency room services expected to worsen. It should explain how adding more residents will not worsen an already dangerous situation and how the new residents will be able to be transported to emergency rooms in time.

L 13.16

Mitigation for the public services should include an analysis of whether or not reducing the number of units will allow the city to provide adequate services.

L 13.17

Chapter 16. Transportation and Circulation

1. The EIR should include an accurate assessment of the impact of the proposed development on traffic. The conclusion in the current draft that that more than doubling the population of the areas close to the project will increase traffic by only 5% needs more support.

L 13.18

1. The draft EIR incorrectly ignores the effect of increased traffic on neighboring streets. It should discuss current problems and how these will be impacted with more traffic. It should discuss the impact of the increased population on neighboring streets, and on the ability of children to ride their bicycles in their own street as well as to school. It should discuss the impact on current side and adjoining streets of increased traffic on neighborhood cohesion.

L 13.19

2. The EIR ignores the effect of increased cars on neighboring parking. As a basis for analysis, it should discuss current severe parking shortages close to the BART stations and how this impacts local residents now. Then it should explain how parking will be affected by the doubling of the population in the local area and how reducing parking requirements for developers will affect parking in all close by streets.

L 13.20

3. The EIR should analyze the capacity of BART to handle thousands of additional riders, given the fact that BART is currently running at unpleasant capacity from El Cerrito during rush hours. This analysis should take into consideration proposed housing unit increases in other cities using the same BART line.

L 13.21

4. The EIR should discuss how the project will affect already constrained parking and safety at nearby Fairmont Elementary School, Harding Elementary School, and the El Cerrito Senior Center. **L 13.22**

18. Project Consistency with plans.

The following are comments on the Project Consistency with elements of the El Cerrito General Plan:

L 13.23

Policy LUI 1:1. Predominate Single Family Use The EIR should address how this is compatible because it will turn current areas that are predominate single family use into multiple family.

Policy LUI 1.4 Intrusions into Residential l Areas

The EIR should address how this is compatible because: 1. The cutaways into surrounding streets will be intrusions and 2. The traffic, noise, total lack of privacy and lack of solar access will intrude into neighboring residential areas. .

Policy CD 1.1: Neighborhood Character.

The EIR should address how this is compatible since the project clearly will damage the quality of life and character of existing neighborhoods.

Policy R1.13: View Protection.

The EIR should address how this is compatible if view protection includes views of morning and afternoon sun and sky.

Policy HE-1 Housing preservation.

To be compatible, the EIR should address how existing housing in the project area will be protected. maintaine

Policy HE-15. Housing for Special Needs Groups, Program HE-15.6 Transitional and supportive housing, Program HE-16. Low, very low, affordable housing, Policy HE-17. Transitional and support, Policy HE-18 Emergency shelter, Program 19.4 Emergency etc

The EIR should address how the project could be considered to be compatible since the City currently has none of any of these types of housing and since none would be required in the project.

Alternatives

The EIR should include a more serious analysis of the impacts and provide genuine alternatives and mitigation measures. **L 13.24**

The EIR should include a much more serious discussion about alternatives that includes:

1. A serious consideration of alternative 1
2. A serious consideration of an alternative which would reduce the number of units to that reasonably expected to be needed, which is less than half the planned number.
3. Reduction in height to 2 stories, and to 3 stories maximum only when this will not damage views or privacy or current neighbors.
4. Elimination of cutaways which will destroy existing streets plans
5. 30% of units to be spread out in other areas as suggested by ABAG
Inclusion of mother in law units in other parts of the city rather than placing all housing in the most dense part of the city.
6. Genuine measures in which the plan will provide needed low income, very low income, special population, and transitional and emergency housing.
7. A lowered number of units which will not increase the population to a point where public resources are unduly strained.

**L 13.24
cont.**

L13 Marilyn Sterling, 536 Kearney, El Cerrito; undated (6 pages)

- L 13.01 General--The City did not allow many residents an opportunity to read or understand the Specific Plan because of its size and also because of lack of communication in non-English languages to keep the public apprised of the process.

Response: Section 15088 (Evaluation of and Response to Comments) of the CEQA Guidelines requires detailed responses only when a comment raises significant environmental issues. This comment relates to the adequacy of access to the Draft EIR, not to the content or adequacy of the Draft EIR. No changes to the EIR are necessary. However, the City notes that in addition to the physical copies of the EIR that were available at the library and City Hall, the EIR is available on the City's website and electronic versions could be obtained at City Hall. The comment will become part of the administrative record and will be considered by the decision makers.

After public release of the June 2014 Specific Plan document and the Draft EIR, City of El Cerrito staff made revisions to the Specific Plan, including in response to concerns raised by the public. These Specific Plan revisions are included in "Revisions to June 2014 Final Draft," which is available concurrently with the Specific Plan for review at the City's website at:

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The Draft EIR was made available to agencies and the public as required by the California Environmental Quality Act (CEQA).

- L 13.02 General--EIR needs to address impacts on surrounding neighborhoods, especially those impacts that cannot be mitigated and would significantly affect the quality of life of current residents; also, the EIR should fully explore alternatives.

Response: Although "quality of life" is not a specific term used in CEQA, the Draft EIR does analyze many environmental topics that can be considered to contribute to quality of life, such as aesthetics and visual resources (chapter 4), air quality (chapter 5), greenhouse gas emissions (chapter 9), hazards and hazardous materials (chapter 10), noise (chapter 13), and transportation and circulation (chapter 16), among other environmental topics. As described in the Draft EIR chapters, the analyses of these impacts is not limited to the Specific Plan area, but rather the environmental setting, potential impacts, and recommended mitigations, as necessary for a comprehensive CEQA analysis, are analyzed within the Specific Plan boundaries, in the local communities, and in the Bay Area region. Alternatives to the proposed Specific Plan are evaluated in Draft EIR chapter 20,

- L 13.03 Aesthetics/Visual Resources--EIR needs to include a shade and sun analysis, as well as consider invasion of privacy issues related to residential neighborhoods with adjacent 6- to 8-story apartment buildings; in addition, the EIR should also consider the impacts of scenic views of those living in the neighborhood rather than only those who live in the hills.

Response: “Sun and shade” standards are a component of the Specific Plan, not an EIR topic (see Plan section 2.05.02.02, Shadow Standards). These standards apply to new development under the Specific Plan. In addition, Specific Plan section 2.02.05 (General Application Procedures) explains how visual simulations can be required for individual, future projects to help with the decision-making process, when the basic, proposed building design is known. Similarly, the potential for “invasion of privacy” is a topic that can be considered by decision-makers, but it is not an environmental issue defined by CEQA.

Specific Draft EIR chapter 4 (Aesthetics and Visual Resources) does not restrict its evaluation of scenic views to those afforded by people residing in the hills. The visual evaluation uses the scenic views themselves (for example, of the East Bay Hills, Mt. Tamalpais, and Albany Hill) as the foundation of the analysis. As a result, note that Mitigation 4-1 is not restricted to views from hillside locations.

- L 13.04 Air Quality/Hazards and Hazardous Materials/Noise--EIR should consider the higher percentage of children and seniors ("sensitive receptors") who live in and near the Specific Plan area when determining mitigation measures.

Response: The Draft EIR air quality (chapter 5), greenhouse gas (GHG) emissions, hazards (chapter 10), and noise (chapter 13) analyses apply to all sensitive receptors (e.g., children, the elderly) – including existing residents as well as the people who might inhabit a future, individual project - regardless of their concentration in any location. The analyses are not less rigorous or less comprehensive for any geographical area for having fewer sensitive receptors. The analyses are conducted, and mitigations defined, pursuant to State, regional, and local protocols, standards, and regulations. As physical and environmental conditions, land uses, and inhabitants change over time, the mitigations will remain valid and can be refined as new, applicable regulations are adopted.

- L 13.05 Merits of Project--EIR should analyze the effects of reduced sunlight on residential gardens.

Response: As sunlight and shade affect various parts of the environment throughout the day and over the year, no portion of a property is in a prolonged state of sunlight or shadow. Specific Plan section 2.05.02.02 details the Shadow Standards that would apply to new development under the Specific Plan, including adjacent to existing residential uses and along local streets with residential uses. The standards are based on shadow conditions during the Winter Solstice (December 21), when shadows are at their longest. Specific Plan section 2.02.05 (General Application Procedures) explains how visual simulations can be required for individual, future projects to help with the decision-making process. Such evaluations cannot be conducted until individual projects are proposed, when the basic proposed building design is known.

- L 13.06 Solar Access--EIR should analyze and quantify any limitations on solar access in residential areas surrounded by new development.

Response: See response to comment L 13.05.

- L 13.07 Land Use--EIR should analyze how proposed street cutaways could divide and disrupt existing neighborhood communities.

Response: The comment appears to be referring to proposed mid-block connections in the Specific Plan (see Draft EIR Figure 3-4, Proposed Streetscape Design). These connections would be paths for pedestrians and bicyclists - not roads - and would be designed to connect communities, not disrupt them.

- L 13.08 Population and Housing--EIR should correct its population figures.

Response: The comment does not refer to which population figures are considered incorrect. As referenced in the Draft EIR (see especially chapter 14, Population and Housing), population figures used in the Draft EIR are based on demographic data developed by the Association of Bay Area Governments (ABAG) and published in Plan Bay Area. This information is the most reliable relevant to the proposed Specific Plan because it includes population data for the cities of El Cerrito and Richmond **as well as for the Priority Development Area (PDA) whose boundaries coincide with the San Pablo Avenue Specific Plan area.** Census data is not broken down by the PDA boundaries. ABAG is the regional planning agency responsible, in collaboration with the Metropolitan Transit Commission (MTC) and the PDA/OBAG (One Bay Area Government) Working Group, for administering Plan Bay Area, which was adopted on July 18, 2013. The Working Group includes representatives from member jurisdictions in the nine-county Bay Area, including a representative from the City of El Cerrito.

It is important to note that ABAG forecasts are not mandates, or even goals, passed down to cities. Household and job allocations are based on potential Bay Area-wide job, population, and household growth statistics that take into account national, State, and regional economic trends. Draft EIR chapter 14 (Population and Housing) provides details. Population numbers are not being used to “justify” the project; the Project Objectives are described in Draft EIR section 3.3.

- L 13.09 General--EIR should consider how increasing population density will affect the quality of life for existing residents, especially because of current high density neighborhoods and their income levels and demographic makeup.

Response: Related to “quality of life” and effects on surrounding areas, see response to comment L 13.02. The commenter’s references to “lowest income levels” and the “immigrant” population are non-specific and do not refer to any particular, potential, CEQA-defined environmental impacts that apply uniquely to these topics. The Specific Plan area is recognized by both the cities of El Cerrito and Richmond, and by the Association of Bay Area Governments (ABAG), as the location of future higher intensity mixed use development (see Draft EIR chapter 18, Project Consistency with Local and Regional Plans).

- L 13.10 Population and Housing--EIR should consider the impact of buildout occurring in an already high-density, low-income area rather than spreading 30 percent of the development throughout the City as recommended by ABAG [Association of Bay Area Governments].

Response: See responses to comments L 13.08 and L 13.09.

- L 13.11 Population and Housing--The Plan and EIR should address how all local housing needs will be met, and analyze how the Plan will meet the City's share of the Bay Area's need for low and very low income housing, as well as supportive, transitional, and emergency housing.

Response: The comment pertains to topics which are under the purview of the City of El Cerrito Housing Element and the City of Richmond Housing Element, which would be implemented in coordination with the Specific Plan.

- L 13.12 Merits of Project--The Plan and EIR should address how City demographics will change under Plan implementation, and in particular, how future development under the Plan will accommodate the needs of the physically disabled.

Response: The Specific Plan does not attempt to, nor is it intended to, define or control the population demographics of who would reside in the Specific Plan area or in the rest of El Cerrito and Richmond. The Plan would be consistent with ADA (Americans With Disabilities Act) requirements and accessibility laws, and would make physical improvements that improve accessibility. ADA-compliant standards are incorporated throughout the Plan, especially in the design standards.

- L 13.13 Population and Housing--The Plan and EIR should address what safeguards will be put in place to prevent residents from being displaced by development.

Response: See Draft EIR chapter 14 (Population and Housing), especially the section "Population and Housing Displacement Effects." The Specific Plan is not a development project proposed by either the City of El Cerrito or the City of Richmond; it is a long-term plan for the Plan area. The Plan does not contain any provisions authorizing residential eminent domain.

- L 13.14 Public Services--EIR needs to analyze parks and recreational facilities close the proposed project and the extent to which the project will degrade or cause deterioration in already limited recreation and natural resources.

Response: Draft EIR chapter 15 (Public Services), especially "Impacts on Parks and Recreational Facilities," addresses the comment. The population increase forecasted under the Plan (3,840) would occur over an approximately 25-year period (an average of 154 new residents per year). In addition to open space provisions in the Plan, State law authorizes local governments to require dedication of park land or on-site provision of open space/recreational facilities, or to impose an in-lieu fee or a combination of these options. With these provisions, the EIR evaluation concluded that project impacts on parks and recreational facilities would be less-than-significant.

- L 13.15 Public Services--EIR should address impacts of new residents on existing public and recreational facilities and programs (e.g., library, swimming pool, summer camp).

Response: Draft EIR chapter 15 (Public Services), including "Impacts on Other Public Facilities") addresses the comment. The population increase forecasted under

- L 13.16 the Plan (3,840) would occur over an approximately 25-year period (an average of 154 new residents per year). The EIR evaluation concludes that project impacts on other public facilities, including the library, would be less-than-significant.
Public Services--EIR should address impacts on emergency medical service, especially in light of current crisis in emergency room services in the West County.

Response: See response to comment L 13.15. In addition, Draft EIR chapter 15 concludes that project impacts on emergency medical service would be less-than-significant.

- L 13.17 Public Services--EIR should consider if reducing the number of units allowed to be developed would enable the City to provide adequate services.

Response: See responses to comments L 13.14, through L 13.16. The Draft EIR does not conclude that public services would be inadequate with implementation of the Specific Plan. The Draft EIR analyses conclude that impacts on public services would be less-than-significant. EIR chapter 20 (Alternatives to the Proposed Project) evaluates project alternatives that would result in fewer residential units (Alternatives 1 and 2).

- L 13.18 Transportation--EIR analysis of traffic impacts seems inaccurate (with more than doubling of population but only a five percent increase in traffic) and needs more support.

Response: The comment's reference to a five percent increase in traffic refers to the projected growth in regional traffic using the San Pablo Avenue corridor--that is, traffic generated by uses outside the corridor (Draft EIR p. 16-42). The traffic growth generated by the projected new development in the corridor is discussed on Draft EIR pages 16-30 and 16-31; this "Project" trip generation is 840 AM peak hour trips and 1,960 PM peak hour trips (total of already entitled projects and projected additional development). The Project trip generation is not stated as a proportion relative to current traffic levels because it would be distributed throughout the corridor, and the actual traffic growth at any particular intersection would include a fraction of the traffic stated above. Nevertheless, as indicated in the intersection volume graphics (Figure 16-7A/B for Existing Plus Project as compared to Figure 16-6A/B for Existing), the Project-generated proportional increase in traffic, relative to Existing traffic, would be substantially higher than five percent.

- L 13.19 Transportation--EIR analysis needs to consider impacts of increased traffic on neighboring streets, including effects on bicycles.

Response: See Master Response in section 2.2 of this Final EIR.

- L 13.20 Parking--EIR needs to consider the effect of traffic increases on neighborhood parking; in particular, EIR should explain the effect on parking of doubling the population and reducing parking requirements.

Response: See response to comment L 13.01. In addition, the Specific Plan's parking requirements for new development are consistent with demonstrated parking demand rates for transit-proximate development. The parking requirements are part

of a comprehensive set of policy and infrastructure improvements in the Plan that are designed to collectively increase incentives to use non-auto modes, which will in turn reduce the negative traffic and off-site parking impacts of new development. The City of El Cerrito regularly monitors traffic and on-street parking conditions throughout the City, and particularly in neighborhoods surrounding its two BART stations, and will develop solutions to inappropriate use of on-street parking in neighborhoods if needed.

- L 13.21 Transportation--EIR needs to analyze BART capacity to handle additional population from future development under the Specific Plan.

Response: As stated in the Draft EIR (chapter 16, Transportation and Circulation), the baseline vehicle trip generation estimates incorporate BART, bus, and walk/bike trip-making characteristics consistent with transit-proximate development, as forecast using the validated MXD trip generation model. In the case of the land uses proposed in the Specific Plan, this translates into an estimated 2,600 new daily BART trips. The Draft EIR does not provide an analysis of the impact of new BART riders on the Del Norte and El Cerrito Plaza BART stations, because the projected increase in transit ridership is a desired outcome and is not identified as an adverse impact under CEQA. BART line ridership and train load factors are not part of the permanent physical environment; in fact, transit service changes over time due to a variety of factors. Any resulting shifts from driving to transit would be in keeping with the goals and policies of the El Cerrito and Richmond General Plans, the El Cerrito Climate Action Plan, and the proposed Specific Plan. In addition, the City of El Cerrito has and will continue to work collaboratively with BART to improve station access and mobility for residents, employees, and visitors.

- L 13.22 Parking--EIR should discuss parking and safety issues at local schools (Fairmont and Harding elementary) and the El Cerrito Senior Center.

Response: See response to comment 13.20.

- L 13.23 Project Consistency With Plans--EIR needs to discuss how the Specific Plan would be compatible with existing City General Plan policies pertaining to single family use, intrusions into residential area, neighborhood character, view protection, housing preservation, and housing for special needs groups.

Response: Many of the individual issues raised in the comment have been responded to above in other responses to Letter 13. A comprehensive evaluation of the proposed Specific Plan's consistency with local and regional plans is included in Draft EIR chapter 18, including Tables 18.1 (Project Consistency With El Cerrito General Plan) and 18.2 (Project Consistency With Richmond General Plan).

- L 13.24 Alternatives--EIR needs a more thorough analysis of the alternatives, including a reduction of the number of units proposed to be allowed by half, a reduction in building height to 2 or 3 stories maximum, elimination of cutaways, a distribution of 30 percent of units into other areas, low and very low income housing provisions as well as provisions for transition, emergency, and special population housing, and a lower number of units in order to maintain public resource levels.

Response: Many of the individual issues raised in the comment have been responded to above in other responses to Letter 13. Draft EIR chapter 20 (Alternatives to the Proposed Project) includes an analysis of four project alternatives, pursuant to CEQA Guidelines section 15126.6 (Consideration and Discussion of Alternatives to the Proposed Project). The analysis concludes that Alternative 2: Plan Bay Area Growth Allocations would result in the least adverse overall environmental impacts.

Urban Village by the Bay

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CITY OF ALBANY



COMMUNITY DEVELOPMENT

1000 SAN PABLO AVENUE
ALBANY, CA 94706
510 528-5760

www.AlbanyCA.org/cd

July 21, 2014

Margaret Kavanaugh-Lynch
Development Services Manager, Community Development Department
City of El Cerrito
10890 San Pablo Avenue
El Cerrito, CA 94530

Subject: San Pablo Avenue Specific Plan

Dear Margaret,

Thank you for the opportunity to comment on the San Pablo Avenue Specific Plan and EIR. The City of El Cerrito should be applauded for undertaking the planning effort. San Pablo Avenue is a key artery in the East Bay and its function and vitality are important to all of the communities along its corridor.

We would like to point out that the proposed specific plan interfaces with several City of Albany policies and projects:

- Many of the maps in the Specific Plan are cropped at the city limit line, which does not reflect realities of the everyday trips across our shared border. For example, the El Cerrito Plaza BART station is essentially Albany's main BART station, serving areas in north Albany including Albany Middle School, High School, and Cougar field. In addition, El Cerrito Plaza is an important commercial destination for our residents. **L 14.01**
- We support the potential to recreate an urban grid in El Cerrito Plaza in a manner that would help address our long-standing concerns that Albany residential streets will be used as an alternative to the primary entrance to El Cerrito Plaza. **L 14.02**

July 21, 2014
Margaret Kavanaugh-Lynch
Subject: San Pablo Avenue Specific Plan

Page 2

- The potential for relocating and redesigning San Pablo Avenue bus stops is very promising. We believe that it is important to coordinate relocating the bus stop on San Pablo to ensure that the location of transit stops serves riders and commercial businesses in both cities, and that there are not unintended consequences on downstream transit stops in Albany **L 14.03**

- El Cerrito's Complete Streets identifies Central Avenue as a gateway to El Cerrito Plaza. Due to congestion on Central Avenue, we are concerned that I-580 and I-80 vehicle traffic coming and going to future projects in the specific plan area may seek alternative routes. In particular, it is a concern that vehicles would use Buchanan as an early freeway exit and access El Cerrito via Pierce Street or other residential Albany streets. We do envision, however, Pierce Street as a viable alternative route for pedestrians and bikes traveling to El Cerrito in order to avoid traffic on San Pablo. **L 14.04**

- El Cerrito's Complete Streets is consistent with Albany's Complete Streets, in which both analyses recommend welcoming entries to both communities. Placement and design of gateways should be coordinated. **L 14.05**

- El Cerrito and Albany should continue to work together to connect our open space networks, including the potential creek/greenway to the Creekside Park and Cerrito Creek on Adams Street north of the Orientation Center for the Blind. **L 14.06**

- We appreciate the consideration of plans to implement metered parking on San Pablo Avenue in El Cerrito. Albany will initiate a parking study in the near future and it is timely to consider how El Cerrito's plans may affect our jurisdiction. **L 14.07**

Once again, congratulations on pulling together an ambitious planning effort. Thank you for your consideration of our comments.

Regards,



Jeff Bond
Community Development Director

L14 Jeff Bond, Community Development Director, City of Albany, 1000 San Pablo Avenue, Albany, CA; July 21, 2014 (2 pages)

- L 14.01 Graphics--Many maps of the Specific Plan area stop at the city limit line and do not reflect trips across the El Cerrito-Albany border.

Response: Both the Specific Plan and the Draft EIR acknowledge the interconnected nature of the proposed Plan (e.g., the EIR transportation analysis incorporates traffic generated by adjacent communities and the region). The documents' maps are generally restricted to the Specific Plan area so that details in the area can be clearly illustrated and legible to the reader. However, the environmental analysis contained in the EIR included an analysis of impacts outside of the boundaries of the Specific Plan area.

- L 14.02 Merits of Project--Support for creating an urban grid in the El Cerrito Plaza, which would help ease concerns about use of nearby Albany residential streets.

Response: Section 15088 (Evaluation of and Response to Comments) of the CEQA Guidelines requires detailed responses only when a comment raises significant environmental issues. This comment relates to the merits of the Specific Plan, not to the content or adequacy of the Draft EIR. No changes to the EIR are necessary. The comment will become part of the administrative record and will be considered by the decision makers.

After public release of the June 2014 Specific Plan document and the Draft EIR, City of El Cerrito staff made revisions to the Specific Plan, including in response to concerns raised by the public. These Specific Plan revisions are included in "Revisions to June 2014 Final Draft," which is available concurrently with the Specific Plan for review at the City's website at:

www.el-cerrito.org/SPASP

Also see response to comment L 14.04 below.

- L 14.03 Merits of Project--Support for bus stop redesign and relocation, but decisions about location need to prevent unintended consequences on downstream Albany transit stops.

Response: See response to comment L 14.02.

- L 14.04 Transportation--Concern about I-580 and I-80 traffic using Buchanan Avenue as an exit due to congestion on Central Avenue; concerns of residential streets in Albany being used as alternative routes; Pierce Street could be a viable alternative route for pedestrians and bicyclists.

Response: See Master Response in section 2.2 of this Final EIR.

- L 14.05 Merits of Project--Specific Plan Complete Streets (chapter 3) is consistent with Albany's Complete Streets; the two cities should coordinate place and design of gateways.

Response: See response to comment L 14.02.

- L 14.06 Merits of Project--El Cerrito and Albany need to continue to work together to connect open space networks and potential creek/greenway resources.

Response: See response to comment L 14.02.

- L 14.07 Merits of Project--Support for plans to meter parking on El Cerrito portion of San Pablo Avenue; Albany will consider El Cerrito's plans when it commences its own parking study in the near future.

Response: See response to comment L 14.02.

DOUG & PAT DONALDSON
627 Spokane Avenue
Albany, California 94706

July 16, 2014

Ms. Margaret Kavanaugh-Lynch
Planning Department
City of El Cerrito
10890 San Pablo Avenue
El Cerrito, CA 94530

Subject: **San Pablo Avenue Specific Plan and EIR**

Dear Ms. Kavanaugh-Lynch,

I have read, with interest, the Draft San Pablo Avenue Specific Plan and EIR, as I am an owner of property within the Plan Area (a 4-plex at Belmont and Central), a planner and a member of Albany's Planning and Zoning Commission.

The Specific Plan is a very ambitious undertaking that invites substantial new investment and redevelopment of land along the San Pablo Avenue corridor. I think the form based code approach may prove to be very developer friendly, and that it will substantially increase the power and authority of your Planning Commission and Design Review Board. I hope they exercise their new responsibilities with care and wisdom.

There are two areas of concern I have and would like to see addressed as the Draft Plan is revised and in the Final EIR:

a) Central Avenue Traffic. While the Specific Plan area has been extended west from San Pablo Avenue along Central Avenue to I-80, none of the signalized intersections in this part of the Specific Plan area are acknowledged in the Plan or assessed in the EIR. This needs to be corrected. **L 15.01**

Central Avenue is currently very congested, and the intersection at Pierce Street, the I-80 ramps, and Jacuzzi Street /San Joaquin Street is exceptionally complicated and challenging to mitigate. Nevertheless, the EIR will be inadequate if it continues to ignore this travel corridor. Development of new housing and commercial space at the scale envisioned in the Specific Plan will undoubtedly add a significant number of vehicle trips to these intersections. These impacts must be addressed in the Final EIR.

a) North Branch Cerrito Creek flood flooding. The Specific Plan and the EIR do not address the potential for managing the flood plain of this branch of Cerrito Creek so as to reduce the flood risk and also the size of the official FEMA flood plain. **L 15.02**

The EIR incorrectly states that there are no known areas of flooding within the El Cerrito portion of the Specific Plan (p. 11-10). My property and several other apartment buildings along Central are in the flood plain, as is the park on the north side of Central Avenue. In

addition, there are probably 100 other properties between Lassen and Belmont that are also in the flood plain.

L 15.02
cont.

Channel maintenance and floodway improvements at Creekside Park that have occurred in the past decade have greatly reduced the frequency of small floods in this area. The Specific Plan should approach this issue with a focus on doing more of the same.

The mitigation that calls for simply building new development at a level above the flood height is inadequate and short-sighted. The Provision C.3 regulations that require no net increase in the amount and intensity of rainfall runoff could be tightened within this small watershed to further reduce downstream flooding. And new development within the watershed could be required to contribute hazard abatement measures such as annual channel cleaning, or development of flood retention facilities at the Park or along the existing creek channel.

This opportunity for initiating a positive, long-term flood control plan should not be missed. And it is particularly important since El Cerrito and Richmond are cooperating on the development of the Plan. That cooperation should be extended to this thorny problem of managing the shared flood plain.

I ask that the Specific Plan and EIR be revised to acknowledge this problem, and that the City commit to completing a hydrologic study of the North Branch Cerrito Creek watershed with a goal of developing a plan to reduce the amount of flooding and the area of the 100-year flood plain to the greatest extent feasible.

I appreciate the opportunity to comment, and look forward to following the development of this very important Specific Plan.

Sincerely,



Doug Donaldson

L15 Doug and Pat Donaldson, 627 Spokane Avenue, Albany, CA; July 16, 2014 (2 pages)

- L 15.01 Transportation--EIR needs to analyze signalized intersections along Central Avenue to I-80 (such as Pierce Street and Central Avenue, and Jacuzzi Street and San Joaquin Street) as well as the I-80 ramps.

Response: While the Specific Plan area extends to the west along Central Avenue in order to accurately capture development plans for these blocks that are adjacent to the San Pablo Avenue corridor, the Plan does not address or propose specific street design changes outside the San Pablo Avenue corridor, other than the references to key cross-streets in the Complete Streets chapter (Specific Plan chapter 3). The EIR does not present an analysis of the traffic effects on roadways outside the San Pablo Avenue corridor because the Specific Plan/Complete Streets Plan is designed to minimize traffic growth related to new development within the Plan area through shifts to bicycle, pedestrian and transit modes of travel, and the ability of the Plan to achieve these shifts is demonstrated in the Specific Plan and associated appendices. Therefore, traffic growth on the Central Avenue intersections is expected to be reduced to levels that would not generate significant impacts. In addition, it is noted that the City of El Cerrito is participating in the Caltrans-led effort to identify physical and operational improvements for the I-80/Central Avenue interchange, and will continue to assist in defining the appropriate improvements for Central Avenue between San Pablo Avenue and the I-80 interchange.

- L 15.02 Hydrology and Water Quality--EIR incorrectly states that there are no known areas of flooding within the El Cerrito portion of the Specific Plan; EIR should recommend mitigation measures such as the channel maintenance and floodway improvements at Creekside Park, and require new development within the watershed to contribute to a hazard abatement fund for annual channel cleaning or the development of flood retention facilities at Creekside Park or along the existing creek channel.

Response: The issues raised in the comment are addressed in Draft EIR chapter 11 (Hydrology and Water Quality, including revised pages in section 3 of this Final EIR) and chapter 17 (Utilities and Service Systems).

Also see Draft EIR section 1.3.2 (Impact Assessment Baseline). Project mitigations must have a “nexus” to the impacts created by the project, and the extent of the mitigations must be “roughly proportional” to the extent of the impacts created by the project (CEQA Guidelines section 15126.4[a][4][A] and [B]). In short, a project is responsible for mitigating its impacts on the environment. Existing conditions that require improvements are under the purview of the City’s ongoing policy, priority, and budgeting process (e.g., Capital Improvement Program process), which would be integrated with Specific Plan implementation and provide a more efficient and effective use of the City budget.

Information has been added to EIR chapter 11 (Hydrology and Water Quality), subsections 11.1.4 (Flooding and Flooding Hazards) and 11.3.3 (Impacts and Mitigations – Risk of Flooding). Adherence to the standard regulations identified in the Draft EIR still would result in a less-than-significant impact. The revised pages

(11-2 and 11-10) are included in section 3 (Revisions to the Draft EIR) of this Final EIR.



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

July 18, 2014

Margaret Kavanaugh-Lynch
City of El Cerrito
10890 San Pablo Avenue
El Cerrito, CA 94530

Subject: San Pablo Avenue Specific Plan
SCH#: 2014042025

L 16.01

Dear Margaret Kavanaugh-Lynch:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on July 17, 2014, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2014042025
Project Title San Pablo Avenue Specific Plan
Lead Agency El Cerrito, City of

Type EIR Draft EIR

Description The San Pablo Avenue Specific Plan represents a collaborative planning effort between the cities of El Cerrito and Richmond to identify a shared vision for the future of San Pablo Avenue, identify improvement needs, and adopt implementing regulations that can be applied consistently in planning area. A major goal of the planning effort is to achieve a coordinated, cohesive environment and character in the plan are through (1) a Form-Based Code; (2) multi-modal transportation goals and policies, recommended streetscape design improvements, and design standards as part of a Complete Streets chapter of the Specific Plan; (3) community facilities; and (4) infrastructure improvements.

Lead Agency Contact

Name Margaret Kavanaugh-Lynch
Agency City of El Cerrito
Phone 510 215 4332
email
Address 10890 San Pablo Avenue
City El Cerrito
Fax
State CA **Zip** 94530

Project Location

County Contra Costa
City Richmond, El Cerrito
Region
Lat / Long 37° 54' 56" N / 122° 18' 39" W
Cross Streets San Pablo Avenue from south of MacDonald Ave to south of Carlson Blvd
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways Hwy 123, I-80 & 580
Airports
Railways BART, UP
Waterways Cerrito Creek, Baxter Creek, San Francisco Bay
Schools WCCUSD
Land Use Commercial / Mixed Use & High Density Residential

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Wetland/Riparian; Water Supply; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 3; Department of Parks and Recreation; San Francisco Bay Conservation and Development Commission; Department of Water Resources; Office of Emergency Services, California; California Highway Patrol; Caltrans, District 4; Department of Housing and Community Development; Air Resources Board; Air Resources Board, Transportation Projects; Regional Water Quality Control Board, Region 2; Native American Heritage Commission; Public Utilities Commission; State Lands Commission

Date Received 06/02/2014 **Start of Review** 06/03/2014 **End of Review** 07/17/2014

PUBLIC UTILITIES COMMISSION

320 WEST 4TH STREET, SUITE 500
LOS ANGELES, CA 90013
(213) 576-7083

CLEAR
7117114
E



(same as L 1)

June 6, 2014

Ms. Margaret Kavanaugh-Lynch
City of El Cerrito
10890 San Pablo Avenue
El Cerrito, California 94530

RECEIVED

JUN 06 2014

STATE CLEARING HOUSE

Dear Margaret:

SUBJECT: SCH 2014042025 El Cerrito San Pablo Avenue Specific Plan - DEIR

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings in California. The Commission Rail Crossings Engineering Section (RCES) is in receipt of the draft *Environmental Impact Report (DEIR)* for the proposed City of El Cerrito (City) San Pablo Avenue Specific Plan project.

The project area includes the active rail tracks and stations. RCES recommends that the City add language to the San Pablo Avenue Specific Plan so that any future development adjacent to or near the planned railroad right-of-way (ROW) is planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at any planned at-grade crossings. This includes considering pedestrian circulation patterns or destinations with respect to railroad ROW and compliance with the Americans with Disabilities Act. Mitigation measures to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade crossings due to increase in traffic volumes, and continuous vandal resistant fencing or other appropriate barriers to limit the access of trespassers onto the railroad ROW.

If you have any questions in this matter, please contact me at (213) 576-7076, ykc@cpuc.ca.gov.

Sincerely,

Ken Chiang, P.E.
Utilities Engineer
Rail Crossings Engineering Section
Safety and Enforcement Division

C: State Clearinghouse



State of California – The Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 Bay Delta Region
 7329 Silverado Trail
 Napa, CA 94558
 (707) 944-5500
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
 CHARLTON H. BONHAM, Director

L 16

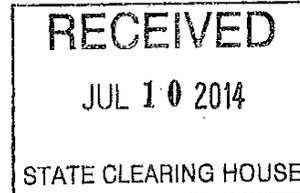


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CLEAR
 7/17/14
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July 7, 2014

Ms. Margaret Kavanaugh-Lynch
 City of El Cerrito
 10890 San Pablo Avenue
 El Cerrito, CA 94530



Dear Ms. Kavanaugh-Lynch:

Subject: San Pablo Avenue Specific Plan, Draft Environmental Impact Report,
 SCH #2014042025, City of El Cerrito, Contra Costa County

The California Department of Fish and Wildlife (CDFW) has reviewed the documents provided for the San Pablo Avenue Specific Plan. The San Pablo Avenue Specific Plan is a planning effort to achieve a coordinated development program in the cities of El Cerrito and Richmond along San Pablo Avenue. The project will occur in three phases; Phase 1, form based code development; Phase 2, completion of a streets plan; Phase 3, infrastructure systems. The Specific Plan will function as a Programmatic Environmental Impact Report with subsequent projects requiring the appropriate California Environmental Quality Act (CEQA) documentation. The project has the potential to impact fish and wildlife resources as well as identified and unidentified creeks, tributaries, drainage, and swales throughout the project area. CDFW has the following comments:

Section 1600 Lake and Streambed Alteration Agreement

For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed, CDFW may require a Lake and Streambed Alteration Agreement (LSAA), pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant. Issuance of an LSAA is subject to CEQA. CDFW, as a Responsible Agency under CEQA, will consider the CEQA document for the project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the agreement. To obtain information about the LSAA notification process, please access our website at <http://www.dfg.ca.gov/habcon/1600/>; or to request a notification package, contact the Bay Delta Regional Office at (707) 944-5500.

In addition, CDFW recommends adding a specific Section 1600 et seq. jurisdictional area significance criteria to section 6.3.1 of the environmental document as follows:

For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed, the project proponent will apply for a

L16 Scott Morgan, Director, State Clearinghouse, Governor's Office of Planning and Research;
July 18, 2014 (4 pages)

- L 16.01 Draft EIR Review Period--Acknowledgement that the City has complied with State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. The State Clearinghouse letter also attached the California Public Utilities Commission letter (June 6, 2014), which is included as Letter L1, and the California Department of Fish and Wildlife letter (July 7, 2014), which is included as Letter L2, in this Final EIR.

Response: The two letters attached to the State Clearinghouse letter are duplicates of Letter 1 (California Public Utilities Commission) and Letter 2 (Department of Fish and Wildlife) because these agencies sent their letters to both the State Clearinghouse and directly to the City of El Cerrito.

3. REVISIONS TO THE DRAFT EIR

The following section includes all revisions to the Draft EIR made in response to comments received during the Draft EIR comment period. All text revisions are indicated by strike-through and underlining plus a bracket in the left margin next to the revised line(s). All of the revised pages supersede the corresponding pages in the June 2014 Draft EIR. None of the criteria listed in CEQA Guidelines section 15088.5 (Recirculation of an EIR Prior to Certification) indicating the need for recirculation of the June 2014 Draft EIR, has been met as a result of the revisions. In particular:

- no new significant environmental impact due to the project or due to a new mitigation measure has been identified;
- no substantial increase in the severity of an environmental impact has been identified; and
- no additional feasible project alternative or mitigation measure considerably different from others analyzed in the Draft EIR has been identified that would clearly lessen the significant environmental impacts of the project.

In addition, after public release of the June 2014 Specific Plan document and the Draft EIR, City of El Cerrito staff made revisions to the Specific Plan, including in response to concerns raised by the public. These Specific Plan revisions are included in "Revisions to June 2014 Final Draft," which is available concurrently with the June 2014 Specific Plan for review at the City's website at:

www.el-cerrito.org/SPASP

As applicable to the CEQA process, the Draft EIR refers to components of the Specific Plan and summarizes or quotes those components. In some cases, revisions to the June 2014 Specific Plan have resulted in parallel revisions to the Draft EIR. These EIR revisions also are included in this section. None of the criteria listed in CEQA Guidelines section 15088.5 has been met as a result of the revisions.

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
<p>paving, building construction, and architectural coating. Emissions commonly associated with construction activities include fugitive dust from soil disturbance, fuel combustion from mobile heavy-duty diesel- and gasoline-powered equipment, portable auxiliary equipment, and worker commute trips. During construction, fugitive dust, the dominant source of PM₁₀ and PM_{2.5} emissions, is generated when wheels or blades disturb surface materials. Uncontrolled dust from construction can become a nuisance and potential health hazard to those living and working nearby. Demolition and renovation of buildings can also generate PM₁₀ and PM_{2.5} emissions. Off-road construction equipment is often diesel-powered and can be a substantial source of NO_x emissions, in addition to PM₁₀ and PM_{2.5} emissions. Worker commute trips and architectural coatings are dominant sources of ROG emissions. The BAAQMD CEQA Air Quality Guidelines do not identify plan-level thresholds that apply to construction. Although construction activities at individual project sites are expected to occur during a relatively short time period, the combination of temporary dust from activities and diesel exhaust from construction equipment poses both a health and nuisance impact to nearby receptors. In addition, NO_x emissions during grading and soil import/export for large projects may exceed the BAAQMD NO_x emission thresholds. Without application of appropriate</p>		<p>short-term health impacts to nearby sensitive receptors are avoided or reduced:</p> <p><i>Dust (PM₁₀ and PM_{2.5}) Control Measures:</i></p> <ul style="list-style-type: none"> ▪ Water all active construction areas at least twice daily and more often during windy periods. Active areas adjacent to residences should be kept damp at all times. ▪ Cover all hauling trucks or maintain at least two feet of freeboard. ▪ Pave, apply water at least twice daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas. ▪ Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas and sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads. ▪ Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (i.e., previously graded areas that are inactive for 10 days or more). ▪ Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles. 		

S = Significant
 LS = Less than significant
 SU = Significant unavoidable impact
 NA = Not applicable

See Table 1.1 for definitions.

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>recent CARB fleet average for the year 2011.</p> <ul style="list-style-type: none"> ▪ Clear signage at all construction sites shall be posted indicating that diesel <u>and gasoline</u> equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were on-site or adjacent to the construction site. ▪ The contractor shall install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g., compressors). ▪ Properly tune and maintain equipment for low emissions. <p>Implementation of these measures would reduce project construction-related air quality impacts to a <i>less-than-significant level</i>.</p>		
<p>Impact 5-2: Impacts of Toxic Air Contaminants (TACs) on Sensitive Receptors. Implementation of the Specific Plan would result in the potential construction of a variety of projects. This construction would result in short-term emissions of diesel particulate matter (DPM), a TAC. Construction</p>	S	<p>Mitigation 5-2. Require project-level construction health risk assessment. Construction health risk assessment shall be required on a project-by-project basis, either through screening or refined modeling, to identify impacts and, if necessary, include performance standards and industry-recognized measures to</p>	City; Individual project applicants	LS

S = Significant
 LS = Less than significant
 SU = Significant unavoidable impact
 NA = Not applicable

See Table 1.1 for definitions.

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
<p>would result in the generation of DPM emissions from the use of off-road diesel equipment required for 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 and episodic and would occur over a relatively large area. Cancer risk and PM_{2.5} exposure would have to be analyzed through project-level analysis to identify the potential for significant impacts and measures to reduce those impacts to less-than-significant. Health risks associated with temporary construction would, therefore, be considered a potentially significant impact.</p> <p>Impact 5-3: Toxic Air Contaminant Exposure Long-Term Operations. The Specific Plan would allow growth of new residential land uses that could include sensitive receptors, as well as new non-</p>	S	<p>reduce exposure. Reduction in health risk can be accomplished through, though is not limited to, the following measures:</p> <ul style="list-style-type: none"> ▪ Construction equipment selection; ▪ Use of alternative fuels and engine retrofits, <u>temporary line power or electric equipment</u>; ▪ Modified construction schedule; and ▪ Implementation of BAAQMD Basic and/or Additional Construction Mitigation Measures for control of fugitive dust. <p>Implementation of these industry-recognized measures would reduce TAC construction impacts to a less-than-significant level.</p> <p>Mitigation 5-3. Implement the following measures in site planning and building designs to reduce TAC and PM_{2.5} exposure where new receptors are located within the overlay distances identified above:</p>	City; Individual project applicants	LS

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 LS = Less than significant
 SU = Significant unavoidable impact
 NA = Not applicable

See Table 1.1 for definitions.

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
<p>residential land uses that would be potential new emissions sources. Typically, these sources would be evaluated through the project-specific BAAQMD permit process or the CEQA process to identify and mitigate any significant exposures. However, some sources that would not be required to undergo such a review, such as truck loading docks or truck parking areas, may have the potential to cause significant increases in TAC exposure. While average daily traffic along Specific Plan area surface streets is not readily available, the <i>roadway screening analysis tables</i> indicate that health risk from high volume surface streets such as Central Avenue, Carlson Boulevard, and Potrero Avenue would be less-than-significant at average daily traffic volumes (ADT) of 40,000 vehicles or less at a distance of 10 feet. If projects under the Specific Plan are located within close proximity to surface streets with daily traffic volumes higher than 40,000 ADT this would represent a potentially significant impact.</p>		<ul style="list-style-type: none"> ▪ Future development under the Specific Plan that includes sensitive receptors (such as schools, hospitals, daycare centers, or retirement homes) located within the overlay distances from highways and stationary sources shall require site-specific analysis 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. This analysis shall be conducted following procedures outlined by BAAQMD. If the site-specific analysis reveals significant exposures, such as cancer risk greater than 10 in one million <u>or cumulative cancer risk greater than 100 in one million</u>, additional measures shall be employed to reduce the risk to below the threshold. If this is not possible, the sensitive receptors shall be relocated. ▪ Future non-residential developments would be evaluated through the CEQA process or BAAQMD permit process to ensure that they do not cause a significant health risk in terms of excess cancer risk greater than 10 in one million, acute or chronic hazards with a Hazard Index greater than 1.0, or annual PM_{2.5} exposures greater than 0.3 µg/m³, <u>or a significant cumulative health risk in terms of excess cancer risk greater than 100 in one -</u> 		

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 NA = Not applicable

See Table 1.1 for definitions.

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p><u>million, acute or chronic hazards with a Hazard Index greater than 10.0, or annual PM_{2.5} exposures greater than 0.8 µg/m³.</u></p>		
		<ul style="list-style-type: none"> For significant cancer risk exposure, as defined by BAAQMD, indoor air filtration systems shall be installed to effectively reduce particulate levels to a less-than- 		

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 LS = Less than significant
 SU = Significant unavoidable impact
 NA = Not applicable

See Table 1.1 for definitions.

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>significant level. Project sponsors shall submit performance specifications and design details to demonstrate that lifetime residential exposures would result in less-than-significant cancer risks (less than 10 in one million chances <u>or 100 in one million for cumulative sources</u>).</p> <ul style="list-style-type: none"> ▪ <u>Air filtration systems installed shall be rated MERV-13 or higher, and a maintenance plan for the air filtration system shall be implemented.</u> ▪ <u>Trees and/or vegetation shall be planted between sensitive receptors and pollution sources, if feasible. Trees that are best-suited to trapping particulate matter shall be planted, including the following: Pine (<i>Pinus nigra var. maritime</i>), Cypress (<i>X Cupressocyparis leylandii</i>), Hybrid poplar (<i>Populus deltoids X trichocarpa</i>), and Redwoods (<i>Sequoia sempervirens</i>).</u> ▪ <u>Sites shall be designed to locate sensitive receptors as far as possible from any freeways, roadways, diesel generators, distribution centers, and rail lines.</u> ▪ <u>Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a</u> 		

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 NA = Not applicable

See Table 1.1 for definitions.

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p><u>distribution center, residents shall not be located immediately adjacent to a loading dock or where trucks concentrate to deliver goods.</u></p> <p>Implementation of these measures would reduce air quality impacts to a less-than-significant level.</p>		
<p>Impact 5-4: Impacts from Odors. The Specific Plan area would include potential odor sources that could affect new sensitive receptors. Most of these major existing sources are already buffered. However, it is possible that odors may still be present. Responses to odors are subjective, and vary by individual and type of use. Sensitive land uses that include outdoor uses, such as residences and possibly daycare facilities, are likely to be affected most by existing odors. The Specific Plan does not have policies or implementing measures that address potential conflicts in land uses that could result in odor complaints. As a result, the impact would be considered a potentially significant impact.</p>	S	<p>Mitigation 5-4. Add the following policy and action measures to the Specific Plan to reduce odor impacts:</p> <ul style="list-style-type: none"> • New Policy AQ-4.1: Avoid Odor Conflicts. Coordinate land use planning to prevent new odor complaints. • New Action AQ-4.1A: Identify Potential for Odor Complaints. Consult with BAAQMD to identify the potential for odor complaints from various existing and planned or proposed land uses in the Specific Plan area. Use BAAQMD Odor Screening Distances or City-specific screening distances to identify odor potential. • New Action AQ-4.1B: Odor Sources. Prohibit new sources of odors that have the potential to result in frequent odor 	City	LS

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 SU = Significant unavoidable impact
 NA = Not applicable

See Table 1.1 for definitions.

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>complaints unless it can be shown that potential odor complaints can be mitigated.</p> <p>*—New Action AQ-4.1C: Limit Sensitive Receptors Near Odor Sources. Prohibit sensitive receptors from locating near odor sources where frequent odor complaints would occur, unless it can be shown that potential odor complaints can be mitigated.</p> <p>Implementation of these measures would reduce odor impacts to a less-than-significant level.</p>		

BIOLOGICAL RESOURCES

Impact 6-1: Potential Impacts on Nesting Birds and Roosting Bats. The Specific Plan is intended to improve and expand the natural environment in the Specific Plan area, including the use of native and drought-tolerant plants (a beneficial environmental measure). Without a proactive mitigation procedure in place, Specific Plan implementation could inadvertently result in the removal of existing trees containing nests or eggs of migratory birds, raptors, or bird species during the nesting season, which would be considered an "unlawful take" under the Federal Migratory Bird Treaty Act and USFW provisions protecting migratory and nesting birds. In addition, roosting bats, several species of

S

Mitigation 6-1. (1) The removal of trees, shrubs, or weedy vegetation shall be avoided during the February 1 through August 31 bird nesting period to the extent possible. If no vegetation or tree removal is proposed during the nesting period, no further action is required. If it is not feasible to avoid the nesting period, the project applicant shall retain a qualified wildlife biologist to conduct a survey for nesting birds no sooner than 14 days prior to the start of removal of trees, shrubs, grassland vegetation, buildings, grading, or other construction activity. Survey results shall be valid for 21 days following the survey; therefore, if vegetation or building removal is not started within 21 days of the survey, another survey shall be required.

City;
Individual
project
applicants

LS

- S = Significant
- LS = Less than significant
- SU = Significant unavoidable impact
- NA = Not applicable

See Table 1.1 for definitions.

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
<p><u>which are protected under the federal and State Endangered Species Acts, might be disturbed.</u> (see Regulatory Setting above). This is considered a potentially significant impact.</p>		<p>The area surveyed shall include all construction sites,</p>		

S = Significant
 LS = Less than significant
 SU = Significant unavoidable impact
 NA = Not applicable

See Table 1.1 for definitions.

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>access roads, and staging areas, as well as areas within 150 feet outside the boundaries of the areas to be cleared or as otherwise determined by the biologist.</p> <p>In the event that an active nest is discovered in the areas to be cleared, or in other habitats within 150 feet of construction boundaries, clearing and construction shall be postponed for at least two weeks or until a wildlife biologist has determined that the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts. Implementation of this measure would reduce the impact to a <i>less-than-significant level</i>.</p> <p><u>(2) A qualified biologist shall conduct pre-construction surveys for bats and suitable bat roosting habitat at work sites where culverts, structures and/or trees would be removed or otherwise disturbed prior to the initiation of construction. If bats or suitable bat roosting habitat is detected, CDFW shall be notified immediately for consultation and possible on-site monitoring. Implementation of this measure would reduce the impact to a <i>less-than-significant level</i>.</u></p>		

S = Significant
 LS = Less than significant
 SU = Significant unavoidable impact
 NA = Not applicable

See Table 1.1 for definitions.

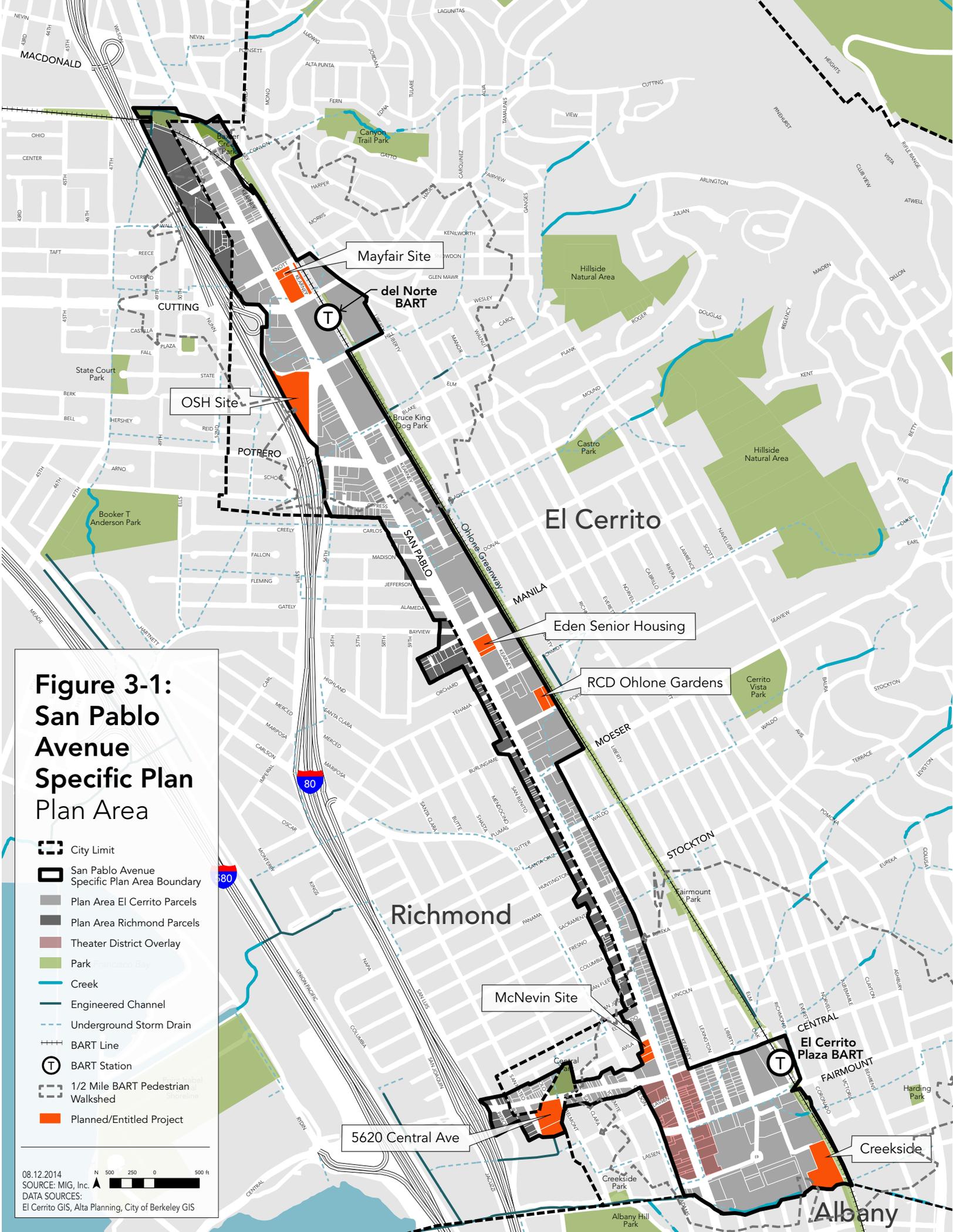
Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
<u>Actions (1) and (2) can be implemented simultaneously.</u>				
<i>CULTURAL AND HISTORIC RESOURCES</i>				
<p>Impact 7-1: Destruction/Degradation of Historic Resources. There may be one or more properties or features within the plan area that meet the CEQA definition of a historic resource, including properties or features already listed, or properties or features eligible for listing, in a local, State, or Federal register of historic resources. Future development projects that are otherwise consistent with the proposed Specific Plan may cause substantial adverse changes in the significance of one or more such historic resources. Substantial adverse changes that may occur include</p>	S	<p>Mitigation 7-1. For 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 <u>4550</u> 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</p>	City; Individual project applicants	LS/SU

S = Significant
 LS = Less than significant
 SU = Significant unavoidable impact
 NA = Not applicable

See Table 1.1 for definitions.

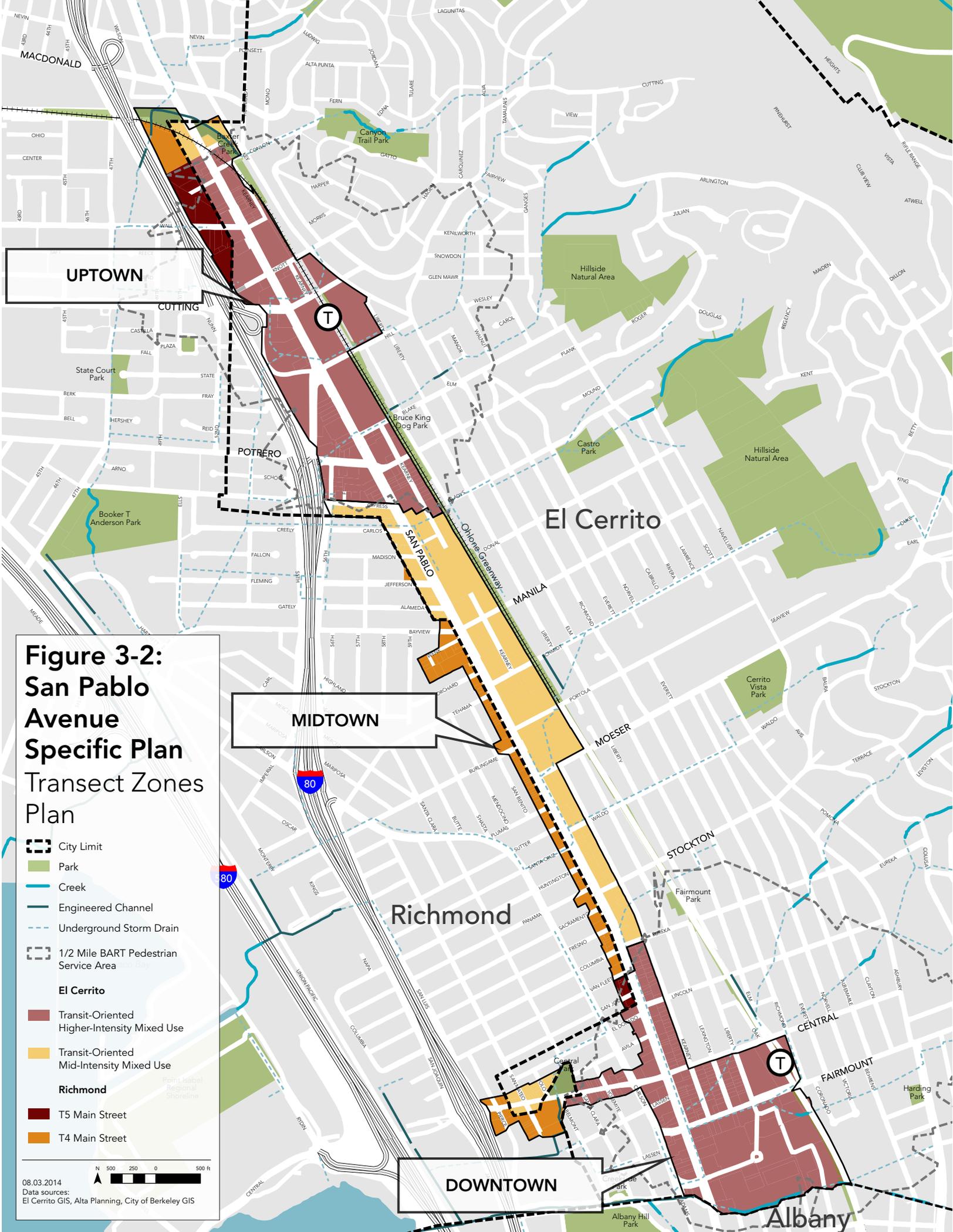
**Figure 3-1:
San Pablo
Avenue
Specific Plan
Plan Area**

-  City Limit
-  San Pablo Avenue Specific Plan Area Boundary
-  Plan Area El Cerrito Parcels
-  Plan Area Richmond Parcels
-  Theater District Overlay
-  Park
-  Creek
-  Engineered Channel
-  Underground Storm Drain
-  BART Line
-  BART Station
-  1/2 Mile BART Pedestrian Walkshed
-  Planned/Entitled Project



5620 Central Ave

Albany



UPTOWN

MIDTOWN

DOWNTOWN

**Figure 3-2:
San Pablo
Avenue
Specific Plan
Transect Zones
Plan**

-  City Limit
-  Park
-  Creek
-  Engineered Channel
-  Underground Storm Drain
-  1/2 Mile BART Pedestrian Service Area
- El Cerrito**
-  Transit-Oriented Higher-Intensity Mixed Use
-  Transit-Oriented Mid-Intensity Mixed Use
- Richmond**
-  T5 Main Street
-  T4 Main Street

Goal D: Enhance and Humanize the Public Realm.

Strategy 1: Design streets for living instead of just driving through reStreet placemaking principles.

Strategy 2: Make large blocks human-scale through midblock connections.

Strategy 3: Create new gathering places to serve the needs of existing and new users.

Strategy 4: Promote environmental sustainability.

Strategy 5: Celebrate and strengthen the unique natural context.

Goal E: Catalyze Mode Shift.

Strategy 1: Promote infill development through increased land use intensity close to existing transit infrastructure.

Strategy 2: Reduce parking requirements to encourage transit use, reduce reliance on the private automobile and allow valuable land to be utilized for more intense and active uses.

Strategy 3: Strengthen pedestrian and bicycle connectivity through existing and new connections and infrastructure.

Strategy 4: Improve connectivity between the Green Belt (Wildcat Canyon Trail) and the Blue Belt (Bay Trail) through pedestrian and bicycle connections.

Strategy 5: Improve connectivity between the Green Belt (Wildcat Canyon Trail) and the Blue Belt (Bay Trail) through pedestrian and bicycle connections.

3.4 SAN PABLO AVENUE SPECIFIC PLAN

The San Pablo Avenue Specific Plan represents a collaborative planning effort between the cities of El Cerrito and Richmond to identify a shared vision for the future of San Pablo Avenue, identify improvement needs, and adopt implementing regulations that can be applied consistently in the planning area. A major goal of the planning effort is to achieve a coordinated, cohesive environment and character in the Plan area through (1) a Form-Based Code (FBC); (2) multi-modal transportation goals and policies, recommended streetscape design improvements, and design standards as part of the Complete Streets Plan portion of the Specific Plan; and (3) infrastructure improvements. Each of these Plan components is described below.

To avoid repetition and help keep the EIR manageable, more details on these topics are included in the appropriate environmental topic chapters (Aesthetics and Visual Resources, Air Quality, Biological Resources, etc.) as they apply specifically to that environmental topic. This helps ensure that environmental impacts are evaluated to the level of detail required by CEQA Guidelines sections 15124 (Project Description) and 15126.2 (Consideration and Discussion of Significant Environmental Impacts).

3.4.1 Form-Based Code (Chapter 2 of the Specific Plan)

The Specific Plan Form-Based Code is intended to guide change and development of the physical environment and character of the streets, buildings, and open spaces in the Plan area. The Form-Based Code supports the community vision to create a vibrant, walkable, sustainable, and transit-oriented corridor that respects surrounding neighborhoods. The code addresses the following topics:

- Intent and Use of the Code
- Administration of Regulating Code
- Regulating Plan
 - Transect Zones
 - Street Types
- Development Standards
 - Regulation by Street Type
- Supplemental General Development Standards
 - Site Layout
 - Building Articulation
 - Frontage Types
 - Sustainable ~~and Environmentally Friendly Elements~~ Design Elements and Public Art
 - Landscaping, Fencing and Screening Standards
 - Parking Standards
 - Signage Standards
- General Public and Private Open Space Standards
 - On-Site Open Space
 - Planting Standards
- Definitions

Figure 3-2 illustrates the proposed Transect Zones Plan for the Form-Based Code within the framework of the Downtown, Midtown, and Uptown areas. In the El Cerrito portion of the Plan area, the two primary Zones are (1) Transit-Oriented Higher-Intensity Mixed Use for areas generally within a ½-mile walk of a BART station, and (2) Transit-Oriented Mid-Intensity Mixed Use for the remainder of the corridor. The Transect Zones regulate the building heights, parking requirements, and land uses for new development in the El Cerrito portion of the Plan area.

For the Richmond parcels in the Specific Plan area, the San Pablo Avenue Specific Plan defers to the Richmond Livable Corridors Form-Based Code. Land use types will be determined by the City of Richmond General Plan designations.

3.4.2 Complete Streets Plan (Chapter 3 of the Specific Plan)

The Complete Streets Plan provides direction for the redesign and development of the street right-of-way (ROW) in the Plan area, such as travel lanes, intersections, bike lanes, cycletracks, crosswalks, and medians. The Plan also provides guidance for the pedestrian realm of the ROW, including the following sidewalk zones (from closest to the street inward):

- Amenity Zone--can contain landscaping, seating, lighting, and other urban furniture
- Pedestrian Zone--a clear pathway allowing pedestrian movement and full accessibility
- Activity Zone--provides space for activities such as outdoor dining for commercial uses and buffer zones at residential uses

The Complete Streets Plan aims to create a road and streetscape environment that balances the needs of all users and encourages “mode shift” to increase percentage of pedestrians, cyclists, and transit users. The Complete Streets performance measures were developed to understand impacts on all modes, as opposed to traditional traffic evaluation tools that simply measure delay to auto drivers; this new evaluation tool is referred to as “multi-modal level of service” (MMLOS).

The Complete Streets Plan includes multi-modal transportation goals and policies, recommended streetscape design improvements, and design standards to support the following overarching framework of the Specific Plan:

- Shift modes toward pedestrians, bicyclists, and transit users
- Utilize complete streets performance measures (MMLOS--multi-modal level of service)
- Improve connectivity
- Build on recent investments
- Optimize upcoming investments
- Enhance and catalyze economic development
- Design a balanced and comfortable streetscape environment
- Welcome and accommodate users with a range of needs and abilities
- Work with key partners to assure feasibility
- Comply with state and regional Complete Streets policies

Figure 3-3 illustrates the proposed Street Types Plan for the Specific Plan. These types address San Pablo Avenue, cross and adjacent streets, and potential new connections. Figure 3-4 shows the Proposed Streetscape Design in the Plan area. Recommended streetscape actions and improvements would include:

- Downtown:
 - Create a southern gateway to the City with special paving, trees, public art, and signage
 - Provide midblock crosswalks at key locations, designed to be consistent with NCHRP 562 standards and forthcoming Active Transportation Plan (in development 2014) policies
 - Add landscaped bulb-outs with two standard curb ramps at all intersections
 - Highlight crosswalks with special paving and striping treatments consistent with existing special treatments in the City
 - Work with private developments to widen sidewalks to accommodate amenity, pedestrian, and activity zones as outlined in the FBC
 - Increase median along left turn lanes and at intersections for enhanced landscaping and to provide a pedestrian refuge
 - Consider consolidating and moving to far-side-of-intersection bus stops with bus platforms
 - Provide bicycle Super Sharrows (marked shared lanes for bicycles and motor vehicles) in outside lanes to clearly indicate bicyclists’ place on the Avenue
 - Re-stripe travel lanes to an 11-foot width to accommodate additional bicycle and pedestrian infrastructure, while maintaining the majority of the existing curb edge in most cases, and stormwater flowline, and existing travel and turning movements

**Figure 3-3:
San Pablo
Avenue
Specific Plan
Street Types
Plan**

-  City Limit
-  Uptown District
-  Midtown District
-  Downtown District
-  Park
-  Creek
-  Engineered Channel
-  Underground Storm Drain
-  1/2 Mile BART Pedestrian Service Area
- Street Types**
-  SPA Commercial Street
-  Major Commercial Street
-  SPA Community Street
-  Gateway Street
-  Neighborhood Street
-  Ohlone Greenway
-  Midblock Connection
-  Plaza Connection

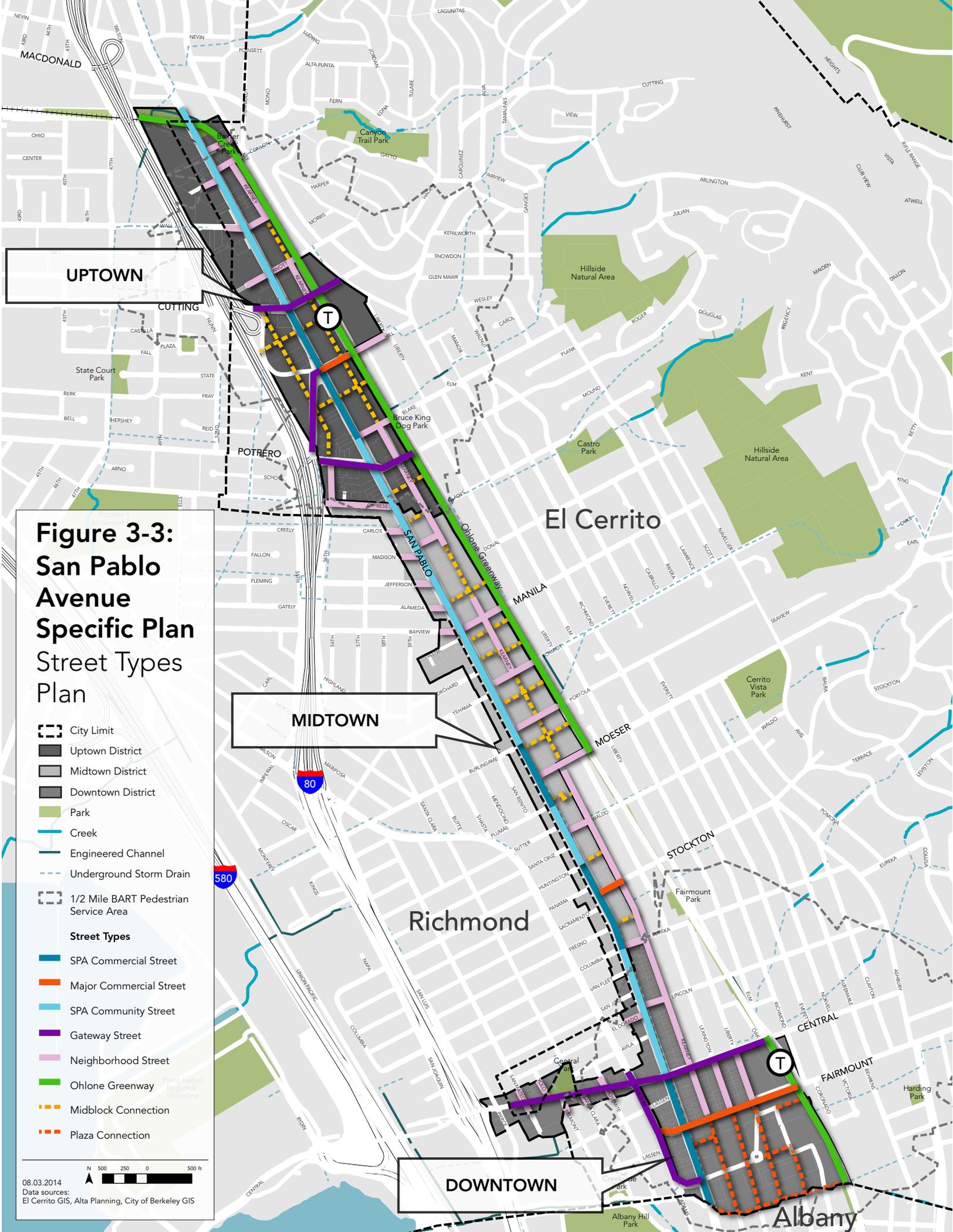
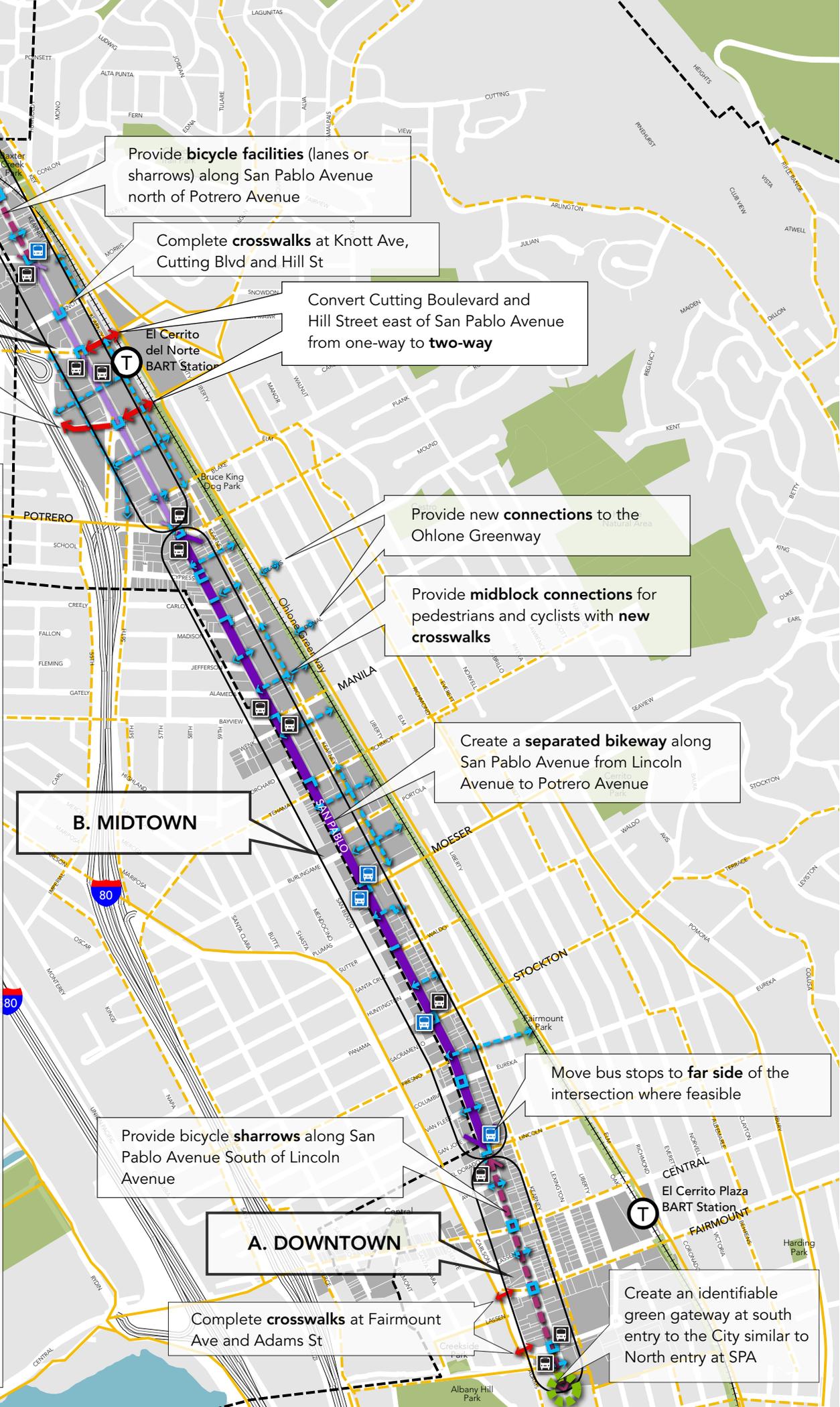


Figure 3-4: San Pablo Avenue Specific Plan Proposed Streetscape Design

- San Pablo Avenue Specific Plan Area
- City Limit
- Park
- BART Line
- BART Station
- San Pablo Avenue Proposed Separated Bikeway
- San Pablo Avenue Proposed Bicycle Lane
- San Pablo Avenue Proposed Bicycle Sharrows
- Existing Bikeway
- Proposed Bikeway
- Existing Crosswalk
- Proposed Midblock Connection/Crosswalk
- Existing Bus Stop*
- Proposed Far Side/Relocated Bus Stop*
- Traffic and Intersection Improvements

*Several bus stops have been consolidated and relocated, and all are assumed to have bus platforms. This proposal is conceptual and will require further analysis and coordination with AC Transit.



C. UPTOWN

Modify Peerless Avenue to receive traffic only (no outbound traffic)

Provide **bicycle facilities** (lanes or sharrows) along San Pablo Avenue north of Potrero Avenue

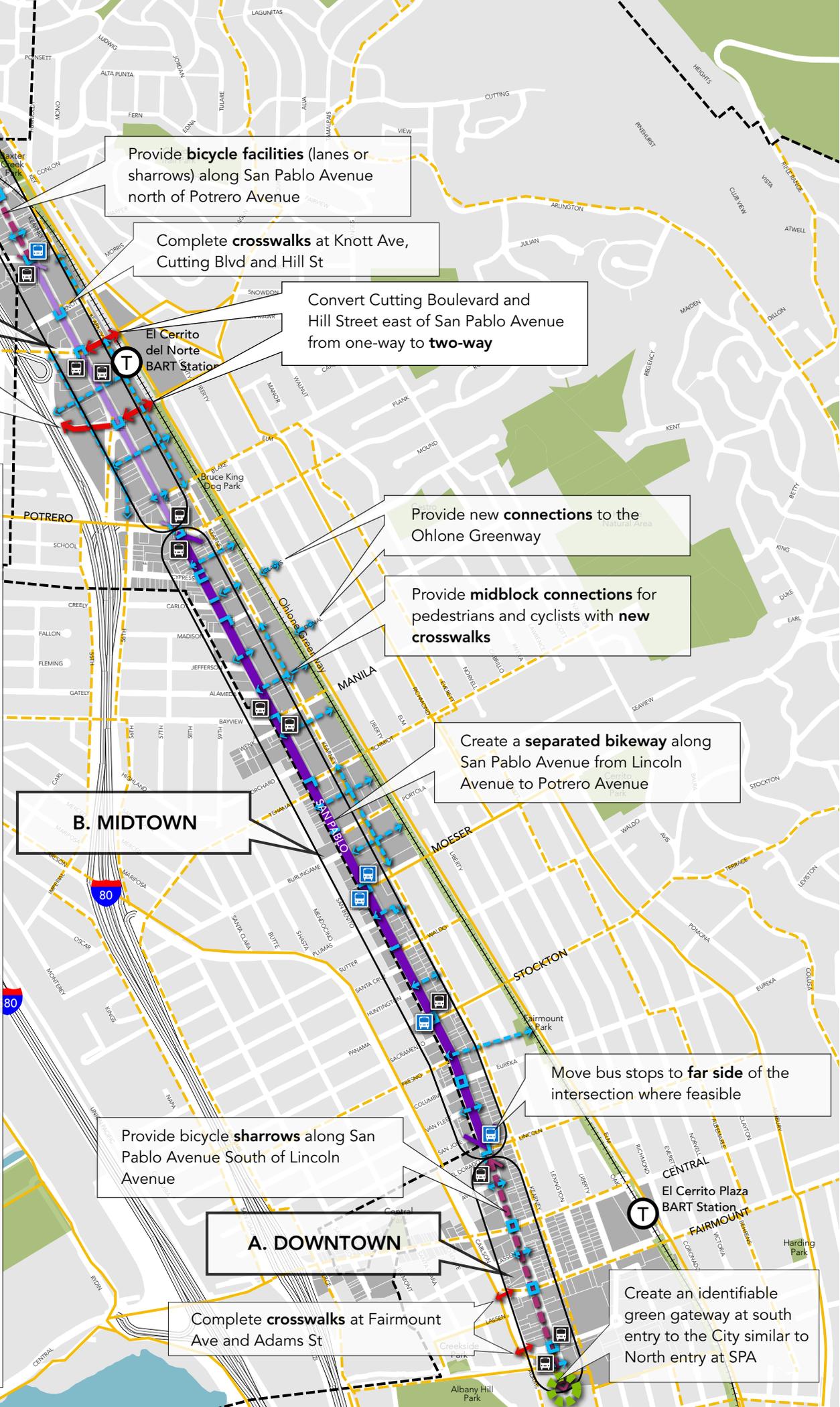
Complete **crosswalks** at Knott Ave, Cutting Blvd and Hill St

Convert Cutting Boulevard and Hill Street east of San Pablo Avenue from one-way to **two-way**

Figure 3-4: San Pablo Avenue Specific Plan Proposed Streetscape Design

- San Pablo Avenue Specific Plan Area
- City Limit
- Park
- BART Line
- BART Station
- San Pablo Avenue Proposed Separated Bikeway
- San Pablo Avenue Proposed Bicycle Lane
- San Pablo Avenue Proposed Bicycle Sharrows
- Existing Bikeway
- Proposed Bikeway
- Existing Crosswalk
- Proposed Midblock Connection/Crosswalk
- Existing Bus Stop*
- Proposed Far Side/Relocated Bus Stop*
- Traffic and Intersection Improvements

*Several bus stops have been consolidated and relocated, and all are assumed to have bus platforms. This proposal is conceptual and will require further analysis and coordination with AC Transit.



C. UPTOWN

Modify Peerless Avenue to receive traffic only (no outbound traffic)

Provide **bicycle facilities** (lanes or sharrows) along San Pablo Avenue north of Potrero Avenue

Complete **crosswalks** at Knott Ave, Cutting Blvd and Hill St

Convert Cutting Boulevard and Hill Street east of San Pablo Avenue from one-way to **two-way**

B. MIDTOWN

Provide new **connections** to the Ohlone Greenway

Provide **midblock connections** for pedestrians and cyclists with **new crosswalks**

Create a **separated bikeway** along San Pablo Avenue from Lincoln Avenue to Potrero Avenue

A. DOWNTOWN

Provide bicycle **sharrows** along San Pablo Avenue South of Lincoln Avenue

Complete **crosswalks** at Fairmount Ave and Adams St

Move bus stops to **far side** of the intersection where feasible

Create an identifiable green gateway at south entry to the City similar to North entry at SPA

- Midtown:
 - Provide midblock crosswalks at key locations, designed to be consistent with NCHRP 562 standards and forthcoming Active Transportation Plan (in development 2014) policies
 - Highlight crosswalks with special paving and striping treatments consistent with existing special treatments in the City
 - Work with private developments to widen sidewalk to accommodate amenity, pedestrian and activity zones as outlined in the FBC
 - Add landscaped bulb-outs with two standard curb ramps at all intersections
 - Install rain gardens planned at Moeser and Stockton
 - Consider consolidating and moving to far-side-of-intersection bus stops with bus platforms
 - Add separated and buffered bike lanes through cycle tracks
 - Decrease median width and re-stripe travel lanes to 11-foot wide to re-purpose ROW for ~~a buffered~~ cycle tracks. Ensure minimal impact to existing planting and irrigation system, while maintaining ~~the majority of~~ the existing curb edge in most cases and stormwater flowline

- Uptown:
 - Provide midblock crosswalks at key locations, designed to be consistent with NCHRP 562 standards and forthcoming Active Transportation Plan (in development 2014) policies
 - Work with private developments to widen sidewalk to accommodate amenity, pedestrian and activity zones as outlined in the FBC
 - Highlight crosswalks with special paving and striping treatments consistent with existing special treatments in the City
 - Increase median along left turn lanes and at intersections for enhanced landscaping and to provide a pedestrian refuge
 - Add landscaped bulb-outs with two standard curb ramps at intersections
 - Consider consolidating and moving to far-side-of-intersection bus stops with bus platforms
 - Provide bike lanes south of Wall Street and Super Sharrows north of Wall Street due to constrained ROW
 - Re-purpose second left-turn lanes on San Pablo Avenue where possible and re-stripe travel lanes to 11-foot wide to re-purpose ROW where needed. Ensure minimal impact to existing planting and irrigation system, while maintaining the existing curb edge in most cases and stormwater flowline
 - Improve Safeway driveway access to minimize conflicts between modes

Chapter 16 (Transportation and Circulation) of this EIR provides more detail of the Complete Streets Plan specific to evaluating potential environmental effects.

3.4.3 Infrastructure Systems (Chapter 4 of the Specific Plan)

The Specific Plan (especially the Infrastructure Systems chapter) includes infrastructure goals and policies, and recommends feasible improvements to infrastructure systems to support the Plan objectives. The systems evaluated in the Plan include water, wastewater, storm drainage, and dry utilities (e.g., gas, electric, cable).

Chapter 17 (Utilities and Service Systems) of this EIR provides more detail of the Infrastructure Systems chapter specific to evaluating potential CEQA-defined environmental impacts (water, wastewater, storm drainage).

2.02.04 Approval Procedures. This section outlines the El Cerrito approval process, including its relationship to CEQA.

2.02.08 Application for Discretionary Actions Requiring a Public Hearing. Design review is required for all projects that require a building permit, with the exception of the construction or alteration of single-family or residential accessory structures, interior alterations, additions and repairs, and color/finish changes. This section details the design review process and its relationship to the Specific Plan.

~~Design review procedures~~ Types of design review (2.02.08.01 .02) are divided into four tiers, as follows:

(1) Tier I design review applies to minor projects, including signs, minor exterior additions ~~or and~~ alterations which do not significantly alter the visual character or function of a building, accessory structures on existing lots, ~~structural and exterior~~ alterations costing less than 50% of the ~~building's~~ appraised value of the improvements on the property, ~~building alterations which do not significantly alter the visual character or function of a building~~.

(2) Tier II design review applies to new projects that are designed in full compliance with the development and design standards of the Specific Plan.

(3) Tier III design review applies to all allowed exterior modifications to existing ~~nonconforming buildings and~~ structures in the Specific Plan area exceeding 50% of the ~~building's~~ appraised value of the improvements on the property, and major exterior additions and alterations which significantly alter the visual character or function of a building.

(4) Tier IV design review is intended to allow ~~innovative~~, high-quality developments that would not otherwise be allowed under a strict interpretation of the Specific Plan regulations but still comply with the intent of the Specific Plan.

Section 2.02.08 also details review requirements for Conditional Use Permits (2.02.08.02), Variances (2.02.08.03), Waivers (2.02.08.04), Development Agreements (2.02.08.04.03), and Specific Plan Amendments (2.02.08.04.05).

2.02.10 Sign Regulations. These regulations explain the review process for sign permits and any Master Sign Programs (coordinated signs for an entire site), including the roles of the Zoning Administrator and Design Review Board.

2.02.13 Nonconforming Uses and Structures. This section notes, "All nonconforming buildings or structures shall comply with El Cerrito Municipal Code Chapter 19.27 (Nonconforming Uses, Structures, and Lots), ~~of the El Cerrito Municipal Code~~, unless otherwise specified in this section." The section then explains that all rehabilitation of, or alterations to, nonconforming buildings and structures must comply with the Specific Plan.

2.03.02 Transect Zones. The Specific Plan Transect Zones are shown on Figure 3-2 in this EIR Project Description (Chapter 3). In El Cerrito, the zones are Transit-Oriented Higher-Intensity Mixed Use (TOHIMU) and Transit-Oriented Mid-Intensity Mixed Use (TOMIMU). Section 2.03.02 of the FBC describes the intent, desired form, general use, and parking

requirements for each Transect Zone in El Cerrito. For Richmond, the zones are T~~54~~ - Main Street and T5 – ~~Neighborhood~~ Main Street; regulations for the Richmond zones are included in the Richmond Livable Corridors Form-Based Code (draft 2014).

Especially relevant to aesthetics and visual resources, the El Cerrito FBC would allow a maximum building height of 65 feet in TOHIMU, with 85 feet allowed utilizing State density

modal open space to the City's commercial and public service nodes. Related improvements throughout the Specific Plan area would include a complete streets program, public art, and landscaping to support a strong sense of place, pursuant to the City's Complete Streets Plan (incorporated into the Specific Plan) and the City's Art in Public Places ordinance ([Municipal Code section 13.50.030](#)), which requires new development to contribute 1% of its development costs to public art.

When applied within the administrative procedures of the Specific Plan (FBC section 2.02, Administration of Regulating Code), the Specific Plan would serve to achieve a coordinated, cohesive environment within the Specific Plan area and to surrounding, predominantly residential neighborhoods, while increasing land use intensity, through unified development standards and context-sensitive design strategies. The impact of the Specific Plan on the existing visual character and quality of the Specific Plan area and its surroundings is considered **less-than-significant** (see criterion [c] in subsection 4.3.1, "Significance Criteria," above).

Mitigation. No significant impact has been identified; no mitigation is required.

Impact 4-2: Project Light and Glare Impacts. The San Pablo Avenue Specific Plan anticipates development on the surface parking lots around the El Cerrito Plaza and El Cerrito Del Norte BART stations. As part of this development, new parking structures for the BART stations [and for other new development](#) are anticipated. These **BART** parking structures may result in light and glare from vehicles using the parking structure at night.

In addition, future multi-story buildings (or renovations) in the Specific Plan area, if faced in reflective materials (e.g., reflective glass), could result in glare impacts on adjacent and nearby properties.

These impacts related to light and glare are considered a **potentially significant** (see criterion [d] in subsection 4.3.1, "Significance Criteria," above).

Specific Plan implementation in the El Cerrito portion of the Specific Plan area would be subject to El Cerrito City Resolution 82-9, the El Cerrito design review process, and the development standards of the Form-Based Code, which allow exterior lighting only as necessary for safety and security, with overhead light fixtures to be shaded and directed away from adjacent residential uses and other sensitive land uses, and for all fixtures to be Dark Sky Certified or equivalent. Similarly, Specific Plan implementation in the Richmond portion of the Specific Plan area would be subject to applicable Richmond standards (e.g., requiring cut-off lighting and prohibiting sodium-vapor lighting) and the Richmond design review process.

Specific Plan lighting characteristics are not expected to be substantially out of character with existing lighting conditions and the overall urbanized nature of the Specific Plan area, or to represent a source of substantial new light or glare which would adversely affect views and vision. Therefore, application of the City of El Cerrito and City of Richmond standard procedures described above would reduce potential light and glare impacts resulting from Specific Plan implementation.

Mitigation 4-2 addresses (1) potential light and glare impacts from anticipated future BART and other new development parking structures ~~s construction~~ in the El Cerrito portion of the Specific Plan area and (2) the

potential use of reflective building materials in the Specific Plan area. The mitigation related to potential BART parking structure construction is derived from the El Cerrito Mixed-Use Development Project Draft Subsequent EIR (November 1, 2004).

Mitigation 4-2. BART Project developers (including but not limited to BART) shall install landscaping and incorporate other measures into and around any Specific Plan area future parking structure(s) (light source shielding, etc.) as necessary to ensure that potential light and glare from vehicles would be avoided toward the Ohlone Greenway, residential uses, and other sensitive uses, consistent with El Cerrito City Resolution 82-9 and the El Cerrito design review process. With this requirement incorporated into the local ~~and BART~~ design review process, the light and glare impact of future ~~BART~~ parking structures would be ***less-than-significant***.

Regarding reflective building materials, for all future development in the Specific Plan area, facades shall be of non-reflective materials, and windows shall incorporate non-reflective coating. This requirement would reduce potential glare impacts of building materials to a ***less-than-significant level***.

within the plan area is equal to or lower than the rate of increase in population projected for the proposed Specific Plan.

(b) Construction and Operation Emissions. The BAAQMD Air Quality Guidelines do not have quantified thresholds related to direct and indirect criteria pollutant emissions resulting from plan implementation. Instead, proposed plans must show consistency with current air quality control measures and that the plans projected VMT increase is less than or equal to its projected population increase. Traffic resulting from the implementation of the Specific Plan would cause a significant local air quality impact if emissions of CO cause a projected exceedance of the ambient CO State standard of 9.0 parts per million (ppm) for eight-hour averaging period. BAAQMD's CEQA Air Quality Guidelines state that a project would have a less-than-significant impact if it would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour. This would be considered to cause or contribute substantially to an existing or projected air quality violation.

(c) Exposure of New Residences to Toxic Air Contaminants. Unlike industrial or stationary sources of air pollution, residential development and other development where sensitive receptors would be located do not require air quality permits. Nonetheless, this type of development can expose people to unhealthy conditions. The BAAQMD Air Quality Guidelines Thresholds of Significance for plans with regard to community risk and hazard impacts are:

The land use diagram must identify: (1) Special overlay zones around existing and planned sources of TACs and PM (including adopted risk reduction plan areas); and (2) Special overlay zones on each side of all freeways and high-volume roadways.

The plan must also identify goals, policies, and objectives to minimize potential impacts and create overlay zones around sources of TACs, PM, and hazards.

(d) Odors. Odors are assessed based on the potential of the Plan to result in odor complaints. The BAAQMD Air Quality Guidelines Thresholds of Significance for plans with regard to odor impacts are:

- The land use diagram must identify special overlay zones around existing and planned sources of odors; and
- The plan must identify goals, policies, and objectives to minimize potential impacts and create buffer distances between sources of odors and receptors.

5.3.3 Relevant Specific Plan Components

~~The Regulatory Setting above applies to Specific Plan implementation. The Specific Plan document itself does not include additional components directly related to air quality. The Specific Plan, mainly the Form-Based Code (FBC), includes guidelines that would avoid or reduce potential air quality impacts associated with increased development. Components particularly relevant to the evaluation of potential impacts are briefly summarized below. The reader is encouraged to review these Specific Plan sections for more detail. Note that within the context of the Specific Plan, a "standard" is a mandatory requirement, and a "guideline" is not mandatory but strongly recommended.~~

2.02.03(E) Odors. Land Use Regulations.

1. Avoid Odor Conflicts. Coordinate land use planning to prevent new odor complaints.
2. Identify Potential for Odor Complaints. Consult with BAAQMD to identify the potential for odor complaints from various existing and planned or proposed land uses in the Specific Plan area. Use BAAQMD Odor Screening Distances or City-specific screening distances to identify odor potential.
3. Odor Sources. Prohibit new sources of odors that have the potential to result in frequent odor complaints unless it can be shown that potential odor complaints can be mitigated.
4. Limit Sensitive Receptors Near Odor Sources. Prohibit sensitive receptors from locating near odor sources where frequent odor complaints would occur, unless it can be shown that potential odor complaints can be mitigated.

The Zoning Administrator may require special studies, as part of the environmental review for projects proposed under the Specific Plan, to investigate the possibility of odor impacts (Specific Plan section 2.02.05.03[2][d]).

5.3.4 Impacts and Mitigations

Project Consistency with Air Quality Plan. The BAAQMD is the regional agency responsible for overseeing compliance with State and Federal laws, regulations, and programs within the SFBAAB. The BAAQMD, with assistance from ABAG and MTC, has prepared and implements plans to meet the applicable laws, regulations, and programs, the most recent and

comprehensive of which is the *Bay Area 2010 Clean Air Plan*.¹ The BAAQMD has also developed CEQA guidelines to assist lead agencies in evaluating the significance of air quality impacts. In formulating compliance strategies, BAAQMD relies on planned land uses established by local general plans. Land use planning affects vehicle travel, which in turn affects region-wide emissions of air pollutants, and greenhouse gas emissions (GHG).

The Specific Plan would result in an estimated additional 3,840 residents (based on an expected 2.25 residents/new unit and 1,706 new residential units) between 2014 and 2040 (see Chapter 14 of this EIR). Plan Bay Area lists a net growth 830 employees in the plan area between 2010 and 2040, with 3,520 employees in 2010. This represents an increase of about 28 employees/year, which was used to interpolate and estimate 2013 employees to be 3,604. Service population is the number of residents plus workers.

Annual vehicle miles traveled (VMT) for 2040 was based on CalEEMod modeling, described in Chapter 9 (Greenhouse Gas Emissions and Global Climate Change) of this EIR. VMT is included in the output of the model. Existing VMT was estimated at the direction of the Specific Plan EIR traffic consultant.² Five percent of the 2005 VMT listed for San Pablo Avenue (within the City of El Cerrito) from the El Cerrito Climate Action Plan³ was added to estimate VMT in the Specific Plan area, which also includes a portion of the City of Richmond. As with job growth, 2013 VMT was estimated by extrapolating-interpolating between 2005 VMT and 2040 VMT. Table 5-4 identifies the vehicle miles traveled and service population under the Specific Plan. Using 2013 as a baseline year, VMT attributable to the Specific Plan is anticipated to increase 68 percent and 56 percent under the Without Mode Shift and With Mode Shift cases, respectively. The increase in service population is estimated to be 69 percent. As a result, VMT would increase at a lower rate under both Specific Plan cases than population or service population growth. This impact would be **less-than-significant** (see criteria [a] and [g] in subsection 5.3.1, "Significance Criteria," above).

¹Bay Area Air Quality Management District (BAAQMD). 2010. *Bay Area 2010 Clean Air Plan*.

²Personal communication between Joshua Carman, Illingworth & Rodkin, Inc., and Ellen Poling, Fehr & Peers, April 28, 2014.

³City of El Cerrito, 2013. *Climate Action Plan*. May.

Mitigation 5-1. Implement the following BAAQMD-recommended measures to control particulate matter emissions during construction. These measures would reduce diesel particulate matter, ~~and~~ PM₁₀, and PM_{2.5} from construction to ensure that short-term health impacts to nearby sensitive receptors are avoided or reduced:

Dust (PM₁₀ and PM_{2.5}) Control Measures:

- Water all active construction areas at least twice daily and more often during windy periods. Active areas adjacent to residences should be kept damp at all times.
- Cover all hauling trucks or maintain at least two feet of freeboard.
- Pave, apply water at least twice daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas.
- Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas and sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads.
- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (i.e., previously graded areas that are inactive for 10 days or more).
- Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles.
- Limit traffic speeds on any unpaved roads to 15 mph.
- Replant vegetation in disturbed areas as quickly as possible.
- Suspend construction activities that cause visible dust plumes to extend beyond the construction site.
- Post a publically visible sign(s) with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Additional Measures to Reduce Diesel Particulate Matter and PM_{2.5} and other construction emissions:

(continued)

Mitigation 5-1 (continued):

- The developer or contractor shall provide a plan for approval by the City or BAAQMD demonstrating that the heavy-duty (>50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NO_x reduction and 45 percent particulate reduction compared to the most recent CARB fleet average for the year 2011.
- Clear signage at all construction sites shall be posted indicating that diesel and gasoline equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were on-site or adjacent to the construction site.
- The contractor shall install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g., compressors).
- Properly tune and maintain equipment for low emissions.

Implementation of these measures would reduce project construction-related air quality impacts to a ***less-than-significant level***.

As discussed below in Impact 5-3, implementation of the Specific Plan would result in long-term area and mobile source emissions from operation and use of subsequent individual developments. In addition, implementation of the Specific Plan could include stationary sources of pollutants that would be required to obtain permits to operate in compliance with BAAQMD rules. These sources include, but are not limited to, gasoline stations, dry cleaners, internal combustion engines, and surface coating operations.

As discussed above, the BAAQMD Air Quality Guidelines do not have thresholds related to direct and indirect regional criteria pollutant emissions resulting from plan implementation. The BAAQMD CEQA Air Quality Guidelines only require emissions computations for project-level analysis. From a *long-term planning* standpoint, this impact would be considered *less-than-significant*, since the Specific Plan would not cause significant increases in VMT compared to service population growth and would not interfere with Clean Air Plan control measures.

Ambient Air Quality Impacts. 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 CO levels have decreased substantially since 1990 as newer vehicles with greatly improved exhaust emission control systems have replaced older vehicles. The Bay Area has been designated as an attainment area for the CO standards. The highest measured levels in San Pablo (the closest monitoring station to the plan

Mitigation 5-2. Require project-level construction health risk assessment. Construction health risk assessment shall be required on a project-by-project basis, either through screening or refined modeling, to identify impacts and, if necessary, include performance standards and industry-recognized measures to reduce exposure. Reduction in health risk can be accomplished through, though is not limited to, the following measures:

- Construction equipment selection;
- Use of alternative fuels and engine retrofits, temporary line power or electric equipment;
- Modified construction schedule; and
- Implementation of BAAQMD Basic and/or Additional Construction Mitigation Measures for control of fugitive dust.

Implementation of these industry-recognized measures would reduce TAC construction impacts to a ***less-than-significant level***.

Impact 5-3: Toxic Air Contaminant Exposure Long-Term Operations. The Specific Plan would allow growth of new residential land uses that could include sensitive receptors, as well as new non-residential land uses that would be potential new emissions sources. Typically, these sources would be evaluated through the project-specific BAAQMD permit process or the CEQA process to identify and mitigate any significant exposures. However, some sources that would not be required to undergo such a review, such as truck loading docks or truck parking areas, may have the potential to cause significant increases in TAC exposure. While average daily traffic along Specific Plan area surface streets is not readily available, the *roadway screening analysis tables* indicate that health risk from high volume surface streets such as Central Avenue, Carlson Boulevard, and Potrero Avenue would be less-than-significant at average daily traffic volumes (ADT) of 40,000 vehicles or less at a distance of 10 feet. If projects under the Specific Plan are located within close proximity to surface streets with daily traffic volumes higher than 40,000 ADT this would represent a ***potentially significant impact*** (see criteria [b], [c], [d], [h], and [i] in subsection 5.3.1, "Significance Criteria," above).

According to the BAAQMD CEQA Air Quality Guidelines, for a plan to have a less-than-significant impact with respect to TACs, overlay zones must be established around existing and proposed land uses that would emit these air pollutants. Overlay zones to avoid TAC impacts must be reflected in local plan policies, land use maps, or implementing ordinances.

The BAAQMD CEQA Air Quality Guidelines consider exposure of sensitive receptors to air pollutant levels that result in an unacceptable cancer risk or hazard, to be significant. For cancer risk, which is a concern with diesel particulate matter and other mobile-source TACs,

the BAAQMD Risk Management Policy considers an increased risk of contracting cancer that is 10 in one million chances or greater, to be significant risk for a single source. The BAAQMD CEQA Guidelines also consider exposure to annual $PM_{2.5}$ concentrations that exceed 0.3 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) to be significant. Non-cancer risk would be considered significant if the computed Hazard Index is greater than 1.0.¹ For cumulative sources, the BAAQMD CEQA Guidelines consider 100 in one million excess cancer risk, $PM_{2.5}$ concentrations that exceed 0.8 $\mu\text{g}/\text{m}^3$, and a non-cancer Hazard Index greater than 10.0 to be significant.

The Specific Plan would permit and facilitate the development of new sensitive receptors, such as new homes, in locations near arterial and collector roadways, highways, and stationary sources of TAC emissions. Screening levels indicate that sensitive receptors within the Specific Plan area would be exposed to levels of TACs and or $PM_{2.5}$ that could cause an unacceptable cancer risk or hazard near highways and stationary sources.

TAC sources were identified within a 1,000 foot radius from planned and entitled projects in the Specific Plan area. These sources include stationary sources permitted by BAAQMD, roadways with more than 10,000 annual average daily traffic (AADT), and highways or freeways. Then, using the screening analysis tools--the stationary source screening analysis tool, the highway screening analysis tool, and the roadway screening analysis tool--potential risk and hazard impacts were assessed.

(a) Stationary Sources. The Specific Plan area has numerous permitted stationary sources. These sources are located throughout each city (El Cerrito and Richmond), but mostly in industrial and commercial areas. The impact of these sources can only be addressed on a project-by-project basis, since impacts are generally localized. To assist lead agencies, BAAQMD has provided a database of permitted sources for each County. The database is contained in a Google Earth tool that allows a user to identify stationary sources within 1,000 feet of a receptor. The database can then be accessed through Google Earth to determine conservative screening levels of cancer risk, hazards, and $PM_{2.5}$ concentrations. This allows many of the sources to be screened out of any additional analysis. Stationary sources that show the potential for significant community risk impacts after this first level of review are further analyzed by contacting BAAQMD for additional information and applying distance adjustment factors. A refined modeling analysis would be required if there are sources that still have potentially significant impacts after this level of review. A refined analysis would include dispersion modeling of the source using emissions and source information provided by BAAQMD. If the source still has significant community risk impacts following this level of effort, then risk reduction strategies would have to be implemented by the project on a case-by-case basis.

When siting new sensitive receptors, the BAAQMD Guidelines advise that lead agencies examine existing or future proposed sources of TAC and/or $PM_{2.5}$ emissions that would adversely affect individuals within the planned project. New residences and sensitive receptors could be located near stationary sources of TACs located throughout each city, such as gasoline dispensing stations and dry cleaners. Without proper setbacks or mitigation measures, these sources could result in TAC levels that would be significant for new sensitive receptors.

¹The Hazard Index is the ratio of the computed receptor exposure level to the level known to cause acute or chronic adverse health impacts, as identified by BAAQMD.

(b) Gasoline Stations. 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

Table 5-7

APPROXIMATE SETBACK DISTANCES FOR HIGHWAY TAC SOURCES

Source	Distance in Feet to Cancer Risk Threshold	Distance in Feet to PM _{2.5} Threshold
State Route 123 (west of), San Pablo Avenue	25	<10
State Route 123 (east of), San Pablo Avenue	75	<10
I-80 – south of Central Ave. (east of)	750	300
I-80 – Central Ave. to Sacramento Ave. (east of)	750	300
I-80 – Carlson Blvd. to Bayview Ave. (east of)	500	200
I-80 – Bayview Ave. to Ernest Ave. (east of)	750	300
I-80 – Ernest Ave. to Cutting Blvd. (east of)	500	200

Mitigation 5-3. Implement the following measures in site planning and building designs to reduce TAC and PM_{2.5} exposure where new receptors are located within the overlay distances identified above:

- Future development under the Specific Plan that includes sensitive receptors (such as schools, hospitals, daycare centers, or retirement homes) located within the overlay distances from highways and stationary sources shall require site-specific analysis 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. This analysis shall be conducted following procedures outlined by BAAQMD. 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.
- Future non-residential developments would be evaluated through the CEQA process or BAAQMD permit process to ensure that they do not cause a significant health risk in terms of excess cancer risk greater than 10 in one million, acute or chronic hazards with a Hazard Index greater than 1.0, or annual PM_{2.5} exposures greater than 0.3 µg/m³ or a significant cumulative health risk in terms of excess cancer risk greater than 100 in one million, acute or chronic hazards with a Hazard Index greater than 10.0, or annual PM_{2.5} exposures greater than 0.8 µg/m³.
- For significant cancer risk exposure, as defined by BAAQMD, indoor air filtration systems shall be installed to effectively reduce particulate levels to a less-than-significant level. Project sponsors shall submit performance specifications and

design details to demonstrate that lifetime residential exposures would result in less-than-significant cancer risks (less than 10 in one million chances or 100 in one million for cumulative sources).

- Air filtration systems installed shall be rated MERV-13 or higher, and a maintenance plan for the air filtration system shall be implemented.
- Trees and/or vegetation shall be planted between sensitive receptors and pollution sources, if feasible. Trees that are best-suited to trapping particulate matter shall be planted, including the following: Pine (*Pinus nigra* var. *maritime*), Cypress (*X Cupressocyparis leylandii*), Hybrid poplar (*Populus deltoids X trichocarpa*), and Redwoods (*Sequoia sempervirens*).
- Sites shall be designed to locate sensitive receptors as far as possible from any freeways, roadways, diesel generators, distribution centers, and rail lines.
- Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall not be located immediately adjacent to a loading dock or where trucks concentrate to deliver goods.

Implementation of these measures would reduce air quality impacts to a ***less-than-significant level***.

Impact 5-4: Impacts from Odors. The Specific Plan area would include potential odor sources that could affect new sensitive receptors. Most of these major existing sources are already buffered. However, it is possible that odors may still be present. Responses to odors are subjective, and vary by individual and type of use. Sensitive land uses that include outdoor uses, such as residences and possibly daycare facilities, are likely to be affected most by existing odors. The Specific Plan includes regulations (section 2.02.03[E] - Odors) does not have policies or implementing measures that address potential conflicts in land uses that could result in odor complaints (see subsection 5.3.3 above). As a result, the impact would be considered a potentially significant impact less-than-significant (see criteria [e] and [j] in subsection 5.3.1, "Significance Criteria," above).

Subsequent land use activities associated with implementation of the Specific Plan could allow for the development of uses that have the potential to produce odorous emissions (odors) either during the construction or operation of future development. Additionally, subsequent land use activities may allow for the construction of sensitive land uses (residential development, schools, parks, offices, etc.) near existing or future sources of odors).

Future construction activities could result in odors from diesel exhaust associated with construction equipment. However, because of the temporary nature of these emissions and the highly diffusive properties of diesel exhaust, exposure of sensitive receptors to these emissions would be limited.

Significant sources of offending odors are typically identified based on complaint histories received and compiled by BAAQMD. It is difficult to identify sources of odors without requesting information by specific facility from BAAQMD. Typical large sources of odors that result in complaints are wastewater treatment facilities, landfills including composting operations, food processing facilities, and chemical plants. Other sources, such as restaurants, paint or body shops, and coffee roasters typically result in localized sources of odors. Table 5-8 identifies screening buffers included in the BAAQMD CEQA Air Quality Guidelines that could apply to the Specific Plan area: this table is included in Specific Plan section 2.02.03(E) - Odors.

According to the BAAQMD CEQA Guidelines, an odor source with five or more confirmed complaints per year averaged over three years is considered to have a significant impact. To avoid significant impacts, the BAAMQD CEQA Guidelines recommend that buffer zones to avoid adverse impacts from odors should be reflected in local plan policies, land use maps, and implementing ordinances.

Mitigation. No significant impact has been identified: no mitigation is required.

~~**Mitigation 5-4.** Add the following policy and action measures to the Specific Plan to reduce odor impacts:~~

- ~~▪ **New Policy AQ 4.1:** *Avoid Odor Conflicts.* Coordinate land use planning to prevent new odor complaints.~~
- ~~▪ **New Action AQ 4.1A:** *Identify Potential for Odor Complaints.* Consult with BAAQMD to identify the potential for odor complaints from various existing and planned or proposed land uses in the Specific Plan area. Use BAAQMD Odor Screening Distances or City-specific screening distances to identify odor potential.~~
- ~~▪ **New Action AQ 4.1B:** *Odor Sources.* Prohibit new sources of odors that have the potential to result in frequent odor complaints unless it can be shown that potential odor complaints can be mitigated.~~
- ~~▪ **New Action AQ 4.1C:** *Limit Sensitive Receptors Near Odor Sources.* Prohibit sensitive receptors from locating near odor sources where frequent odor complaints would occur, unless it can be shown that potential odor complaints can be mitigated.~~

~~Implementation of these measures would reduce odor impacts to a ***less-than-significant level.***~~

6.3.1 Significance Criteria

Based on the CEQA Guidelines,¹ implementation of the San Pablo Avenue Specific Plan would have a significant impact on biological resources if it would:

- (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 Wildlife or U.S. Fish and Wildlife Service;
- (b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;
- (c) Have a substantial adverse effect on federally protected wetlands as defined by section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
- (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;
- (e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- (f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

No habitat conservation plan or natural community conservation plan is applicable to the Specific Plan area. See discussion below in subsection 6.3.3 (Impacts and Mitigations) for the El Cerrito Ohlone Greenway Master Plan and the Baxter Creek Gateway Restoration project.

6.3.2 Relevant Specific Plan Components

The Specific Plan, mainly the Form-Based Code (FBC), includes components that would avoid or reduce potential impacts on biological resources. Components especially relevant to the evaluation of potential impacts are briefly summarized below. The reader is encouraged to review the entire Specific Plan sections for more detail. Note that within the context of the Specific Plan, a “standard” is a mandatory requirement, and a “guideline” is not mandatory but is strongly recommended.

~~2.05.06.01.01 Creeks. 2.01.01 Preamble. This section strongly encourages the daylighting of creeks, that have been culverted, especially Cerrito Creek and Baxter Creek, where natural or culverted streambeds exist within property boundaries or in the adjacent public right-of-way, and their tributaries. The section also includes standards to: (1) protect or establish riparian corridors, including a minimum 35-foot setback from stream center lines; and, (2) “provide adequate setbacks outside the riparian corridor for creekbed maintenance and pedestrian~~

¹CEQA Guidelines, appendix G, items IV (a) through (f).

| ~~access~~” Municipal Code ~~chapter~~section 19.12 (Creek Protection Overlay District) also would apply to the Specific Plan area (see Regulatory Setting above).

2.05.06.01.06(E) Wind Power. This section requires all wind turbines to comply with the *California Guidelines for Reducing Impacts to Birds and Bats from Wind Energy Development*.

6.3.3 Impacts and Mitigations

Impacts on Special-Status Species, Riparian Habitat, Sensitive Natural Communities, and Wetlands. The Specific Plan area and vicinity do 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 (CDFW) or U.S. Fish and Wildlife Service (USFWS), nor does the Specific Plan area contain any federally protected wetlands (City of El Cerrito Eden Housing San Pablo Mixed Use Apartment Project Draft EIR, August 2013); Richmond General Plan Map 7.1--Floodplains and Watersheds; El Cerrito General Plan EIR, section 4.12--Biological Resources; Ohlone Greenway Master Plan Negative Declaration and Initial Study Checklist, April 15, 2009; Baxter Creek Gateway Restoration Mitigated Negative Declaration and Initial Environmental Study, July 19, 2005; El Cerrito Plaza Mixed-Use Development Project Draft Subsequent Environmental Impact Report, November 1, 2004).

San Pablo Avenue Specific Plan implementation would be subject to the regulations and standards of both the El Cerrito Ohlone Greenway Master Plan and the El Cerrito Baxter Creek Gateway Restoration project, each of which was subject to its own CEQA review (Ohlone Greenway Master Plan Negative Declaration and Initial Study Checklist, April 15, 2009; Baxter Creek Gateway Restoration Mitigated Negative Declaration and Initial Environmental Study, July 19, 2005). The Regulatory Setting requirements described above would apply to Specific Plan implementation, as would the creek protection and improvement policies of the El Cerrito General Plan and Richmond General Plan, as identified in chapter 18 (Project Consistency With Local and Regional Plans) of this EIR.

The only identified riparian habitat or other sensitive natural community in the Specific Plan area (see references two paragraphs above) is riparian habitat adjacent to Cerrito Creek (i.e., the portion in the El Cerrito Plaza Shopping Center parking lot and the portion nearby at the Ohlone Greenway) and Baxter Creek, including a grove of willows along Baxter Creek under the regulatory jurisdiction of the CDFW under section 1601 of the California Fish and Game Code; as part of the completed Baxter Creek restoration, a Streambed Alteration Permit was issued by the CDFW, and the willow riparian area was expanded. Any improvements to open water channels (e.g., Cerrito Creek) as part of the Ohlone Greenway Master Plan (Master Plan, page 47--Site 1A Conceptual Design Study) would be subject to the Joint Aquatic Resource Permit Application (JARPA) process; the goal of all riparian alteration contemplated in the Master Plan is to improve the quality of natural habitat (Master Plan Initial Study, section IV--Biological Resources).

Consistent with the El Cerrito General Plan, Richmond General Plan, and the Baxter Creek, Cerrito Creek and Ohlone Greenway projects, the San Pablo Avenue Specific Plan (section ~~2.05.06.01.01--Creeks~~2.01.01--Preamble) encourages the daylighting of creeks, ~~that have been culverted~~, especially Cerrito Creek and Baxter Creek, where natural or culverted streambeds exist within property boundaries or in the adjacent public right-of-way. ~~The plan section also includes standards to: (1) protect or establish riparian corridors, including a minimum 35-foot setback from stream center lines; and, (2) "provide adequate setbacks outside the riparian corridor for creekbed maintenance and pedestrian access".~~ Municipal Code chapter section

19.12 (Creek Protection Overlay District) also would apply to the Specific Plan area (see Regulatory Setting above).

Based on the discussion above, Specific Plan implementation would have a ***less-than-significant*** impact on special-status species, riparian habitat, sensitive natural communities, and wetlands (see criteria [a], [b], [c], and [e] in subsection 6.3.1, "Significance Criteria," above).

Mitigation. No significant impact has been identified; no mitigation is required.

Impact 6-1: Potential Impacts on Nesting Birds and Roosting Bats. The Specific Plan is intended to improve and expand the natural environment in the Specific Plan area, including the use of native and drought-tolerant plants (a beneficial environmental measure). Without a proactive mitigation procedure in place, Specific Plan implementation could inadvertently result in the removal of existing trees containing nests or eggs of migratory birds, raptors, or bird species during the nesting season, which would be considered an "unlawful take" under the Federal Migratory Bird Treaty Act and USFW provisions protecting migratory and nesting birds. In addition, roosting bats, several species of which are protected under the federal and State Endangered Species Acts, might be disturbed. (see Regulatory Setting above). This is considered a ***potentially significant impact*** (see criterion [d] in subsection 6.3.1, "Significance Criteria," above).

Neither the El Cerrito General Plan EIR nor Richmond General Plan identifies any of the City's creeks (including Baxter Creek and Cerrito Creek) as anadromous fish habitat (El Cerrito General Plan EIR, section 4.12--Biological Resources; Richmond General Plan Update, Conservation, Natural Resources and Open Space Element).

The Federal Migratory Bird Treaty Act and California Fish and Game Code sections 3503, 3503.5, 3513, and 3800 protect migratory and nesting birds. Although the Specific Plan does not specify which trees might be removed, there are trees (potential nesting habitat, e.g., close to the existing El Cerrito Plaza Professional Building) that could be disturbed or removed by Plan implementation. Any direct removal of trees or indirect disturbance by construction or operational activities during the nesting season that causes nest abandonment and/or loss of reproductive effort (killing or abandonment of eggs or young) is considered a "take." Similar actions, including building demolition, could affect roosting bats. The mitigation measure below would reduce this potentially significant impact to migratory and nesting birds, and to roosting bats, to a less-than-significant level.

Mitigation 6-1. (1) The removal of trees, shrubs, or weedy vegetation shall be avoided during the February 1 through August 31 bird nesting period to the extent possible. If no vegetation or tree removal is proposed during the nesting period, no further action is required. If it is not feasible to avoid the nesting period, the project applicant shall retain a qualified wildlife biologist to conduct a survey for nesting birds no sooner than 14 days prior to the start of removal of trees, shrubs, grassland vegetation, buildings, grading, or other construction activity. Survey results shall be valid for 21 days following the survey; therefore, if vegetation or building removal is not started within 21 days of the survey, another survey shall be required. The area surveyed shall include all construction sites, access roads, and staging areas, as well as areas within 150 feet outside the boundaries of the areas to be cleared or as otherwise determined by the biologist.

In the event that an active nest is discovered in the areas to be cleared, or in other habitats within 150 feet of construction boundaries, clearing and construction shall be postponed for at least two weeks or until a wildlife biologist has determined that the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts. Implementation of this measure would reduce the impact to a ***less-than-significant level***.

(2) A qualified biologist shall conduct pre-construction surveys for bats and suitable bat roosting habitat at work sites where culverts, structures and/or trees would be removed or otherwise disturbed prior to the initiation of construction. If bats or suitable bat roosting habitat is detected, CDFW shall be notified immediately for consultation and possible on-site monitoring. Implementation of this measure would reduce the impact to a ***less-than-significant level***.

Actions (1) and (2) can be implemented simultaneously.

chipped stone near the northern boundary of the former El Cerrito Redevelopment Area (which has approximately the same northern boundary as the Specific Plan area).

A 1992 historic and archaeological records search by the California Archaeological Inventory (CAI) at Sonoma State University (prepared for the El Cerrito Redevelopment Project) indicated that less than 5 percent of the project area (generally centered along San Pablo Avenue) had been surveyed. The CAI concluded that other prehistoric, as well as historic, resources could be encountered.

(c) Historic Resources. The State Office of Historic Preservation has determined that buildings, structures, and objects 50 years or older may be of historical value. For example, the Castro Adobe was located at 1 El Cerrito Plaza. The site is a designated California Historic Landmark and is also listed in the Contra Costa County Historic Resource Inventory (2010). The El Cerrito Historical Society, a non-profit organization, works to archive historical materials, collect oral histories, and inventory locally significant sites and properties throughout the City of El Cerrito. While the Historical Society has evaluated specific resources within the Plan area, no comprehensive survey has been completed pursuant to Section 5024.1(g) of the Public Resources Code. For the purposes of this Draft EIR, therefore, historic resources will be those noted by the federal or State directory and those included in the Contra Costa County Historic Resource Inventory (2010).

- 5815 Cutting Boulevard, site of the Save Department Store built in 1942 (State directory),
- 6317 Fairmount Avenue, the Lee House built in 1924 (State directory),
- 609 Kearney Street, the Allinio Home built in 1908 (State directory and County inventory),
- 10057 San Pablo Avenue, the Pastime Building (State directory),
- 10086 San Pablo Avenue, site of the Kiefert Building (State directory),
- 10102 San Pablo Avenue, site of the It Club (State directory),
- 10116 San Pablo Avenue, the Concrete House (State directory),
- 11337 San Pablo Avenue, site of the Cisi Dry Goods store (State directory),
- 11440 San Pablo Avenue, site of the Soldavini Home (State directory and County inventory), and
- 11915 San Pablo Avenue, the Berry House (State directory).

7.1.2 Paleontological Resources

Paleontological resources include fossil remains, as well as fossil localities and rock or soil formations that have produced fossil material. Fossils are the remains or traces of prehistoric animals and plants. Fossils are important scientific and educational resources because of their use in: (1) documenting the presence and evolutionary history of particular groups of now extinct organisms, (2) reconstructing the environments in which these organisms lived, and (3) determining the relative ages of the strata in which they occur and of the geologic events that

7.3 IMPACTS AND MITIGATION MEASURES

This section describes potential impacts related to cultural and historic resources which could result from the Specific Plan and recommends mitigation measures as needed to reduce significant impacts.

7.3.1 Significance Criteria

Based on the CEQA Guidelines,¹ implementation of the San Pablo Avenue Specific Plan would have a significant impact related to historic and cultural resources if it would:

- (a) Cause a substantial adverse change in the significance of a historic resource pursuant to CEQA Guidelines section 15064.5;
- (b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines section 15064.5;
- (c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- (d) Disturb any human remains, including those interred outside of formal cemeteries.

7.3.2 Relevant Specific Plan Components

The Specific Plan, mainly the Form-Based Code (FBC), includes components that would avoid or reduce potential impacts on cultural and historic resources. Components especially relevant to the evaluation of potential impacts are briefly summarized below. The reader is encouraged to review the entire Specific Plan sections for more detail. Note that within the context of the Specific Plan, a “standard” is a mandatory requirement, and a “guideline” is not mandatory but is strongly recommended.

2.01.01 Preamble. This section is intended to avoid unnecessary demolition or significant alteration of historic and cultural resources. The section notes, "Preservation and creative reuse of existing buildings is an excellent form of green building and instills a sense of history and character into the Avenue in a way that new construction cannot. Projects re-using these resources will be required to use the Department of Interior Standards for any exterior modification completed as part of the project. Demolition of these structures shall be seen as a last resort and only contemplated when other options have been exhausted."

2.02.05.03(B)(2) Application Forms and Fees. This section helps ensure that future site-specific study regarding cultural and historic resources, as required by the Zoning Administrator, would comply with the requirements of CEQA.

~~2.05.07 Cultural and Historic Resources. This section is intended to: (a) protect and celebrate the distinctive cultural, historical and archaeological heritage of the Specific Plan area by~~

¹CEQA Guidelines, appendix G, items V (a) through (d).

~~preserving historic structures and cultural resources that make San Pablo Avenue a more attractive and unique place, and (b) avoid the unnecessary demolition or significant alteration of any property that has historic importance.~~

7.3.3 Impacts and Mitigations

Impact 7-1: Destruction/Degradation of Historic Resources. There may be one or more properties or features within the plan area that meet the CEQA definition of a historic resource, including properties or features already listed, or properties or features eligible for listing, in a local, State, or Federal register of historic resources. Future development projects that are otherwise consistent with the proposed Specific Plan may cause substantial adverse changes in the significance of one or more such historic resources. Substantial adverse changes that may occur include physical demolition, destruction, relocation, or alteration of one or more historic resources or its immediate surroundings such that the resource is "materially impaired." The significance of a historic resource would be considered potentially "materially impaired" when and if an individual future development project proposes to demolish or materially alter the physical characteristics that justify the determination of its significance (CEQA Guidelines section 15064.5[b]). Such adverse changes in the significance of a CEQA-defined historic resource would be a **significant impact** (see criterion [a] in subsection 7.3.1, "Significance Criteria," above).

In the plan area, the Cerrito Theater, which has been renovated, is considered a "potentially significant historic resource." The theater renovation was subject to its own CEQA review and mitigation requirements, including rehabilitation of the theater in conformance with the U.S. Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (Cerrito Theater Renovation Mitigated Negative Declaration, August 2003), and the project has been completed. Generally, rehabilitation of a historic building in compliance with the Secretary of the Interior's Standards is considered under CEQA (section 15064.5[b][3]) to mitigate potential impacts on that historic resource to a less-than-significant level.

As one example, the Eden Housing San Pablo Mixed-Use Apartment Project, on the Mabuchi property in the Plan area, includes the rehabilitation of the historic Contra Costa Florist shop in accordance with the Secretary of the Interior's *Standards for the Treatment of Historic Properties*. While two historic resource surveys have concluded in differing opinions of the historical significance of the property, the project's design will include the retention and rehabilitation of the former florist shop and its façade, an interpretive display celebrating the property's local significance, and Japanese inspired landscaping intended to reduce the project's potential adverse impacts to a less-than-significant level. The project is subject to its own CEQA review and mitigation requirements.

The potential for a substantial adverse change to an existing or future historic resource due to individual discretionary development projects proposed under the Specific Plan would be evaluated by the lead agency (one of the two jurisdictional cities) on a case-by-case basis in accordance with CEQA Guidelines section 15064.5. Sections [2.01.01 and 2.02.05.03\(B\)\(2\) and 2.05.07](#) of the Specific Plan (see Regulatory Setting above) focus specifically on cultural and historic resources in relation to CEQA requirements, plus the Specific Plan's intent to protect those resources.

Under CEQA, conformance with the Secretary of the Interior's Standards will normally mitigate impacts to a less-than-significant level. Under the *Standards for Rehabilitation*, new additions,

Mitigation 7-1. For 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 4550 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. If, based on the recommendation of the qualified professional, the City determines that the project may have a potentially significant effect, the City shall require the applicant to implement the following mitigation measures:

(a) Adhere to one or both of the following Secretary of the Interior's Standards:¹

- Secretary of Interior's *Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings*; or
- Secretary of Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*.

The qualified professional shall make a recommendation to the City as to whether the project fully adheres to the Secretary of the Interior's Standards, and any specific modifications necessary to do so. The final determination as to a project's adherence to the Standards shall be made by the City body with final decision-making authority over the project. Such a determination of individual project adherence to the Secretary of the Interior's Standards will constitute mitigation of the project historic resource impacts to a ***less-than-significant level*** (CEQA Guidelines section 15064.5).

(b) If measure (a) is not feasible, the historic resource shall be moved to a new location compatible with the original character and use of the historical resource, and

(continued)

¹Under the CEQA Guidelines (section 15064.5[b][3]), a project's adverse impact on a historic resource can be mitigated to a less-than-significant level by following either of these standards.

megawatt of electricity delivered and is based on the California Public Utilities Commission (CPUC) GHG Calculator.¹

(c) Per Capita Rate. The per capita rate for the Specific Plan is the annual GHG emissions expressed in metric tons divided by the estimated number of new residents and employees. The number of future new Plan Area residents is anticipated to be 3,839, which is based on an estimated 2.25 residents per household. The number of future new plan area employees is anticipated at 830,746, for a total service population of 4,669,585 for proposed Specific Plan land uses.

(d) GHG Operational Emissions. Table 9-1 presents the results of the CalEEMod model analysis in terms of annual metric tons of equivalent CO₂e emissions (MT of CO₂e/yr) and per capita values.

As shown in Table 9-1, 2040 full development capacity of the Specific Plan would have per capita emissions of 3.94.0 and 3.7 MT of CO₂e/yr 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. This impact is, therefore, considered **less-than-significant** (see criteria [a] and [d] in subsection 9.2.1, "Significance Criteria," above).

Mitigation. No significant impact has been identified; no mitigation is required.

Consistency with Adopted Plans to Reduce GHG Emissions. The Specific Plan would be subject to new requirements under rule making developed at the State and local level regarding greenhouse gas emissions. The plan would also be subject to local and General Plan policies, including the El Cerrito Climate Action Plan, that are expected to reduce emissions of greenhouse gases (see Regulatory Setting above). Therefore, this impact is considered **less-than-significant** (see criteria [b] and [c] in subsection 9.2.1, "Significance Criteria," above).

Mitigation. No significant impact has been identified; no mitigation is required.

¹California Public Utilities Commission's GHG Calculator version 3c, October 7, 2010. Available on-line at: http://ethree.com/public_projects/cpuc2.php. Accessed: April 22, 2014.

Table 9-1
 2040 PROJECT GHG EMISSIONS (METRIC TONS CO₂E)

Source Category	Without Mode Shift	With Mode Shift
Area	103.6	103.6
Energy Consumption	2,065.6	2,065.6
Mobile	15,241.6	14,187.2
Solid Waste Generation	473.1	473.1
Water Usage	290.5	290.5
Total	18,174.4	17,120.0
Per Capita Emissions¹	3.94.0	3.7
BAAQMD Threshold	4.6 MT CO ₂ e/year/capita	4.6 MT CO ₂ e/year/capita

Note:

¹Based on a total service population of ~~4,6694,585~~.

11.1.3 Water Quality

Key pollutants of concern for the San Francisco Bay region include copper, mercury, pesticides, and polychlorinated biphenyls (PCBs). Using historical land use and area data, the Contra Costa Clean Water Program estimated PCB contributions for cities. El Cerrito is estimated to discharge 36 grams of PCBs annually into the Bay, compared with 296 grams per year for Richmond and 1,995 grams per year for the all cities and unincorporated land in the county.¹

Under the Federal Clean Water Act, the State Water Resources Control Board is required to report on the condition of its surface water quality. Water bodies and pollutants that exceed protective water quality standards are placed on the State's 303(d) List of Impacted Water Bodies. Under the current 303(d) List, Baxter Creek and Cerrito Creek are included in the Total Maximum Daily Load (TMDL) list, due to illegal dumping and urban runoff/storm sewers.² (TMDL is a calculation of the maximum amount of a pollutant that a water body can receive and still safely meet water quality standards.)

Best Management Practices (BMPs), as required by the San Francisco Bay Region Municipal Regional Stormwater National Pollution Discharge Elimination System (NPDES) Permit, and use of Low Impact Development (LID) features such as reducing impervious surfaces or providing pervious pavements, landscape features, and green roofs, can help reduce groundwater contaminant levels. (See chapter 17, Utilities and Service Systems, for a description of stormwater runoff and storm drainage facilities.)

11.1.4 Flooding and Flood Hazards

According to FEMA maps,³ most of the plan area is located in Zone X, an area classified as outside the 0.2 percent annual chance floodplain (a "500-year" flood). A small portion of the southwest part of the plan area (located partly in El Cerrito and partly in Richmond), near Central Avenue and I-80, is located in Zone A, which is classified as an area that has a one percent annual chance flood (a "100-year" flood). In addition, the area west of San Pablo Avenue and south of Central Avenue in the Plan area has a historical record of flooding.

The plan area is not located within an area likely to be subject to inundation from dam failure. There are no published maps or information on seiche hazards in the Bay Area, though the southwest portion of the plan area (Central Avenue close to I-80) is near the edge of the Tsunami Inundation Area as identified in the Richmond General Plan (Map 12-5) and the Association of Bay Area Governments (ABAG) Tsunami Inundation Emergency Planning Map for the San Francisco Bay Region.

In addition, the plan area is not located close enough to any hills that might pose a risk due to mudflow, which typically starts on steep slopes and is often triggered by natural disasters such as brush-clearing fire followed by sudden rains.

¹Contra Costa Clean Water Program, PCB Contributions by City, Technical Memorandum, February 24, 2014.

²State Regional Water Quality Control Board, 303(d) List of Water Quality Limited Segments (2010), http://www.waterboards.ca.gov/water_issues/programs/tmdl/2010state_ir_reports/category5_report.shtml, accessed 4-26-14.

³FEMA Map Numbers FEMA Map Numbers 06013C0240F and 0603C0245F, June 16, 2009.

under the discussion of flooding. The plan area is relatively level and would not be susceptible to mudflow; therefore, mudflow is not discussed further in this EIR.

11.3.2 Relevant Specific Plan Components

The Regulatory Setting above applies to Specific Plan implementation, and the Plan includes several sections that reference these requirements. In particular, the Specific Plan (section 2.05.08.037, Landscaping and Irrigation Plans Maintenance of Landscaped Areas) requires all landscaping installations to comply with the Contra Costa Clean Water Program Stormwater C.3 Guidebook and the California Model Water Efficient Landscape Ordinance.

11.3.3 Impacts and Mitigations

Construction Period and Post-Construction Water Quality Impacts. The Regional Water Quality Control Board (RWQCB), City of El Cerrito, and City of Richmond water quality protection requirements and conditions applicable to the project would be anticipated to reduce any potential construction period and post-construction water quality impacts to a *less-than-significant level*. Also see chapter 17 (Utilities and Service Systems), subsection 17.3.3 (Impacts and Mitigations) under Project and Cumulative Need for Water, Wastewater, and Storm Drainage System Infrastructure, item (c) (Projected Storm Drainage Infrastructure Requirements).

Development facilitated by the Specific Plan would need to implement routinely mandated measures to protect water quality, including but not limited to those measures required under the Contra Costa Clean Water Program, as outlined in the California Stormwater Quality Association (CASQA) Stormwater Best Management Practice Handbook for Construction and the Stormwater C.3 Guidebook (see Regulatory Setting above). All projects that create or replace impervious area in excess of the thresholds specified in Provision C.3 of the City's stormwater NPDES permit will be required to incorporate Low Impact Development (LID) features and facilities, including stormwater treatment facilities, in accordance with the C.3 Guidebook.

Any project grading activities involving disturbance of more than one acre would require a Notice of Intent (NOI) and a National Pollution Discharge Elimination System (NPDES) permit from the San Francisco Bay Regional Water Quality Control Board (RWQCB). The RWQCB administers the NPDES stormwater permitting program in the Bay Area, including the Municipal Regional Stormwater NPDES Permit. Project owners submit a Notice of Intent (NOI) to the RWQCB to be covered by the General Construction Permit prior to the beginning of construction. The General Construction Permit requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For a project entailing disturbance of more than one acre, the SWPPP must be prepared before construction begins, usually during the planning and design phases of a project, and must include specifications for Best Management Practices (BMPs) that would be implemented during project construction to control contamination of surface flows and the potential discharge of pollutants from commencement of construction through project completion. The SWPPP document itself remains on-site during construction. After completion of the project, the owners are required to submit a Notice of Termination to the RWQCB to indicate that construction is completed.

Also, depending on individual development proposals, grading permits would be required. Under their grading permit issuance procedures, each City routinely requires specific measures

to be taken during grading to minimize construction period erosion (see Regulatory Setting above).

The temporary use of hazardous materials (e.g., diesel fuel) and heavy equipment, which represent an incidental component of construction, could also introduce materials that might be spilled in the plan area and subsequently washed into San Francisco Bay. These substances

could have a direct, adverse effect on water quality in the bay. Implementation of the standard, required jurisdictional city construction period measures to reduce the risk of construction period pollutants would reduce this risk to a *less-than-significant level*.

Based on the above discussion, construction period and post-construction water quality impacts resulting from Specific Plan implementation would be ***less-than-significant*** (see criteria [a], [e], and [f] in subsection 11.3.1, "Significance Criteria," above).

Mitigation. No significant impact has been identified; no mitigation is required.

Long-Term Water Quality Impacts from Project Operation. Specific Plan long-term implementation could result in contamination of plan area stormwater runoff with petroleum and other contaminants from motor vehicles; however, the project would be required to comply with RWQCB- and jurisdictional City-required post-construction, non-point source pollution control measures which would ensure that such impacts would be reduced to a *less-than-significant level*.

In commercial areas, potential non-point source pollutants typically include litter, landscaping fertilizers and pesticides, heavy metals, oil and gas residues, tire fragments, and debris normally deposited by vehicular traffic. Stormwater runoff from developed sites can carry these pollutants into surface waters, where they can cause a small but cumulative degradation of water quality. Although the proposed project would increase the amount of on-site pervious area, which typically reduces the volume of pollutants generated by a site, the number of vehicle trips is expected to increase compared to existing conditions (see chapter 16 of the Draft EIR), which should result in a proportionate increase in the deposition of vehicle-related pollutants. Much of this would be within future parking areas.

As a condition of grading permit issuance, to help reduce the long-term accumulation of non-point source pollutants from the project within downstream surface waters, the project is required to incorporate long-term source control and/or pre-discharge treatment measures into the SWPPP in accordance with RWQCB regulations and City of-adopted regulations, subject to approval by the City Engineer.

(a) Source Control and Pre-Discharge Treatment Measures. Non-point source pollutant controls typically include both source control and pre-discharge treatment measures. Typical source controls include painting "Drains to the Bay" labels on storm drains, enforcing strict prohibitions on the use or disposal of contaminants, prohibiting the use of non-biodegradable fertilizers and pesticides, restricting vehicle maintenance and washing to areas not directly connected to the storm drain system, and regular cleaning and maintenance of all streets and parking areas, particularly at the onset of the rainy season, to reduce the build-up of the urban pollutants and debris that are normally washed into storm drains. Pervious pavement and infiltration basins are also used as source controls by reducing the total amount of stormwater runoff.

Pre-discharge treatment measures are put in place to remove stormwater pollutants that bypass source controls. They are normally designed in accordance with "best management practices" (BMPs) and can be further categorized as either active or passive. The active category typically refers to either straight media filtration or to media filtration combined with hydrodynamic separators for removal of oil and grease, sediment, and debris. Simple filters can be installed in

individual catch basins, while the much larger filter/separators are installed as "end of the line" structures that treat the runoff collected by many catch basins before it is discharged off-site. Both types of treatment measures require regular inspection, cleaning, and disposal of trapped pollutants, which generally makes them more effective on commercial or high-density residential sites, where a single owner is responsible for areawide maintenance.

Passive pre-discharge treatment methods generally utilize either small ponds or gently sloping swales to achieve pollutant removal through sedimentation and/or filtration. Ponds provide an opportunity for sediments to settle out before off-site discharge, while grass-lined swales (biofilters) pick up pollutants as the water slowly filters through the surface vegetation. Pollutants trapped in the sediment or adhering to the grass can then be removed by regular maintenance.

(b) Application to Individual Projects. Individual projects would propose a program of source control BMPs for implementation throughout the life of the project, subject to approval by the City Engineer. These measures would be combined with some combination of active and/or passive treatment measures to capture the pollutants not addressed through source controls.

~~Plan implementation could result in the deposition by motor vehicles of oil and other contaminants along San Pablo Avenue, Central Avenue, other plan area streets, and in parking areas. Rainfall has the potential to wash these contaminants from the plan area into the municipal storm drainage system, potentially contaminating downstream waterways (e.g., Cerrito Creek, Baxter Creek). Such non-point pollution is normally controlled through a combination of source controls (generally through the use of infiltration devices). The project would be required to comply with RWQCB and jurisdictional City required post-construction, non-point source pollution control measures (known as "facilities and maintenance practices").~~

~~Under the terms of the countywide Municipal Regional Stormwater NPDES Permit (MRP) that each City is subject to, the project must also implement post-construction measures to prevent or control pollutants in runoff (recommended measures are included in the Stormwater C.3 Guidebook), and identify a plan to inspect and maintain these measures. Project designs, in accordance with each jurisdictional City's standard conditions, would be required to include the on-site collection of runoff from all parking facilities and, if feasible, its on-site treatment (oil/grease traps, filters, oil/water separators, or similar in-line filtration systems), and an associated periodic clean-out/maintenance program that ensures acceptable trap efficiencies, specifies appropriate disposal procedures, and adequately reduces the risk that the traps become sinks for pollutants. A regular schedule of parking facility sweeping would also be required. In addition, source control features such as roofed trash enclosures would be required to keep pollutants from contacting stormwater. These required stormwater treatment measures would also need to meet engineered sizing criteria approved by the City Engineer of the responsible jurisdiction.~~

~~Permanent post-construction Best Management Practices (BMPs) are required for all new projects that create or replace between 2,500 and 10,000 square feet ("small projects") or more ("large projects") of roofs or pavement, including new development, redevelopment, and commercial and industrial sites. Permanent treatment BMPs can include, for example:~~

- ~~▪ rainwater harvesting and re-use,~~
- ~~▪ biofiltration swales,~~

- ~~▪ detention basins,~~
- ~~▪ bioretention areas, and~~
- ~~▪ flow-through planter boxes.~~

~~All of these BMPs are compatible with Specific Plan standards and guidelines.~~

Low Impact Development (LID) features ~~can shall~~ be integrated with BMPs. LID features reduce impervious surfaces and ~~can shall~~ include pervious pavements, landscape features, and green roofs. Parking stalls and plaza areas in the plan area ~~may would~~ be able to utilize pervious asphalt, pervious concrete, or permeable pavers. Medians ~~may shall~~ be landscaped to increase permeability. Landscaped open space also will contribute to reductions in impervious surfaces.

Under the current version of the 303(d) List of Impacted Water Bodies, Baxter Creek and Cerrito Creek are included in the Total Maximum Daily Load (TMDL) list, which identifies various creeks and water bodies as well as pollutants of concern. TMDL is a calculation of the maximum amount of a pollutant that a water body can receive and still safely meet water quality standards.

The Specific Plan area is already developed (and largely impervious). Drainage from new and replaced impervious surfaces created under the Specific Plan would be directed to LID treatment. Therefore, existing loading of PCBs, mercury, trash, and other pollutants would be reduced as the Plan is implemented.

Given the existing level of urbanization and the potential development under the Specific Plan, BMPs can complement the ~~p~~Plan's standards and guidelines, and address existing constraints. For example, bioretention planter areas ~~may shall~~ be used to treat roadway runoff, and flow-through planter boxes ~~may shall~~ be used to treat roof runoff. During design, the Stormwater C.3 Guidebook shall be referenced for acceptable BMPs, design considerations, design criteria, and operation and maintenance information. In addition to the C.3 Guidebook, individual development proposals shall determine if drainage will discharge to a water body impacted by specific pollutants. The 2008 303(d) List of Impacted Water Bodies, prepared and issued by the Regional Board, includes Baxter Creek and Cerrito Creek. The Municipal Regional Permit (MRP) provides more detailed information. Based on the discussion above, the effects of contaminated site runoff on water quality in the local (municipal) storm drainage system would represent a **less-than-significant impact** (see criteria [a], [c], [e], and [f] in subsection 11.3.1, "Significance Criteria," above).

Mitigation. No significant impact has been identified; no mitigation is required.

Effects on Groundwater Recharge. Currently, the plan area is covered almost entirely with structures, surface parking (asphalt paving), and introduced landscaping. As described above, Specific Plan implementation is expected to decrease the proportion of the plan area that is covered with impervious surface; therefore, groundwater recharge would not be negatively affected. The impact on groundwater recharge would be **less-than-significant** (see criterion [b] in subsection 11.3.1, "Significance Criteria," above).

Mitigation. No significant impact has been identified; no mitigation is required.

Risk of Flooding. Because the plan area is already covered with structures, paved surface parking, and introduced landscaping, development under the Specific Plan would not

significantly alter the total volume or rate of stormwater runoff into the existing municipal storm drain system of each jurisdiction (see EIR chapter 17, Utilities and Service Systems).

~~Based upon the El Cerrito General Plan, there are no known areas of flooding within the El Cerrito portion of the Specific Plan area.~~ Portions of the plan area in El Cerrito and Richmond, along Central Avenue, are identified as subject to a 100-year flood (Richmond General Plan Map 7.1, Floodplains and Watersheds). In addition, the area west of San Pablo Avenue and south of Central Avenue in the Plan area has a historical record of flooding. Residential uses are proposed in this area by the Specific Plan; therefore, such development would be required to comply with standard Federal Emergency Management Agency (FEMA), El Cerrito Municipal Code (chapter 8.35, Flood Hazard Areas; section 19.13.080, Flood Hazard Zones), and Richmond Municipal Code (chapter 12.56, Flood Damage Prevention) regulations regarding flood hazard protection and flood control (e.g., raised foundations). Therefore, the impact is considered ***less-than-significant*** (see criteria [d], [g], [h], and [i] in subsection 11.3.1, “Significance Criteria,” above).

Mitigation. No significant impact has been identified; no mitigation is required.

12.3 IMPACTS AND MITIGATION MEASURES

This section describes potential impacts related to land use and planning that could result from the Specific Plan, and discusses components of the Specific Plan that would avoid or reduce those potential impacts. The section also recommends mitigation measures needed to reduce remaining significant impacts.

12.3.1 Significance Criteria

Based on the CEQA Guidelines,¹ implementation of the San Pablo Avenue Specific Plan would have a significant impact related to land use and planning if it would:

- (a) Physically divide an established community; or
- (b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.

12.3.2 Relevant Specific Plan Components

The Specific Plan, mainly the Form-Based Code (FBC), includes components that would avoid or reduce potential land use and planning impacts. Components especially relevant to the evaluation of potential impacts are briefly summarized below. The reader is encouraged to review the entire Specific Plan sections for more detail. Note that within the context of the Specific Plan, a “standard” is a mandatory requirement, and a “guideline” is not mandatory but is strongly recommended.

2.02.03 Land Use Regulations. This section prescribes the land use regulations for the Transect Zones and the Theatre Overlay Block. The regulations apply to any new use proposed within an existing building or any new use application submitted in conjunction with a development application.

2.02.04 Approval Procedures. This section explains how the Specific Plan would be administered by the City Council, Planning Commission, Design Review Board, Zoning Administrator/Development Services Manager, and Community Development Director of the City of El Cerrito for properties within the El Cerrito portion of the Plan area. For the Richmond portion of the Plan area, approval procedures are included in the City of Richmond Livable Corridors Form-Based Code.

2.02.08 Application for Discretionary Actions Requiring a Public Hearing. Design review is required for all projects that require a building permit, with some exceptions related to single-family dwellings, replacement-in-kind construction, and color/finish changes. This section details the design review process and its relationship to the Specific Plan.

Design review procedures Types of design review (2.02.08.01 .02) are divided into four tiers, as follows:

¹CEQA Guidelines, appendix G, item X (a and b).

(1) Tier I design review applies to ~~improvements to non-conforming structures totaling minor projects, including signs, minor exterior additions and alterations which do not significantly alter the visual character or function of a building, accessory structures on existing lots, and exterior alterations costing~~ less than 50% of the ~~building's~~ appraised value, ~~and minor~~ of the improvements and additions on the property.

(2) Tier II design review applies to new projects that are designed in full compliance with the development and design standards of the Specific Plan.

(3) Tier III design review applies to all ~~allowed exterior~~ modifications to existing ~~nonconforming buildings and~~ structures in the Specific Plan area ~~that contain 25,000 square feet or less of gross floor area exceeding 50% of the appraised value of the improvements on the property, and major exterior additions and alterations which significantly alter the visual character or function of a building.~~

(4) Tier IV design review is intended to allow ~~innovative~~, high-quality developments that would not otherwise be allowed under a strict interpretation of the Specific Plan regulations but still comply with the intent of the Specific pPlan.

Section 2.02.08 also details review requirements for Conditional Use Permits (2.02.08.02), Variances (2.02.08.03), Waivers (2.02.08.04), Development Agreements (2.02.08.04.03), and Specific Plan Amendments (2.02.08.04.04~~5~~).

12.3.3 Impacts and Mitigations

Project Effects on the Physical Arrangement of the Community. The analyses and findings in this EIR indicate that future development activity under the San Pablo Avenue Specific Plan would not disrupt or divide the physical arrangement of the community. Project-facilitated development increments identified in the Project Description (chapter 3) would occur within the 206-acre Specific Plan area, a highly urbanized corridor. Implementation of the Specific Plan would reinforce, with no substantial change in, established community-wide land use patterns. A primary objective of the Specific Plan is to provide housing and mixed use development concentrated along San Pablo Avenue. The Specific Plan, in concert with each City's (El Cerrito and Richmond) General Plan, is intended to provide for the expansion of housing choices by encouraging compact, transit-accessible, pedestrian-oriented housing and mixed use (commercial/housing) development in the Specific Plan area at densities and heights greater than currently permitted. The Specific Plan stipulates that this housing and mixed use development be conveniently located near public transportation, shopping, employment, and other community facilities.

The Plan land use provisions and development standards would be expected to encourage infill activity, with significant beneficial land use effects in: (1) revitalizing the corridor; (2) 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 center; (3) and promoting compact, transit-accessible, pedestrian-oriented, mixed use development patterns and land use. These Specific Plan land use characteristics epitomize the principles and policies of Plan Bay Area and "smart growth," and would represent a **beneficial land use effect** (see criterion [a] in subsection 13.3.1, "Significance Criteria," above).

Mitigation. The Specific Plan would result in beneficial land use and planning effects. No mitigation pertaining to project impacts on the physical arrangement of the community is required.

Project Consistency with Policies Adopted for the Purpose of Avoiding or Mitigating Environmental Effects. The El Cerrito General Plan, Richmond General Plan, and San Pablo Avenue Specific Plan identify the Plan area as the location of future higher-intensity, mixed-use

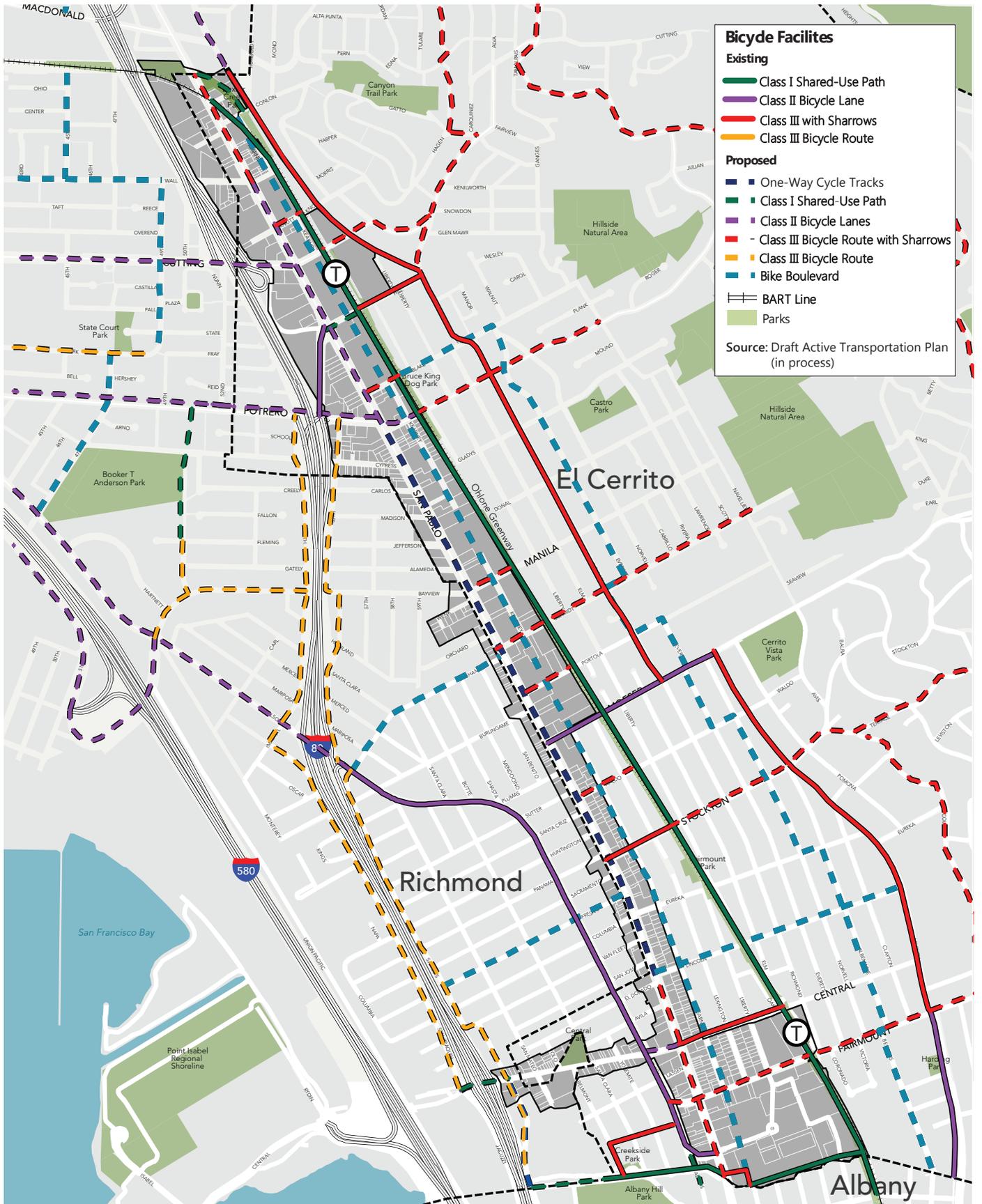


Figure 16-3

Existing and Proposed Bicycle Facilities

bicyclists and autos to share space. Where dedicated bicycle space is provided in Uptown and Midtown, scores are higher. Typical Class II bicycle lanes through Uptown receive a 'Medium' score. Where a buffer is provided between the bicycle lane and the adjacent travel lane, as in the Midtown section where a cycletrack is proposed, the redesign receives a 'High' score. At intersections, phase separation in the Midtown cycletrack receives a 'High' score. Where bicycle lanes are striped up to the intersection, a 'Medium' score is received, for example, at the northbound approach at Cutting Boulevard.

Figure 16-9 illustrates the change in the bicycle built environment scores with the project.

(c) Person Delay Assessment. Table 16-18 presents the person delay by mode for pedestrians and bicyclists, for the Existing Plus Project scenario. Several intersections, including San Pablo Avenue at Knott, Cutting, Hill/Eastshore, Schmidt and Moeser, show marked decreases in pedestrian delays, due to provision of missing crosswalks and curb bulbs that reduce crossing time. At the other intersections, pedestrian delays decrease slightly or remain the same. Bicycle delay changes are generally small, and increase or decrease largely based on the physical changes proposed at the particular intersection and signal timing changes just noted. Some of the traffic signals are "actuated but uncoordinated," meaning that additional traffic volume can trigger the traffic signal to allocate additional green time to those movements. In some cases, this helps bicyclists by also allowing them more green time; in other cases, competing movements are allocated more green time and bicyclists spend more time waiting at the intersection as a result.

Table 16-19 presents the transit corridor travel times for the Existing Plus Project scenario. The estimated delay savings results from the consolidation of bus stops, moving certain stops to the far side of the intersection, and installing bus bulbs at some locations. The actual travel time savings will depend on the actual bus stop changes that are made, in consultation with AC Transit, during implementation of the Complete Streets Plan.

16.3.5 Cumulative Conditions

This section discusses cumulative traffic conditions, both without and with the project. Three cases are presented in this section: future (2040) traffic conditions without the project's new development and roadway changes; future conditions with the project's development and roadway changes; and future conditions with the project's development and roadway changes and the projected mode shift that is anticipated to occur with full implementation of the Complete Streets policies and programs, along with the supporting infrastructure changes.

(a) Cumulative Roadway Assumptions. No capacity enhancing projects are assumed for the Cumulative No Project case. With the project, the network changes described in subsection 16.23.2 are assumed.

(b) Cumulative Traffic Forecasts. Review of historic traffic data indicates that volumes are declining on San Pablo Avenue through El Cerrito. Growth is limited in part due to gateway constraints at either end of El Cerrito, in particular at the southern end which has several heavily congested intersections in Albany, including San Pablo Avenue at Buchanan Street and at Solano Avenue.

Fairmount Avenue. On the west side of San Pablo Avenue, pipe sizes range from 4 inches and 6 inches between Macdonald Avenue and Cutting Boulevard, to 8 inches between Cutting Boulevard and Fairmount Avenue. ~~The San Pablo Avenue and its adjacent Specific Plan area are is served by two separate pressure Pressure zones: Zone GIAa (elevation 355 feet) between Nevin Avenue and Ohio Street, and Zone G0A (elevation 202), known as the Central Pressure Zone, serving elevations between 0 feet and 100 feet, between Ohio Street and the north city limits of Albany.~~ San Pablo Avenue elevations range from 50 feet in the north to 40 feet in the south.

17.1.2 Wastewater

(a) Wastewater Collection. Wastewater collection in the San Pablo Avenue area is primarily provided by Stege Sanitary District (SSD), whose Sewer System Management Plan was most recently revised in October 2013. A small portion of the plan area between I-80 and the El Cerrito city limits, from the Ohlone Greenway in the north to Knott Avenue in the south, falls within the Richmond Municipal Sewer District.

Pipelines are located on the westerly (southbound lanes) and easterly (northbound lanes) side of the median along San Pablo Avenue. Block maps indicate that the existing sewer is split into segments along San Pablo Avenue and discharged into larger diameter collector mains that extend along cross streets. From north to south along San Pablo Avenue, the routing of flows is westerly and summarized below:

- A 10-inch collector main along Cutting Boulevard collects flows along San Pablo Avenue.
- A 12-inch collector main along Potrero Avenue collects flows along San Pablo Avenue between Cutting Boulevard and Potrero Avenue and flows from Hill Boulevard and Blake Street.
- An 18-inch collector main along Potrero Avenue collects flows along San Pablo Avenue between Potrero Avenue and Schmidt Lane.
- An 18-inch collector main along Huntington Avenue collects flows along San Pablo Avenue between Schmidt Lane and Waldo Avenue (properties on east side of San Pablo Avenue).
- An 8-inch collector main along Central Avenue collects flows along San Pablo Avenue between El Dorado Street and Central Avenue (properties on west side of San Pablo Avenue).
- An 18-inch collector main just south of Fairmount Avenue collects flows along San Pablo Avenue between Waldo Avenue and Fairmount Avenue (properties on east side of the San Pablo Avenue) and between Central Avenue and Fairmount Avenue (properties on west side of San Pablo Avenue).

(b) Wastewater Treatment. Wastewater collected in the SSD system flows to the EBMUD Special District #1 Interceptor Sewer, where it is then conveyed to the EBMUD Wastewater Treatment Facility in Oakland for processing before being disinfected, dechlorinated, and discharged through a deep-water outfall one mile off the East Bay shore into San Francisco Bay. The EBMUD facility in Oakland has a maximum treatment capacity of 168 million gallons

per day (mgd). Average dry weather flows collected and treated in 2010 were 72.5 mgd. The City of Richmond treatment facility has a maximum treatment capacity of 16 mgd. Average dry weather flows collected and treated in 2010 were 8.5 mgd.

- (b) Require or result in the construction of new water or wastewater facilities, or expansion of existing facilities, the construction of which would cause significant environmental impacts;
- (c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
- (d) Result in a determination by the wastewater treatment provider which serves or may serve the Specific Plan area that it does not have adequate capacity to serve the plan area's projected demand in addition to the provider's existing commitments;
- (e) Exceed wastewater treatment requirements of the Regional Water Quality Control Board;
- (f) Be served by a landfill with insufficient permitted capacity to accommodate the plan area's solid waste disposal needs; or
- (g) Fail to comply with Federal, State, and local statutes and regulations related to solid waste.

Item (e) is discussed in chapter 11 (Hydrology and Water Quality) of this EIR. It is also noted that the need for new utility infrastructure in itself is not a significant impact under CEQA unless the **construction** of the infrastructure causes significant impacts.

17.3.2 Relevant Specific Plan Components

The Specific Plan includes components that would avoid or reduce potential impacts on utilities and service systems. Chapter 4 (Infrastructure Systems) of the Specific Plan is dedicated to the issues included in this EIR chapter. In addition, Form-Based Code components especially relevant to the evaluation of potential impacts are briefly summarized below. The reader is encouraged to review the entire Infrastructure Systems chapter and other Specific Plan sections for more detail. Note that within the context of the Specific Plan, a "standard" is a mandatory requirement, and a "guideline" is not mandatory but is strongly recommended.

~~2.05.06.04 Water Conservation. This section describes standards for conserving water, including planting drought-resistant native species, equipping irrigation systems with rain sensors, and complying with the California Model Water Efficient Landscape Ordinance.~~

2.05.08.03 Landscaping and Irrigation Plans. This section explains the requirements for landscape plans.

~~2.05.08.05 Landscaping Standards. This section describes standards for conserving water, including planting drought-resistant native species, equipping irrigation systems with rain sensors, and complying with the California Model Water Efficient Landscape Ordinance and the Contra Costa Clean Water Program Stormwater C.3 Guidebook.~~

2.05.08.07 Maintenance of Landscaped Areas. This section describes landscape maintenance requirements in accordance with the Model Water Efficient Landscape Ordinance and the Stormwater C.3 Guidebook.

3.05.05.02 Waste Management. The Complete Streets Plan describes a waste management strategy to include recycling receptacles with street furniture and to use recycled building materials in streetscape construction.

17.3.3 Impacts and Mitigations

Project and Cumulative Water Supply Impacts. Specific Plan implementation would require additional potable water over existing conditions. The Specific Plan area is located in the water

- Proposed development would consist of buildings ranging in maximum height from 55 to 65 feet (bonuses and incentives could allow heights up to 85 feet in the Higher-Intensity Mixed Use zone). To support the plumbing and provide required fire flows to upper building floors, proposed development may require a higher water system pressure than is available from EBMUD's Central Pressure Zone serving the San Pablo Specific Plan area. Higher pressure could be provided by connection to EBMUD Pressure Zone the water system with the higher pressure (G1Aa, elevation 355, which serves areas adjacent to the Specific Plan area, or by a fire pump installed in proposed buildings.) would need to be used. EBMUD would determine the feasibility of service from Zone G1Aa once the project sponsor applies for water service.
- Master Plan level modeling of the existing distribution system will be required. This modeling effort would need to determine if the existing system can provide the additional demands.
- When development plans are finalized, project sponsors would apply for water service from EBMUD. Upon application, EBMUD would determine costs and conditions for providing water service to individual projects within the Specific Plan area.
- The existing high pressure 36-inch pipeline along Key Boulevard, Liberty Street, and Elm Street (four blocks north of San Pablo Avenue) will be adequate for the Year 2040 planning scenario. This high pressure pipeline is assumed to be sufficient to supply the additional demands and feed the development with new mains to San Pablo Avenue. In addition, EBMUD plans to construct a new 36-inch transmission main along San Avenue starting in 2021 that would connect to existing mains at Nevin Avenue in Richmond and Central Avenue in El Cerrito. The proposed 36-inch transmission main is part of EBMUD's West of Hills Northern Pipelines project.
- The water system is a looped system.

(b) Projected Wastewater Generation and Infrastructure Needs. Table 17-3 and Table 17-4 show projected additional wastewater flows anticipated from development under the two planning scenarios. Pipes sizes listed in the tables are sized to serve only the forecasted development.

A December 2013 sewer capacity study completed for the Ohlone Gardens project concluded that the existing sewer main along Portola Drive adjacent to the project site and the existing sewer main along San Pablo Avenue at Waldo Avenue have sufficient capacity to serve the proposed Ohlone Gardens project. Therefore, improvements to serve that project are not anticipated. Also, modeling of the wastewater system would be required to determine impacts of these projected additional flows on the downstream system.

The following assumptions were made for both planning scenarios:

- Wastewater generation for each scenario is based on 95 percent of indoor water demand projection (average dry weather flow).

- A peaking factor of two times average dry weather flow was used to determine peak dry weather flow, and a factor of four times the peak dry weather flow was used to determine the peak wet weather flow. (SSD Sanitary Sewer Capacity Study Criteria require that wet weather flow be calculated as 400 percent of peak dry weather flow in lieu of wet weather monitoring data.)
- At this stage no modeling has been performed for the existing wastewater system to evaluate the capacity under the new loads. Improvements are proposed for the San Pablo Avenue area and not for downstream systems.

Additional cumulative effects are discussed below.

19.1.1 Cumulative Aesthetic Impacts

Impacts on aesthetics are localized impacts, and there are no identified cumulative development projects adjacent to the Specific Plan area. Potential project impacts on scenic vistas would be evaluated on a case-by-case basis as individual, site-specific projects are proposed under the Specific Plan (see Impact/Mitigation 4-1). Accordingly, the proposed project would not make a cumulatively considerable contribution to any significant cumulative impact with respect to aesthetics.

Mitigation. No cumulatively considerable contribution to a significant cumulative impact has been identified; no mitigation is required.

19.1.2 Cumulative Local Odor Impacts

There are no identified cumulative development projects adjacent to the Specific Plan area. Accordingly, the proposed project would not make a cumulatively considerable contribution to any significant cumulative odor impact .

Mitigation. No cumulatively considerable contribution to a significant cumulative impact has been identified; no mitigation is required.

19.1.3 Cumulative Biological Resource Impacts

The proposed Specific Plan includes components to daylight and protect Cerrito Creek, Baxter Creek, and their tributaries. Also, the Specific Plan area is subject to various Federal, State, regional, and local regulations for protecting biological resources (see EIR Chapter 6, Biological Resources). With respect to habitat conservation plans and natural community conservation plans, no such plans apply to the Specific Plan area or its vicinity. Potential project impacts on nesting birds and roosting bats would be mitigated on a site-specific basis and would not make a cumulatively considerable contribution to any significant cumulative biological resource impact.

Mitigation. No cumulatively considerable contribution to a significant cumulative impact has been identified; no mitigation is required.

19.1.4 Cumulative Historic Resource Impacts

In their adopted General Plans and in the proposed Specific Plan (see EIR chapters 7 and 18), the cities of El Cerrito and Richmond have committed to preserving historic resources; however, this EIR cannot speculate on the City's future decision-making regarding any particular development proposal that might affect historic resources. If, in the future, the City determines that one or more local historic resources exist on a specific, proposed development site, that proposed project's *demolition* of those resources would, even with mitigation, constitute a significant and unavoidable impact. Other potential developments in the cities of El Cerrito and Richmond could also result in impacts on local historic resources. Accordingly, if local historic resources are determined to exist on a development site, the proposed Specific Plan could result in a cumulatively considerable contribution to a potential significant cumulative impact on historic resources. The impact would be *significant and unavoidable*.

Specific Plan area does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. No portion of the Plan area is zoned for agricultural use, nor is any portion of the area under a Williamson Act contract. Therefore, the proposed project would not result in any impact on farmland.

- Mineral Resources (Item X in CEQA Appendix G): According to the El Cerrito General Plan and Richmond General Plan, no significant mineral deposits are identified in the Specific Plan area or vicinity. Therefore, the proposed project would not result in any impact on mineral resources.

19.6 ENERGY CONSERVATION

CEQA Guidelines Appendix F (Energy Conservation) describes how energy conservation should be addressed in EIRs and states, “[CEQA] requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy.” A discussion of energy use and conservation, including the City of El Cerrito Climate Action Plan and the City of Richmond Energy Climate Change General Plan element, is included in Chapter 9 (Greenhouse Gas Emissions and Global Climate Change) of this EIR.

As discussed in EIR chapters 3 (Project Description), 12 (Land Use and Planning), and 16 (Transportation and Circulation) of this EIR, Specific Plan implementation would generally change the Plan area from an auto-oriented corridor to a multi-modal (auto, transit, bicycle, pedestrian) oriented community, with related energy conservation resulting from the more efficient use of transportation, circulation, and infrastructure systems.

In addition, the Specific Plan Form-Based Code (FBC) includes the following components related to energy conservation:

2.05.06.02¹ Energy. The intent of this section is to “reduce energy usage and El Cerrito’s carbon footprint using energy efficiency and generation technologies in support of Climate Action Plan goals.” The section address passive heating and cooling techniques, Zero-Net Energy buildings, solar power, wind power, [green infrastructure](#), and related topics.

2.05.06.03 Urban Farming. Related to energy conservation, this section encourages saving energy by reducing food miles traveled, and mitigating the urban heat island effect, by encouraging urban farming.

Based on the discussion above, the proposed Specific Plan would not cause inefficient, wasteful, and unnecessary consumption of energy.

Goal B: Ensure Return on Investment.

Strategy 1: Maximize TOD (transit-oriented development) potential (BART and AC Transit).

Strategy 2: Stimulate investment in vacant/underutilized sites at key focus areas.

Strategy 3: Build on recent and planned private and public investments.

Strategy 4: Leverage all investments to catalyze new investments.

Goal C: Encourage Practical and Market Friendly Development.

Strategy 1: Provide development clarity to encourage investment.

Strategy 2: Incorporate flexible development codes that respond to constrained parcels, surrounding context, and the market.

Strategy 3: Allow ground floor residential development to provide flexibility and expand the Specific Plan area's residential base.

Goal D: Enhance and Humanize the Public Realm.

Strategy 1: Design streets for living instead of just driving through reStreet placemaking principles.

Strategy 2: Make large blocks human-scale through midblock connections.

Strategy 3: Create new gathering places to serve the needs of existing and new users.

Strategy 4: Promote environmental sustainability.

Strategy 5: Celebrate and strengthen the unique natural context.

Goal E: Catalyze Mode Shift.

Strategy 1: Promote infill development through increased land use intensity close to existing transit infrastructure.

Strategy 2: Reduce parking requirements to encourage transit use, reduce reliance on the private automobile, and allow valuable land to be utilized for more intense and active uses.

Strategy 3: Strengthen pedestrian and bicycle connectivity through existing and new connections and infrastructure.

Strategy 4: Improve connectivity between the Green Belt (Wildcat Canyon Trail) and the Blue Belt (Bay Trail) through pedestrian and bicycle connections.

[Strategy 5: Improve connectivity between the Green Belt \(Wildcat Canyon Trail\) and the Blue Belt \(Bay Trail\) through pedestrian and bicycle connections.](#)

The following alternatives have been evaluated in comparison to the proposed San Pablo Avenue Specific Plan:

The No Project alternative would result in 415 fewer new residential units and 903 fewer new residents than the proposed Specific Plan. Under the alternative, no Specific Plan would be adopted.

20.1.2 Comparative Impacts and Mitigating Effects

(a) Aesthetics and Visual Resources. With less overall development and lower maximum allowable heights, Alternative 1 would have reduced impacts compared to the San Pablo Avenue Specific Plan with respect to aesthetics and visual resources. However, there would be less enhanced visual character, identity, and cohesion, and less emphasis on a pedestrian-, bicycle-, and transit-friendly environment. The alternative's impacts on scenic vistas would remain significant and unavoidable.

(b) Air Quality. Alternative 1 would result in lower air pollutant emissions, and fewer sensitive receptors exposed to toxic air contaminants (TACs), PM_{2.5}, and odors.

(c) Biological Resources. With less overall development under Alternative 1, there might be less disturbance of existing urban landscape habitat, less potential disturbance of nesting birds and roosting bats during construction, and fewer existing trees removed within the Specific Plan area.

(d) Cultural and Historic Resources. Buildout (i.e., reaching development capacity) under the existing General Plan could have *greater* physical impacts on historic resources compared to the proposed Specific Plan because the proposed Specific Plan contains components that strengthen the City's commitment to proactive historic preservation (see EIR chapter 7). The alternative's project-specific and cumulative impacts on historic resources would remain significant and unavoidable.

(e) Geology and Soils. With Alternative 1, there would be less development and fewer people exposed to potential ground shaking, liquefaction, lateral spreading, expansive soils, subsidence, and differential settlement hazards associated with geologic and soils conditions within the Specific Plan area.

(f) Greenhouse Gas Emissions and Global Climate Change. Although this alternative would result in fewer housing units and less population, buildout of the Specific Plan area under the existing General Plan could result in an *increase* in GHG emissions compared to the proposed Specific Plan because development under the existing General Plan would not be as pedestrian-, bicycle-, and transit-oriented.

(g) Hazards and Hazardous Materials. With fewer housing units and less population, buildout under the existing General Plan would result in less potential exposure of people and property to hazards and hazardous materials compared to the existing General Plan.

(h) Hydrology and Water Quality. Alternative 1 could have *greater* impacts on drainage and water quality compared to the proposed Specific Plan. From an engineering standpoint, surface runoff is determined by a parcel's impervious surface area and not by land use or density. Even with less development under the existing General Plan within the Specific Plan area, there would be limited change over existing conditions, and limited change compared to development capacity under the Specific Plan, in terms of impervious surface area, stormwater runoff generation, and pollutant loading.

20.2 ALTERNATIVE 2: PLAN BAY AREA 2040 GROWTH ALLOCATIONS

20.2.1 Alternative 2 Characteristics

Under Alternative 2, the San Pablo Avenue Specific Plan would be adopted, but the net new residential development capacity assumptions for the plan area would be those listed in the Plan Bay Area “Final Forecast of Jobs, Population and Housing, Housing Growth by Jurisdiction and PDA/Investment Area, Contra Costa County” (July 2013). The boundaries of the San Pablo Avenue Corridor PDA described in Plan Bay Area match the Specific Plan area.

Plan Bay Area shows growth of 1,010 net new residential units in the San Pablo Avenue Specific Plan Area between 2010 and 2040. Plan Bay Area does not provide population estimates for the PDAs; using the 2.25 persons per unit, population growth under Plan Bay Area would be 2,273. The proposed Specific Plan forecasts 1,706 net new residential units and population growth of 3,840 between 2010 and 2040 (see EIR Chapter 14, Population and Housing).

From a policy perspective, Alternative 2 is considered substantially consistent with the adopted El Cerrito General Plan and Richmond General Plan (see EIR Chapter 18, Project Consistency With Local and Regional Plans, Tables 18.1 and 18.2).

Alternative 2 would result in 696 fewer new residential units and 1,567 fewer new residents than the proposed Specific Plan. Under the alternative, the San Pablo Avenue Specific Plan would be adopted.

20.2.2 Comparative Impacts and Mitigating Effects

(a) Aesthetics and Visual Resources. With less overall development, Alternative 2 would have reduced impacts compared to the proposed Specific Plan with respect to aesthetics and visual resources. The alternative’s impact on scenic vistas would remain significant and unavoidable.

(b) Air Quality. Alternative 2 would result in lower air pollutant emissions, and fewer sensitive receptors exposed to toxic air contaminants (TACs), PM_{2.5}, and odors.

(c) Biological Resources. With less overall development under Alternative 2, there might be less disturbance of existing urban landscape habitat, less potential disturbance of nesting birds and roosting bats during construction, and fewer existing trees removed within the Specific Plan area.

(d) Cultural and Historic Resources. Less overall development under Alternative 2 could have reduced physical impacts on historic and cultural resources compared to the proposed Specific Plan if fewer properties containing historic and cultural resources are subject to new development. The alternative’s project-specific and cumulative impacts on historic resources would remain significant and unavoidable.

(e) Geology and Soils. With Alternative 2, there would be less development and fewer people exposed to potential ground shaking, liquefaction, lateral spreading, expansive soils, subsidence, and differential settlement hazards associated with geologic and soils conditions within the Specific Plan area.

Other impacts on aesthetics and visual resources would remain less-than-significant as described in EIR Chapter 4.

(b) Air Quality. Compared to the proposed Specific Plan, Alternative 3 would result in reduced air pollutant emissions and toxic air contaminants (TACs) because the mandatory mode shift would reduce cumulative vehicle miles traveled (VMT) (see Transportation and Circulation below and EIR Chapter 5).

Other air quality impacts would remain less-than-significant after mitigation as described in EIR Chapter 5.

(c) Biological Resources. Alternative 3 would result in the same potential for disturbance of existing urban landscape habitat, potential for disturbance of nesting birds and roosting bats during construction, and number of existing trees removed within the Specific Plan area.

(d) Cultural and Historic Resources. Under Alternative 3, the project's significant unavoidable impact on historic resources (Impact 7-1) would be reduced to a less-than-significant level by **requiring** that no historic resource be demolished and that changes to historic resources adhere to the Secretary of the Interior's *Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* or *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, or be moved to a new location such that the resource retains its eligibility for listing on the California Register (see Mitigation 7-1 [a and b]).

Other impacts on cultural and historic resources would remain less-than-significant after mitigation as described in EIR Chapter 7.

(e) Geology and Soils. Compared to the proposed Specific Plan, Alternative 3 would result in the same impacts related to persons exposed to potential ground shaking, liquefaction, lateral spreading, expansive soils, subsidence, and differential settlement hazards associated with geologic and soils conditions within the Specific Plan area.

(f) Greenhouse Gas Emissions and Global Climate Change. Compared to the proposed Specific Plan, Alternative 3 would result in fewer greenhouse gas emissions due to the mandatory mode shift (see Transportation and Circulation below and EIR Chapter 9).

(g) Hazards and Hazardous Materials. Alternative 3 would result in the same potential exposure of people and property to hazards and hazardous materials compared to the proposed Specific Plan.

(h) Hydrology and Water Quality. Alternative 3 would result in the same impacts on drainage and water quality compared to the proposed Specific Plan.

(i) Land Use and Planning. The Specific Plan, which would be implemented under both Alternative 3 and the proposed project, includes numerous components to help ensure that new development would be compatible and integrated with the established land use pattern.

(j) Noise. Under Alternative 3, the project's significant unavoidable construction noise and construction-related vibration impacts (Impacts 13-3 and 13-4) would be reduced to less-than-

significant levels by adjusting the cumulative construction schedules of approved projects - including their locations, activities, and time periods - so that construction noise and vibration would be reduced to what the City would codify as a less-than-significant level (e.g., the City would prepare and adopt “cumulative construction noise and vibration regulations”).

Other noise and vibration impacts would remain less-than-significant after mitigation as described in EIR Chapter 13.

(k) Population and Housing. Compared to the proposed Specific Plan, Alternative 3 would result in the same increases in housing and population in the Specific Plan area.

(l) Public Services. Compared to the proposed Specific Plan, Alternative 3 would result in the same impacts on public services in the Specific Plan area.

(m) Transportation and Circulation. Under Alternative 3, the project’s significant unavoidable cumulative traffic impact at the San Pablo Avenue/Cutting Boulevard intersection (Impact 16-1) would be reduced to a less-than-significant level by **mandating the mode shift** evaluated in Chapter 16 (Transportation and Circulation) of this EIR. This might be accomplished by requiring traffic monitoring for each future individual development, then requiring as necessary more aggressive Transportation Demand Management (TDM) strategies to meet the mode shift.

(n) Utilities and Service Systems. This alternative would result in the same water demand, wastewater generation, and solid waste compared to the proposed Specific Plan.

20.3.3 Attainment of Project Objectives

Alternative **43** would be less effective in achieving Goal B and Goal C of the project objectives (listed at the beginning of this chapter) because the **mandated** reduction of the identified significant unavoidable impacts might be considered infeasible within the particular context of a future, site-specific development proposal. Related to Goals B (Ensure Return on Investment) and C (Encourage Practical and Market Friendly Development), the City might not attract a desired potential development if an applicant considers Alternative **43** too restrictive and lacking the flexibility to formulate innovative, feasible solutions between the City and the applicant.

20.4 ALTERNATIVES CONSIDERED BUT REJECTED--ALTERNATIVE 4: ALTERNATIVE PROJECT LOCATION

Section 15126.6(a) of the CEQA Guidelines states, “An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic project objectives but would avoid or substantially lessen any of the significant effects of the project[.]” Further, section 15126.6(c) explains, “Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental effects.” To help clarify the meaning of “feasibility,” CEQA Guidelines section 15126.6(f)(1) (Rule of Reason/Feasibility) states, “Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries...and whether the proponent can reasonably acquire, control, or