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PROPOSED MITIGATED NEGATIVE DECLARATION

REGULATING PLAN FOR
"THE AVENUE"

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PREPARED FOR
City of San Pablo

September 15, 2011

EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM

301 Lighthouse Avenue Suite C Monterey California 93940 Tel 831-649-1791 Fax 831-649-8391
www.emcplanning.com

ATTACHMENT B

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REGULATING PLAN FOR "THE AVENUE"

Proposed Mitigated Negative Declaration

PREPARED FOR

City of San Pablo

Tina Gallegos

13831 San Pablo Avenue, Building #3

San Pablo, CA 94806

Tel 510.215.3002

PREPARED BY

EMC Planning Group Inc.

301 Lighthouse Avenue, Suite C

Monterey, CA 93940

Tel 831.649.1799

Fax 831.649.8399

Rideout@emcplanning.com

www.emcplanning.com

September 15, 2011

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**PROPOSED
MITIGATED NEGATIVE DECLARATION
SEPTEMBER 15, 2011**

**Regulating Plan for “The Avenue”
In Compliance with the
California Environmental Quality Act (CEQA)**

- Lead Agency:** City of San Pablo
- Project Proponent:** City of San Pablo
13831 San Pablo Avenue, Building #3
San Pablo, CA 94806
- Project Location:** The approximately 16.1-acre project site is located in the City of San Pablo, between San Pablo Avenue to the northeast, existing commercial, professional and residential uses to the southeast, Wildcat Creek to the southwest, and Church Lane to the north.
- Project Description:** The proposed project is a form-based regulating plan for the development of the project site. No development is proposed at this time. The proposed project would not change the existing land use designation of Mixed Use Center South as identified in the San Pablo Avenue Specific Plan, which is consistent with the City of San Pablo 2030 General Plan and Housing Element (2011). Buildout of the site under the regulating plan would be consistent with the uses envisioned for the site in the specific plan. The proposed project defines the locations of streets and provides an implementing code to guide the appearance of future development on six proposed “development blocks” (A-F) on a total of 9.4 acres of the approximately 16.1-acre site. The proposed plan also identifies three sites for park and recreational uses. A 1.2-acre public open space containing a public green (open space), public plaza (Chattleton Plaza), and location for a new cultural building are identified at the center of the site.

Public Review Period:	Begins – September 19, 2011 Ends – October 10, 2011
Address Where Written Comments May be Sent:	City of San Pablo 13831 San Pablo Avenue, Building #3 San Pablo, CA 94806
Proposed Findings:	<p>The City of San Pablo is the custodian of the documents and other material that constitute the record of proceedings upon which this decision is based.</p> <p>The initial study indicates that the proposed project has the potential to result in significant adverse environmental impacts. However, the mitigation measures identified in the initial study would reduce the impacts to a less than significant level. There is no substantial evidence, in light of the whole record before the lead agency (City of San Pablo) that the project, with mitigation measures incorporated, may have a significant effect on the environment. See the following project-specific mitigation measures:</p>

MITIGATION MEASURES

Air Quality

AQ-1. The following dust control measures will be incorporated into all City construction bid documents and permits, subject to the review and approval of the Public Works Department of the City of San Pablo:

- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered two times per day;
- b. All haul trucks transporting soil, sand, or other loose material off-site will be covered;
- c. All visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited;
- d. All vehicle speeds on unpaved roads will be limited to 15 mph;
- e. All trails and sidewalks to be paved will be completed as soon as possible. Pavement surfaces will be laid as soon as possible after grading unless seeding or soil binders are used;

- f. Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage will be provided for construction workers at all access points;
- g. All construction equipment will be maintained and properly tuned in accordance with manufacturer's specifications. All equipment will be checked by a certified mechanic and determined to be running in proper condition prior to operation;
- h. Post a publicly visible sign with the telephone number and person to contact at the City of San Pablo regarding dust complaints. This person will respond and take corrective action within 48 hours. The Air District's phone number will also be visible to ensure compliance with applicable regulation.

AQ-2. The following dust control measures will be incorporated into all City construction bid documents and permits, subject to the review and approval of the Public Works Department of the City of San Pablo:

- a. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.
- b. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 miles per hour.
- c. Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity.
- d. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
- e. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.
- f. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
- g. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12-inch compacted layer of wood chips, mulch, or gravel.

- h. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.
- i. Minimizing the idling time of diesel powered construction equipment to two minutes.
- j. The project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOX reduction and 45 percent PM reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available.
- k. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings).
- l. Require that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NOx and PM.
- m. Require all contractors use equipment that meets CARB's most recent certification standard for off-road heavy duty diesel engines.

REGULATING PLAN FOR "THE AVENUE"

Initial Study

PREPARED FOR
City of San Pablo
Tina Gallegos
13831 San Pablo Avenue, Building #3
San Pablo, CA 94806
Tel 510.215.3002

PREPARED BY
EMC Planning Group Inc.
301 Lighthouse Avenue, Suite C
Monterey, CA 93940
Tel 831.649.1799
Fax 831.649.8399

Rideout@emcplanning.com
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City of San Pablo Administrative Draft Chattleton Square Community Vision + Regulating Code + Implementation

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A. BACKGROUND

Project Title	Regulating Plan for "The Avenue" (Chattleton Square Development Code)
Lead Agency Contact Person and Phone Number	Tina Gallegos, A.I.C.P , City Planner City of San Pablo 13831 San Pablo Avenue, Building #3 San Pablo, CA 94806 Tel: 510.215.3002 Fax: 510.215.3031
Date Prepared	September 15, 2011
Study Prepared by	EMC Planning Group Inc. 301 Lighthouse Avenue, Suite C Monterey, CA 93940 Sally Rideout, Senior Planner
Project Location	The approximately 16.1-acre project site is located in the City of San Pablo, between San Pablo Avenue to the northeast, existing commercial, professional and residential uses to the southeast, Wildcat Creek to the southwest, and Church Lane to the north.
Project Sponsor Name and Address	City of San Pablo 13831 San Pablo Avenue, Building #3 San Pablo, CA 94806
General Plan Designation	Mixed Use Center
Zoning	San Pablo Avenue Specific Plan: Mixed Use Center South

Setting

The Regulating Plan for "The Avenue" (hereinafter "proposed project") site is located within the City of San Pablo in Contra Costa County. The City of San Pablo is surrounded by the City of Richmond and the unincorporated communities of North Richmond and El Sobrante, east of San Francisco Bay. Figure 1, Regional Location, presents the regional location of the site.

San Pablo Avenue runs through the middle of the city and intersects with U.S. Interstate 80 to the east. The 16-acre project site extends between San Pablo Avenue to the northeast and Wildcat Creek to the southwest. Church Lane is the northern property boundary and the southern edge of the southern most parcel is located approximately 200 feet northeast of Vale

Road. The project site is designated as "Mixed Use Center South" in the City's San Pablo Avenue Specific Plan (hereinafter "specific plan") and as "Mixed Use Center" in the 2030 General Plan and Housing Element Update (2011). Figure 2, Project Vicinity, presents the location of the project site relative to the City of San Pablo city limit and the specific plan boundary.

A mix of residential and commercial uses are located to the north of the site beyond San Pablo Avenue, and are also located to the east and west of the site. The Salesian High School football field and track is located southwest of the project site across Wildcat Creek. Residential uses are located to the southwest and west, between Church Lane and the project site. San Pablo City Hall is located on San Pablo Avenue, northwest of the site across Church lane. The Doctors Medical Center and the Lytton Casino is located southeast of the site, southeast of Vale Road. Figure 3, Aerial Photograph, presents the location of the site, surrounding uses, and area roadways.

Formerly occupied by the Circle~S Mobile Home Park, most of the project site is vacant, with the exception of the northwest corner of the site, which is developed with a small commercial center and seven single-family residences along Chattleton Lane, near the intersection of Church Lane and San Pablo Avenue, and a 52,000 square-foot health center and 340-space parking structure, currently under construction on two acres along the site's southeastern boundary. Figure 4, Site Photographs, presents photographs of the project site and its surroundings.

Background

The City recently adopted the specific plan (2011), which includes the project site. The proposed buildout of the specific plan is included as part of the city's total general plan buildout and policies for the provision of services and environmental impacts reflect the overall policy direction of the general plan, while providing greater detail where necessary to achieve the more specific goals of the specific plan. The specific plan identifies the project site, formerly occupied by the Circle-S Mobile Home Park, as a "focus area" where new development is anticipated to occur (p. 2-6). The specific plan implements general plan policy LU-I-39, which requires the use of a specific plan to guide future development in the Circle-S focus area.

The specific plan also identifies the project site as a possible location for affordable housing (p 7-13). Program H-1.6.1 of the city's affordable housing strategy calls for updating the zoning ordinance to provide standards for the Mixed Use Center land use designations in the 2030 General Plan. The program requires enforcement of the new general plan land uses and densities rather than the old zoning designations. Additionally, as noted in the specific plan (p. 9-8) the San Pablo Redevelopment Agency included redevelopment of the project site in its Five-Year Implementation Plan (2010-2014).

The specific plan designates only the project site as Mixed Use Center South (p. 2-11). Permitted uses may include commercial, office (including medical offices), residential, institutional, and hotel. Typical heights are expected to reach three to six stories, with a maximum height of 60 feet. The maximum floor area ratio (FAR) is 2.5 and the maximum residential density allowed is 60 units per gross acre (included within the FAR limit) (City of San Pablo 2011). The specific plan calls for a new community plaza along San Pablo Avenue as part of redevelopment of the former Circle-S site (p 1-9). Table 1, Buildout Potential, presents the project site's contribution to buildout conditions in the specific plan area.

Table 1 Buildout Potential

Buildout Condition	Project Site	Specific Plan Area
Residential Units	129	739
Residential Density	60 du/ac	60 du/ac
Population	379	272
Commercial	459,000 ¹	815,000 ¹
Jobs	938	1,990

Source: City of San Pablo 2011

Note: 1 In Square Feet

The following specific plan policy goals and implementing actions are included in the specific plan Chapter 4, and apply specifically to the former Circle-S site (project site):

4-G-1: Develop the Circle-S site with a vital mix of synergistic retail, eating/ drinking establishments, office, institutional, and residential uses, and as a citywide and regional destination.

4-G-2: Ensure that streets and open spaces form the framework for development, with the public realm designed to be accessible from the surroundings, and designed to enhance pedestrian movement.

4-G-3: Encourage a mix of uses that is compatible with and caters to the needs of the community and region.

4-I-1: Develop a street grid that provides direct connections to Church Lane and San Pablo Avenue, and ensures easy pedestrian movement through the site. Block lengths should generally be between 150 and 300 feet.

4-I-2: Provide a community gathering space at least ¼-acre in size and community open space along San Pablo Creek. Develop a "main street" with active commercial uses at the ground level linking the two.

4-I-3: Ensure that the community gathering space is surrounded by active uses. Program the community gathering space with activities and events (e.g. farmers' market, music performances, etc.) to keep the area bustling.

4-I-4: Ensure that development on the site includes a large open turf area as well as at least one programmed area such as a small amphitheater, a garden, or a public art plaza.

4-I-5: Provide direct and visible connections between San Pablo Avenue and the central community gathering space.

4-I-6: Line San Pablo Avenue, the new "main street" and any other principal street frontages with commercial uses.

4-I-7: Incorporate a parking structure within the site that can be accessed directly from San Pablo Avenue and can be used by office, medical, and retail uses on the site and in conjunction with adjacent uses, if desired. Ensure that the ground level of the parking structure is occupied with active pedestrian-oriented uses.

4-I-8: Maintain buildings of generally three to four stories, with lower heights in certain portions of the site, and reaching five or six stories in selected locations, stepped away from the project's edges.

4-I-9: Encourage restaurants to provide outdoor dining along public plazas, open spaces, and Wildcat Creek.

4-I-10: Ensure that monument signage does not interfere with traffic visibility along the Avenue.

The specific plan also identifies planned roadway, curb, gutter, and sidewalk improvements along San Pablo Avenue adjacent to the project site and a trail along Wildcat Creek intended to provide safer and better transit, pedestrian, and vehicular access. Design standards for the Mixed Use Center South land use designation are presented in the specific plan Table 4-1 (pp 4-40 – 4-42).

Other specific plan policies that directly refer to the project site are as follows:

2-I-11: Develop the Mixed Use Center South area (Circle-S site) with commercial destinations that serve as a citywide and regional destination, and cater to families—for example, family-friendly restaurants, shopping, and entertainment options.

3-I-26: Establish a street grid that covers the entire site and allows visual access into the development from San Pablo Avenue. The grid should organize all development within the site, provide a direct connection to Church Lane to the north, and provide a potential connection through to Vale Road to the south and potentially to the Casino.

3-I-27: Establish a central pedestrian-oriented street that provides a direct link from San Pablo Avenue to improved open space along Wildcat Creek.

DG-1: Create new interior streets to divide long blocks along San Pablo Avenue and within potential development sites like Circle-S and Towne Center into 200- to 400-foot block lengths (with some blocks potentially even smaller in portions of the Circle-S site).

DG-7: Emphasize and highlight architectural features at block corners through changes in height, massing, or materials, or by introducing public plazas and grand entries. Main entries into the Circle-S site should have distinctive corner massing that highlights and accentuates visibility into the site.

Description of Project

The proposed project is a form-based regulating plan for the development of the 16-acre site. A copy of the Regulating Plan (entitled: Chattleton Square Development Code) is included as an Appendix to this initial study. No development is proposed at this time. The proposed project would not change the existing land use designation of Mixed Use Center South as identified in the specific plan, which is consistent with the *City of San Pablo 2030 General Plan and Housing Element* (2011). For the purposes of this initial study, buildout of the site would be consistent with the uses envisioned for the site in the specific plan, as described above; however, the proposed regulatory plan identifies eight categories of uses ranging from neighborhood ("Main Street") Retail uses, General Commercial, Destination Retail (entertainment venues), Residential (single and multi-family), Workplace (professional uses), Live/Work (mixed use), Lodging, and Civic/Cultural (governmental and quasi-public uses).

The proposed project defines the locations of streets and provides an implementing plan to guide the appearance of future development on six proposed "development blocks" (A-F) on a total of 9.4 acres of the 16-acre site. The proposed project also identifies three sites for park and recreational uses. A 1.2-acre public open space containing a public green (open space), public plaza (Chattleton Plaza), and location for a new cultural building are identified at the center of the site.

Street Network. The proposed street network maintains existing site access to Church Lane from Chattleton Lane. New streets consists of a divided "gateway" street near the center of the site frontage on San Pablo Avenue, and two additional access streets ("city streets") along San Pablo Avenue. Future access could be provided to Vale Road to the southeast from a potential neighborhood street connection near the health center (under construction). The plan calls for the provision of neighborhood streets within the southern portion of the site on Block F. An additional "city" street is proposed connecting to Church Lane to the northwest. A central open space, plaza and cultural building are bounded by additional streets, identified as "Chattleton Square" streets. Figure 5, Proposed Street and Block Plan, provides the configuration of the six blocks on the site relative to proposed streets.

Table 2, Proposed Development Blocks, presents the acreage of each development block and the remaining open-space and street acreage.

Table 2 Proposed Development Blocks

Block	Acreage
A	0.84
B	0.64
C	1.27
D	1.32
E	1.54
F	3.79
Park and Cultural Center Site	1.20
Open Space, Streets, and Trails	5.50
Total	16.10

Source: City Design Collective 2011

The proposed plan provisions would allow mixed, ground floor retail uses with residential uses in key locations where new buildings front onto the central public open space. Professional offices, residential uses, civic, cultural, and lodging uses would be permitted on upper stories of all buildings. Ground floor commercial uses would be permitted in all buildings fronting on to San Pablo Avenue. Residential uses would be conditionally permitted at key locations on ground floors. Parking would be provided by a combination of surface parking and covered structures as the site is developed.

Block A. Located at the southeast corner of the intersection of San Pablo Avenue and a new "city street", Block A would be bound by the health facility to the southwest and existing uses to the southeast. Block A would consist of a mix of the uses listed above. Main Street Retail uses would not be permitted on "city street" frontages and would be conditionally allowed on the San Pablo Avenue frontage. Residential uses would be conditionally allowed on ground floors of buildings fronting on San Pablo Avenue and would be permitted on all other floor levels of building in Block A.

Block B. Bound by San Pablo Avenue to the northeast, "city street" to the southeast, "Chattleton Square East" to the southwest and "Gateway Boulevard" to the northwest. Main Street retail uses are permitted on all frontages, required at the Gateway Boulevard and San Pablo Avenue intersection, and are conditionally allowed on "city streets." General Commercial uses are permitted on all frontages, with the exception of along Chattleton Square East, where these uses would be conditionally permitted. Residential uses would be conditionally permitted on ground floors and permitted by right on upper floors. Workplace, Lodging, and Civic/Cultural uses would be permitted on upper floors of buildings fronting Chattleton Square East and Gateway, and on all floors of buildings fronting along San Pablo Avenue and "city streets."

Block C. Block C is bound by San Pablo Avenue (northeast), Gateway Boulevard (southeast), Chattleton Square East to the southwest and a "city street" to the northwest. Permitted land uses would be the same as those identified in Block B.

Block D. This block consists of the northwest corner of the project site at the intersection of Church Lane and San Pablo Avenue. The block is bound on the southeast and southwest by new "city streets." Main Street Retail uses would be conditionally permitted on Block D. Residential uses would be conditionally permitted on the ground floors of streets fronting San Pablo Avenue and Church Lane, and permitted on all floors of buildings fronting the "city street(s)." All other land uses would be permitted by right on Block D.

Block E. This block is located northeast of Wildcat Creek and would generally be bound by the creek, a new "city street" (Chattleton Lane), and Chattleton Square North to the southeast. All land uses would be permitted in Block D, with two exceptions: ground floor residential uses

would be conditionally permitted in buildings fronting along Chatleton Square North, and Main Street Residential is not permitted along Chatleton Lane. The proposed project identifies Block E as a location suitable for a commercial, civic, or cultural anchor and a shared parking lot or structure with access to San Pablo Avenue provided by a new "city street."

Block F. Located at the southeastern portion of the site, Block F is bound by Chatleton Square West, the new health care facility, and existing development to the southeast of the site along Vale Road. Permitted uses in Block F would consist primarily of residential, workplace, Live/Work, Lodging, and Civic and Cultural Uses. Residential uses would be conditionally permitted on the ground floors of buildings fronting on Chatleton Square West, and permitted in all other locations. Additional neighborhood streets would be required within Block F to provide access to these uses. Main Street Retail uses would be required as corner treatments at the main access to Block F off of Chatleton Square West. General Commercial and Destination Retail uses would be permitted uses in buildings fronting on Chatleton Square West.

Multi-use Trail. The proposed project includes provisions for the creation of a multi-purpose creekside trail along Wildcat Creek. The proposed trail would provide a pathway for pedestrians cyclists to access the plan area. An access point near the intersection of the interior street network at Chatleton Square North and Chatleton Square West would connect the Trail to the heart of the project area. A second access point located near the western edge of the West County Health Center parking structure would allow for future connection via a bridge to Salesian High School and nearby neighborhoods. Additional access points could be elsewhere along Block E and F.

Parking. The proposed project identifies the locations of three off-street public parking facilities: a surface lot on Block A, and structured parking on Block E and Block F. The proposed project includes provisions that would allow shared parking. On-street parking would be allowed on all interior streets, except for the "gateway" boulevard and alley ways. The proposed project would require public bicycle parking at a minimum of one rack for each 10 parking spaces and dedicated bicycle parking areas in all parking structures. The proposed project would encourage the placement of bicycle racks within bulb-out areas between street trees.

Landscaping and Lighting. The proposed project includes design standards for fences, walls and screening that would obscure service areas and private open space, and serve as decorative elements, in conformance with the maximum height permitted by the San Pablo Municipal Code. Lighting of all public areas, including the trail, would be required; however, exterior lighting would utilize cut-off and other 'dark-sky' technologies to direct light downward except where safety purposes require otherwise.

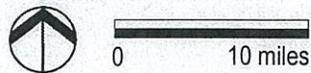
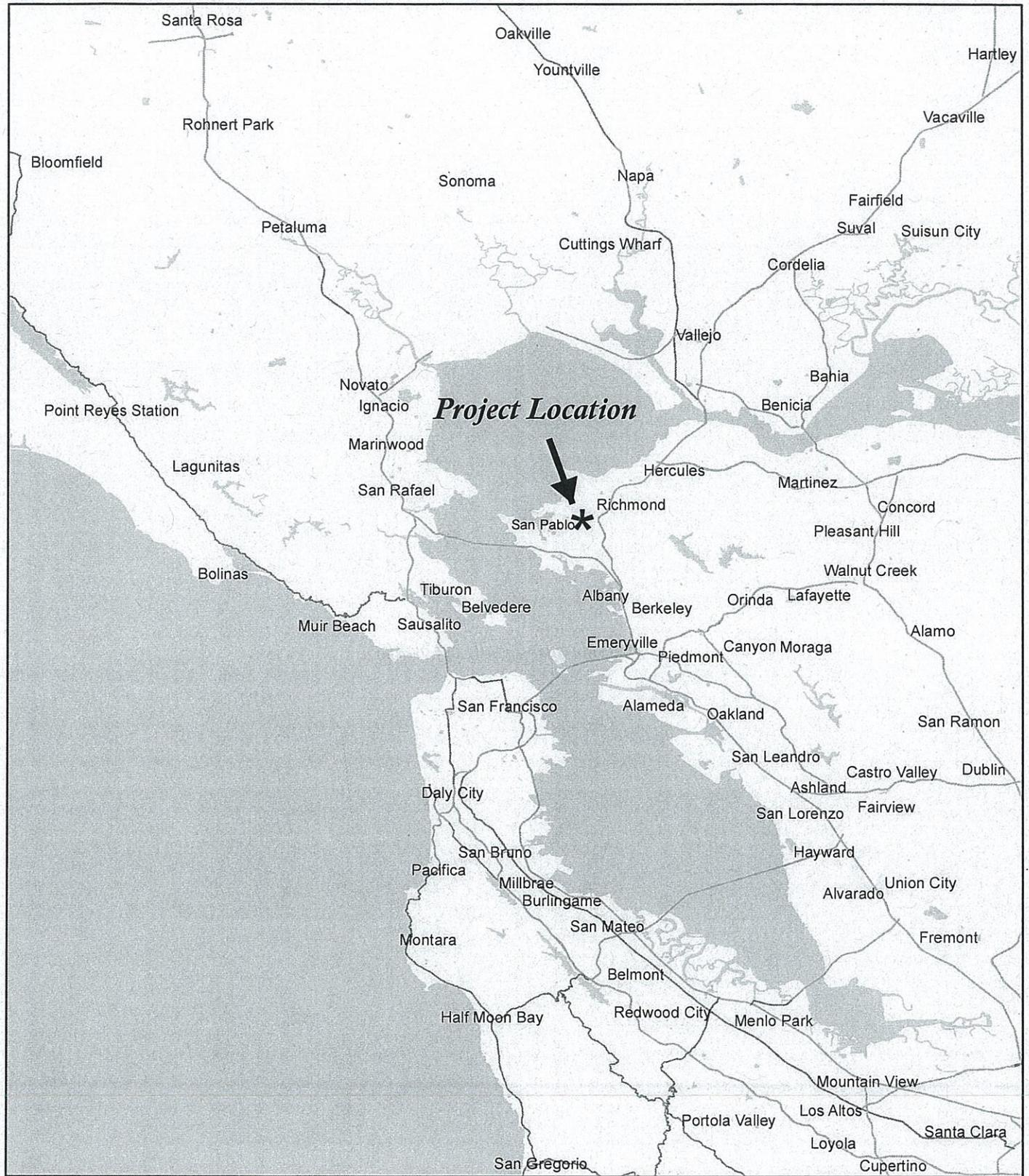
Consistency with Specific Plan

The project site lies within the boundary of the specific plan area and is subject to the land use designation of the specific plan. The proposed project is a regulatory form-based code to guide the redevelopment of the 16.1-acre former Circle-S opportunity site identified in the specific plan. The proposed project would not intensify the land use designations set forth in the specific plan. Additionally, the proposed project is substantially consistent with the specific plan standards outlined in Table 4-1 of the specific plan (pp 4-40 through 4-42). For example, the proposed maximum standards for block length, façade length, building height, maximum stories, site coverage, and required parkland provisions are consistent with the specific plan standards. Proposed setback standards are generally consistent with the specific plan; however, the proposed project allows shorter setbacks for buildings four stories and taller. Issues associated with building placement are discussed in Section D.12, Noise. Three potential locations for parking facilities are identified on Block A, Block E, and Block F, consistent with specific plan development standards for structured parking visibility from San Pablo Avenue. Structured parking would be placed toward the rear of the site. The proposed project allows three curb cuts and access points to the site from San Pablo Avenue. Per the specific plan Table 4-1, an increase in the number of curb cuts allowed on street frontages greater than 300 feet is allowed with Administrative Approval.

Approach and Methodology

The specific plan was prepared concurrently with the City's 2030 General Plan Update, and development of the project site consistent with the specific plan would implement general plan policy LU-I-40, which states: "Use the San Pablo Avenue specific plan to guide future development in the Circle-S site focus area." Because specific development on the project site is not proposed, this initial study evaluates the impact of future development of the 16.1-acre project site at a programmatic level. For the purposes of this study, buildout of the project site would be consistent with the uses envisioned in the specific plan.

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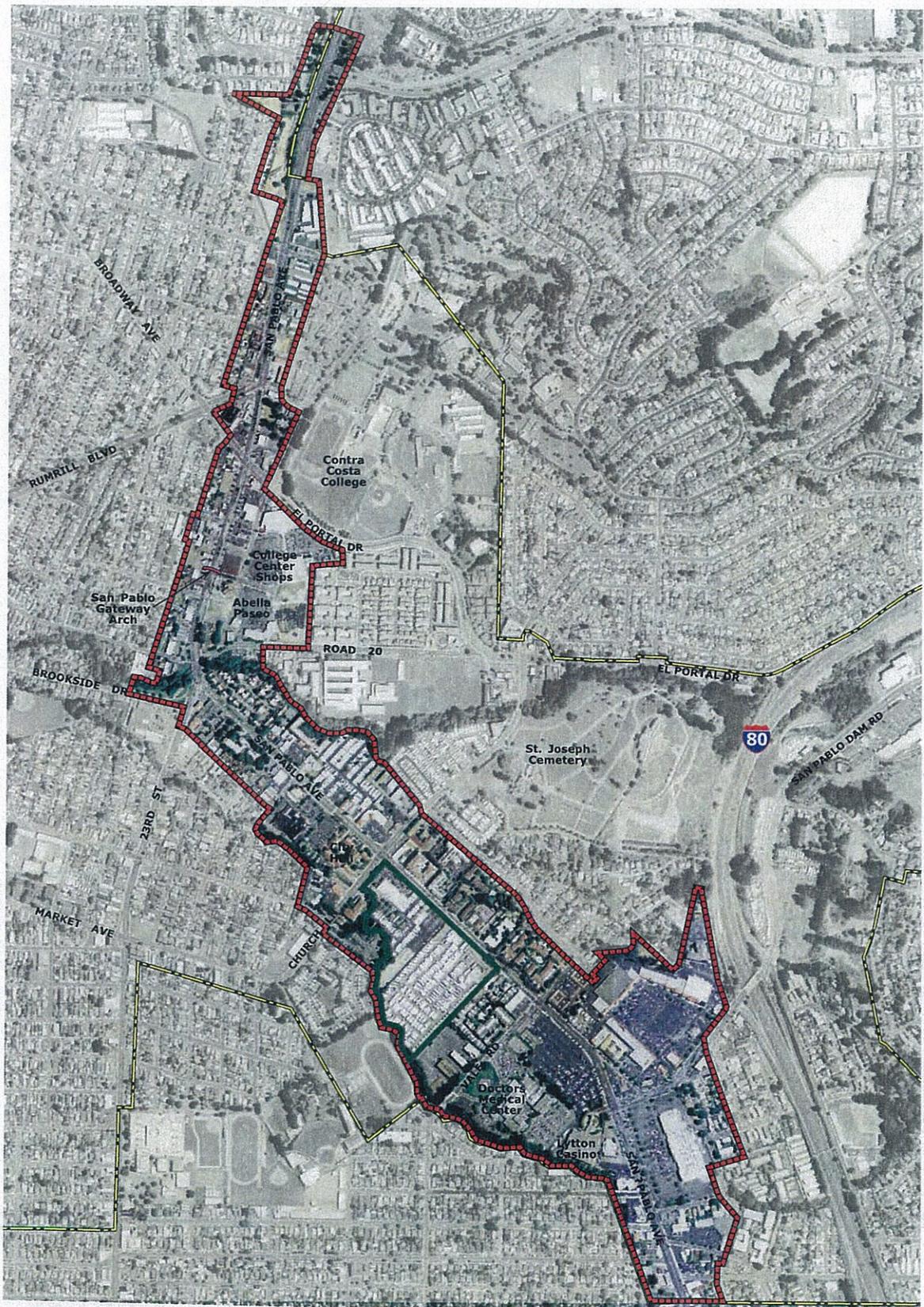
Source: ESRI 2010



Figure 1
Regional Map

Regulating Plan For "The Avenue" Initial Study

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0 1000 feet

- San Pablo Avenue Specific Plan Area
- San Pablo City Limit
- Project Site Boundary

Source: City of San Pablo 2011



Figure 2
Project Vicinity

Regulating Plan For "The Avenue" Initial Study

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Source: Google Earth 2009

Figure 3
Aerial Photograph

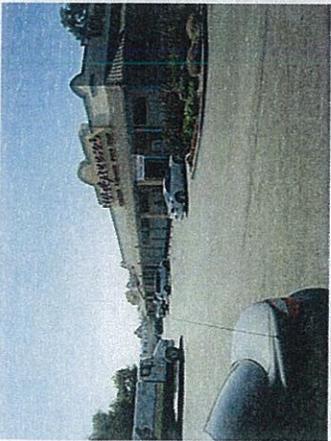
Regulating Plan For "The Avenue" Initial Study

Project Site Boundary

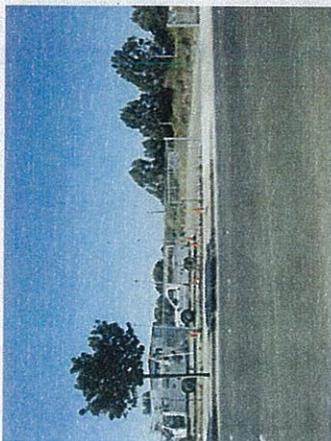
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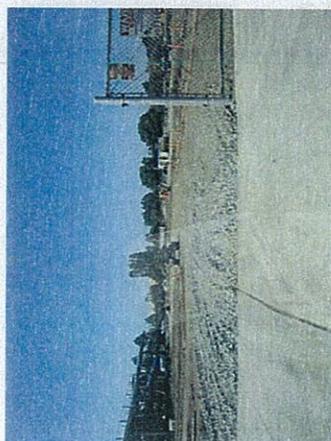
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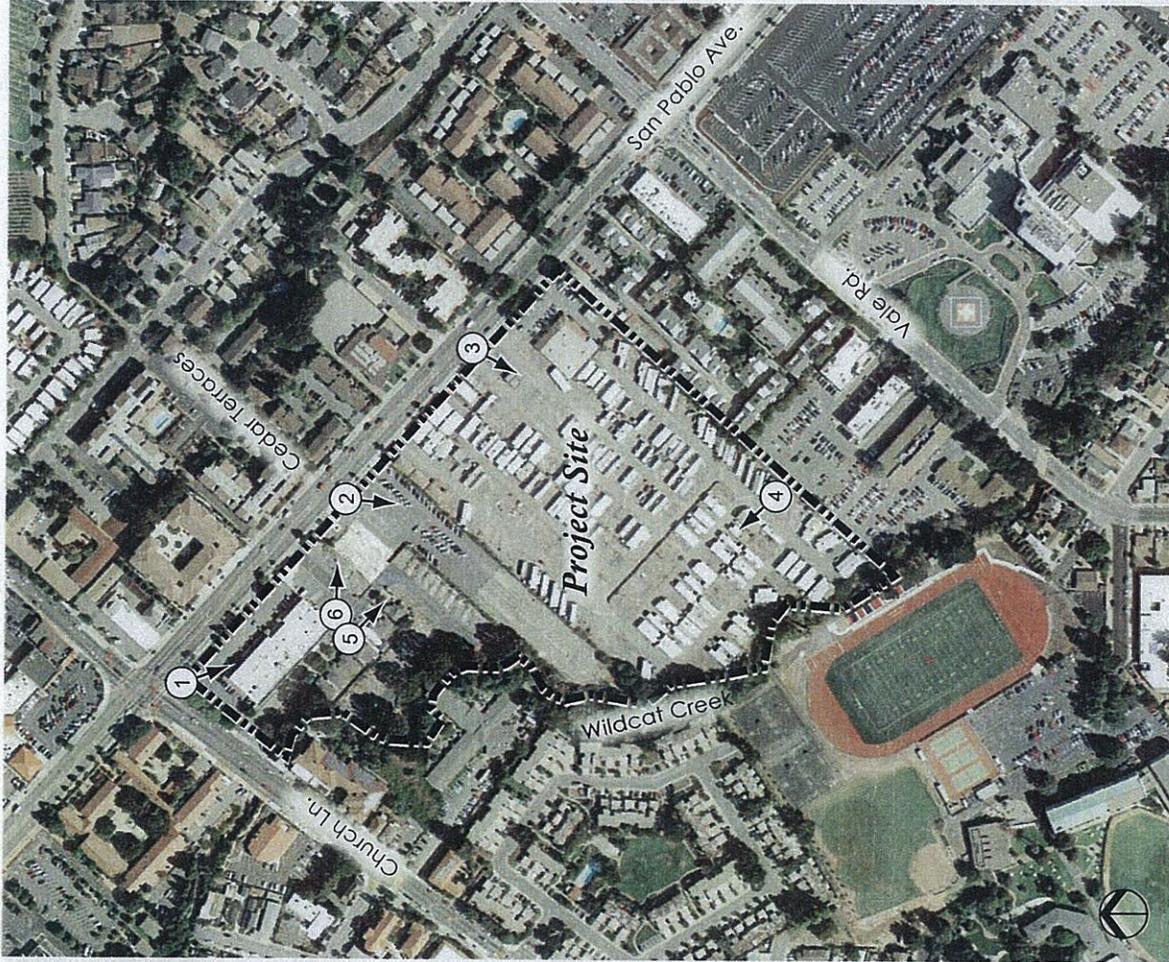
① View Southeast from Church Lane (Block D)



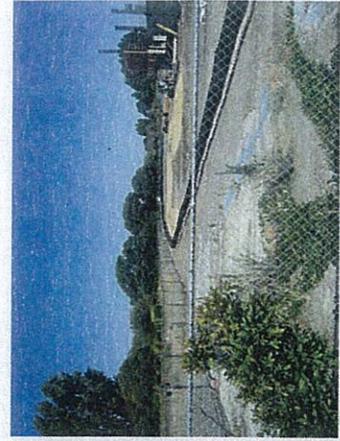
② View Southwest (Block B in Foreground)



③ View Southwest (Block A in Foreground)



--- Project Site Boundary



④ View Northwest (Block F and Wildcat Creek)



⑤ Existing Residences (Block E)



⑥ View East from Chattleton (Block C,D)

Source: Google Earth 2009

E M C

Figure 4

Site Photographs

Regulating Plan For "The Avenue" Initial Study

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Source: Google Earth 2009, City of San Pablo 2011

Figure 5
Proposed Street and Block Plan
 Regulating Plan For "The Avenue" Initial Study

0 425 feet


 City Street
 Neighborhood Street
 Chattleton Square
 Chattleton Square
 Chattleton Square East

 E
 M
 C

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B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

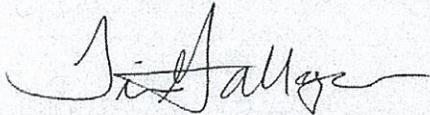
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Air quality | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Noise | <input type="checkbox"/> Mandatory Findings of Significance |

C. DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (1) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Tina Gallegos, AICP, City Planner

September 15, 2010

Date

D. EVALUATION OF ENVIRONMENTAL IMPACTS

Notes

1. A brief explanation is provided for all answers except "No Impact" answers that are adequately supported by the information sources cited in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer is explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers take account of the whole action involved, including off-site as well as on-site, cumulative as well as a project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once it has been determined that a particular physical impact may occur, then the checklist answers indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less-Than-Significant Impact with Mitigation Measures Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less-Than-Significant Impact." The mitigation measures are described, along with a brief explanation of how they reduce the effect to a less-than-significant level (mitigation measures from section XVII, "Earlier Analyses," may be cross-referenced).
5. Earlier analyses are used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier document or negative declaration. [Section 15063(c)(3)(D)] In this case, a brief discussion would identify the following:
 - a. "Earlier Analysis Used" identifies and states where such document is available for review.

- b. "Impact Adequately Addressed" identifies which effects from the checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and states whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. "Mitigation Measures"—For effects that are "Less-Than-Significant Impact with Mitigation Measures Incorporated," mitigation measures are described which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6. Checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances, etc.) are incorporated. Each reference to a previously prepared or outside document, where appropriate, includes a reference to the page or pages where the statement is substantiated.
 - 7. "Supporting Information Sources"—A source list is attached, and other sources used or individuals contacted are cited in the discussion.
 - 8. This is the format recommended in the CEQA Guidelines as amended October 1998.
 - 9. The explanation of each issue identifies:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any to reduce the impact to less than significant.

1. AESTHETICS

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>
a. Have a substantial adverse effect on a scenic vista? (1,2,7)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? (1,2,7)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings? (1,2,7)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (1,2,7)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>

Comments:

- a. Impacts to scenic vistas were studied in the specific plan EIR (2011). The EIR determined that development that would block panoramic views or views of significant landscape features or landforms (mountains, oceans, rivers, or significant man-made structures) as seen from public viewing areas would result in a significant impact (p. 3.12-4). Higher density development proposed by the specific plan has the potential to obstruct views currently available to the public. However, the impact would be less than significant as the San Pablo Avenue corridor is located in a low-lying plain with little or no view of scenic resources. The proposed project provides development standards for height and setbacks, open space and pedestrian corridors, consistent with the specific plan policies (4-I-1 – 4-I-10) for the project site identified in the specific plan Chapter 4, (pp 4-7 – 4-8), and the general specific plan design guidelines intended to maintain and improve the scenic quality of San Pablo Avenue. Future development of the site consistent with these standards would contribute to the impacts resulting from implementation of the specific plan, which are less than significant. No mitigation is required.
- b. According to the specific plan EIR, there are no formally designated scenic roadways in the city; however, San Pablo Avenue and I-80 through San Pablo are identified as "connecting routes", which suggests they either connect with other scenic areas together or they have "scenic potential" (p 3.12-2). The specific plan EIR describes the visual

character of San Pablo Avenue in the vicinity of the project site as characterized by a main thoroughfare with large buildings set back on each side of the street. The area's major retail and entertainment attractions include San Pablo Casino, San Pablo Towne Center, and Diaz Plaza, south of the project site. The development of vacant and opportunity sites along San Pablo Avenue is the most notable physical change that will result in a different visual experience when travelling on San Pablo Avenue. As noted in the discussion of Item a, above, the proposed project provides site-specific design standards for the project site consistent with the specific plan. As such, future development consistent with the specific plan land use designation would not result in impacts that are greater in magnitude or intensity than those studied in the specific plan EIR. No mitigation is required.

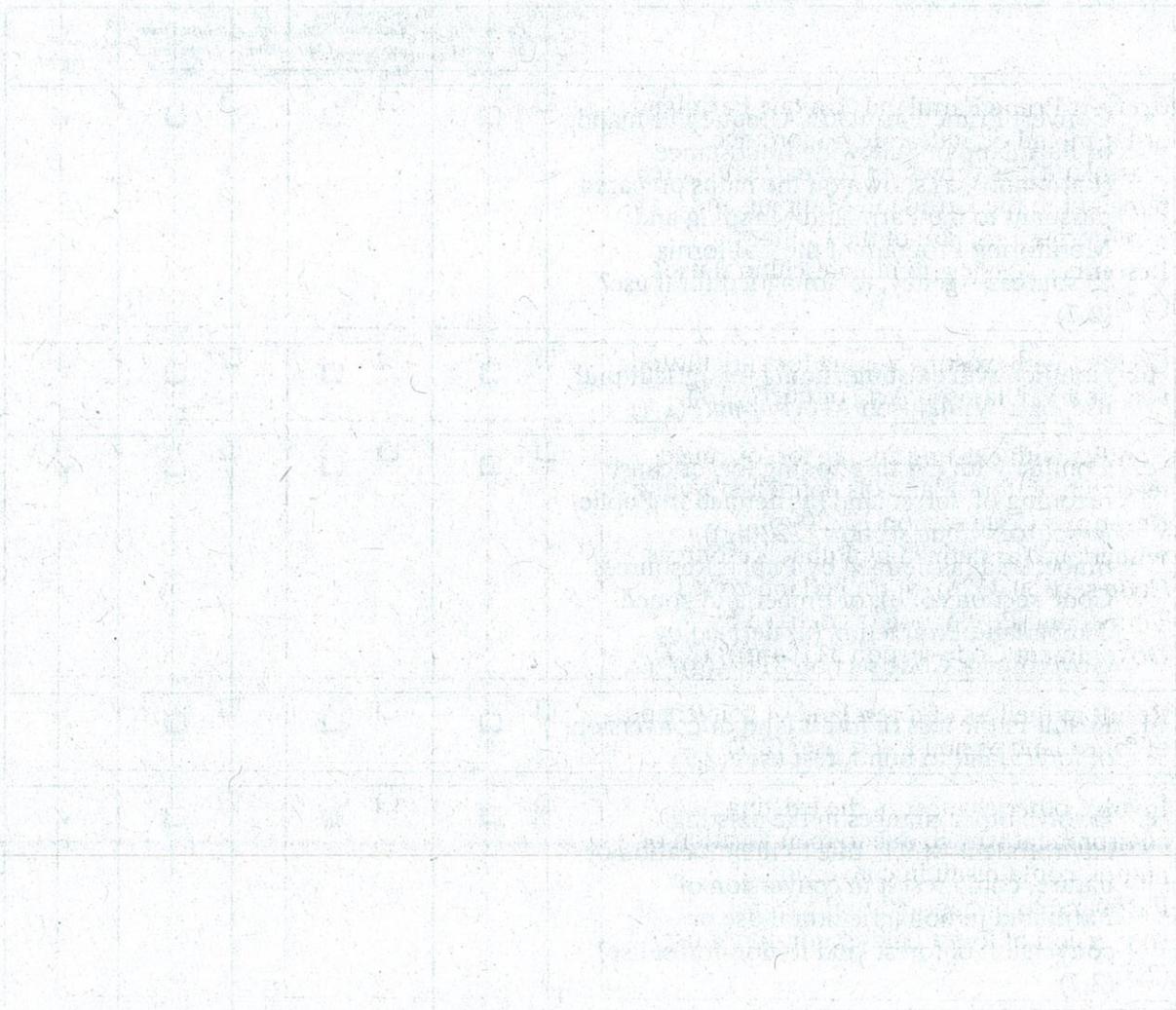
- c. The specific plan EIR studied the effects of development due to buildout of the City's specific plan area and identified several potentially significant impacts related to partial or fully obstructed views currently available to the public across the site over the long term and during construction. The EIR also found that implementation of the specific plan could result in architectural designs that contrast with the existing scale, form, and overall visual character of the existing San Pablo Avenue corridor. However, the EIR determined that this impact would be less than significant because the corridor itself contains no sensitive visual resources or high visual quality and the proposed changes in land use and physical design are "intended to increase the visual quality of corridor, create a more unified visual experience, and fill in vacant and undesirable visual areas with attractive and economically vibrant new development" (p 3.12-7).

The visual impacts of future development of the site consistent with the land use designations in the specific plan would be less than significant level, because, as noted in the discussion of Item a, previous, new development would comply with design guidelines that are intended to maintain and improve the scenic quality of San Pablo Avenue. Construction-related impacts to public views would be temporary in nature and the EIR found that construction-related activities that may impede or block public views would be less than significant.

The proposed project is consistent with the land use designations in the specific plan and future development consistent with these designations would not result in impacts that are greater in magnitude or intensity than those studied in the specific plan EIR. No mitigation is required.

- d. Additional development and a projected increase in population will likely create new sources of light or glare, but they will not adversely affect the nighttime views of the area or the night sky since the project site is located within the existing urban setting along the San Pablo Avenue corridor. The specific plan EIR determined that the impacts of

increased light and glare from implementation of the specific plan would be less than significant (p 3.12-10), and notes that infill development of underutilized or vacant parcels would result in new light sources that are congruous with nearby light sources (e.g., lighting from shop windows or upper story residential windows). The proposed project is consistent with the land use designations in the specific plan and general plan design guideline policies and standards that reduce light pollution. Compliance with these policies would reduce potentially significant long-term light and glare impacts to less than significant levels and future development of the project site consistent with these designations would not result in impacts that are greater in magnitude or intensity than those studied in the specific plan EIR. No mitigation is required.



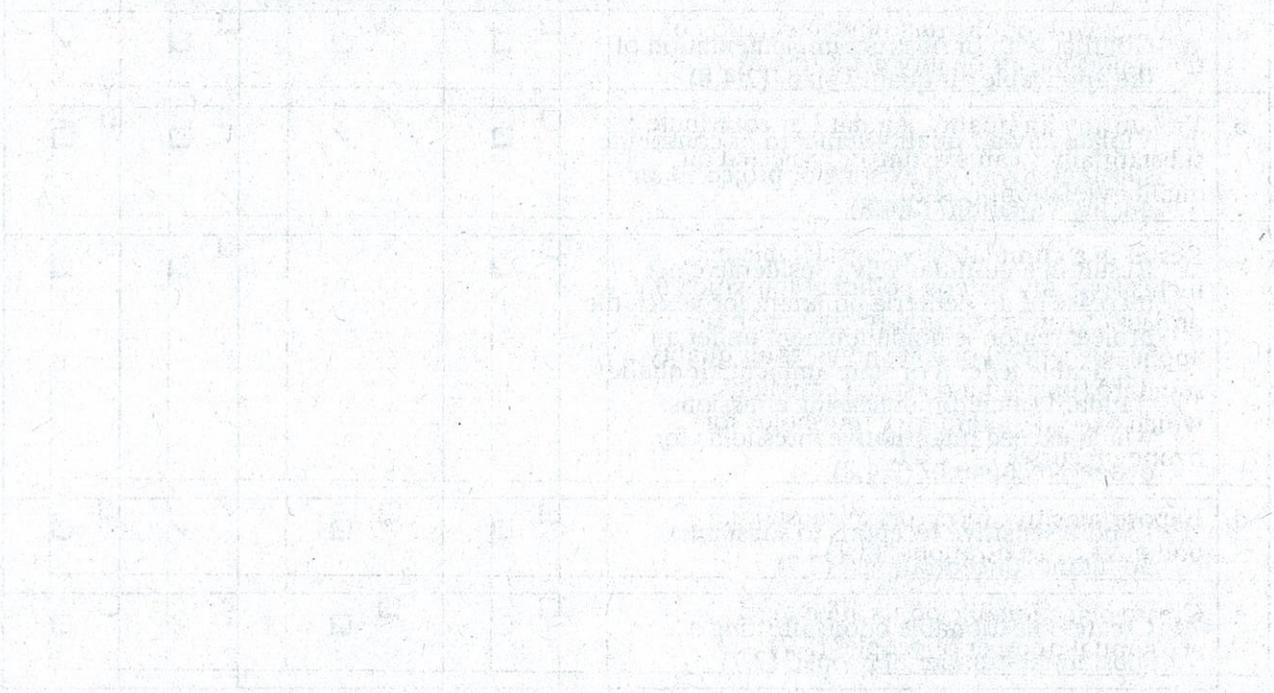
2. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts on agricultural resources are significant environmental effects and in assessing impacts on agriculture and farmland, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use? (2,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (2,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (2,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
d. Result in the loss of forest land or conversion of forest land to non-forest use? (2,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use? (2,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

Comments:

- a-e. The project site is a vacant site located in an established urban area within the City limits and is not designated as prime farmland or subject to a Williamson Act land conservation contract. The site was previously occupied by a mobile home park and is currently vacant. The project site is not zoned for agriculture or timber harvesting or forest land. Therefore, the proposed project would not convert agricultural or forest land to urban uses and would not conflict with zoning for timberland or forest land.



3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>
a. Conflict with or obstruct implementation of the applicable air quality plan? (2,4,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (2,4,8)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)? (2,4,8)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations? (2,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people? (2,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:

- a. The proposed project is a form-based code to guide the future development of the project site. Development of the site is not proposed. The proposed project would not change the existing land use designations for the site as identified in the City of San Pablo 2030 General Plan and the specific plan. Buildout of the site would be consistent with the uses envisioned in these plans and would be expected to contribute to the impacts identified in the 2030 General Plan EIR (2011) and the specific plan EIR (2011). Both of these EIRs found that development consistent with the specific plan is also consistent with 2010 CAP Traffic Control Measures (TCMs) and also with the Association of Bay Area Government (ABAG) transit-oriented development goals in which urban development is directed toward existing urban infill sites near transit corridors in order to avoid the loss of open space and to achieve greenhouse gas reductions as required by Assembly Bill 32 and Senate Bill 375.

Table 3.3-5 of the specific plan EIR (pp 3.3-25 – 3.3-30) lists specific plan and general plan policies that implement or support the 2010 CAP control strategies for the San Francisco Bay Area Air Basin. As demonstrated by Table 3.3-5, the proposed specific plan would be consistent with the 2010 CAP. Compliance with the specific plan and general plan policies listed in Table 3.3-5 ensure consistency with the CAP.

Table 3.3-5 also shows that the proposed specific plan would not disrupt or hinder implementation of 2010 CAP control measures. BAAQMD has identified examples of how a "plan" may cause the disruption or delay of control measures, such as a project that may preclude an extension of a transit line or bike path or proposes excessive parking beyond parking requirements. As illustrated by Table 3.3-5, future development consistent with the specific plan would not disrupt or delay implementation of the 2010 CAP. Therefore, no additional impacts would occur and no mitigation is necessary.

- b. Future development of the site consistent with the specific plan site would generate emissions during construction that could exceed BAAQMD standards for construction emissions. Emissions generated during construction are considered "short term" because they would be limited to the actual periods of site development and construction. Short-term construction emissions are typically generated by the use of heavy equipment, the transport of materials, and construction employee commute trips. Construction equipment emits carbon monoxide and ozone precursors. However, these emissions are included in the emission inventory that is the basis for regional air quality plans, and are not expected to impede attainment or maintenance of ozone and carbon monoxide standards in the Bay Area.

Fine particulate matter (PM_{10}) is the pollutant of greatest concern with respect to construction activities. The BAAQMD CEQA Guidelines requires preliminary screening of construction projects to determine if project-related construction would result in the generation of criteria air pollutants and precursors that exceed the BAAQMD Thresholds of Significance. All construction projects are subject to compliance with the BAAQMD Basic Construction Mitigation Measures listed in Table 8.2 of the BAAQMD CEQA Guidelines. The BAAQMD threshold for construction-related PM_{10} emissions is 82 pounds per day (Table 2.4 BAAQMD 2011), which is roughly equivalent to the disturbance of about two acres per day. Although development of the 16.1-acre project site is not proposed at this time, it is reasonable to assume that future development could potentially disrupt more than two acres of the site per day during construction. The BAAQMD recommends additional measures to reduce dust emissions that exceed the threshold, which are listed in Table 8.3 of the BAAQMD CEQA Guidelines.

Finally, Action OSC-I-20 of the San Pablo General Plan (2011) requires developers to use best management practices (BMP) to reduce particulate emissions and dust during construction as a condition for approval of subdivision maps, site plans, and grading permits. These BMPs include, but are not limited to, regular materials and vehicle tire watering, covering, and dust prevention measures during clearing, grading, earth-moving, or excavation operations. Compliance with general plan policy OSC-I-20 is generally consistent with BAAQMD construction measures listed in Table 8.2 and Table 8.3 and would reduce the impact of construction-related PM₁₀ emissions. With implementation of the following mitigation measures construction emissions resulting from future development of the 16.1-acre site would be reduced to less than significant.

Mitigation Measure

AQ-1. The following dust control measures will be incorporated into all City construction bid documents and permits, subject to the review and approval of the Public Works Department of the City of San Pablo:

- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered two times per day;*
- b. All haul trucks transporting soil, sand, or other loose material off-site will be covered;*
- c. All visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited;*
- d. All vehicle speeds on unpaved roads will be limited to 15 mph;*
- e. All trails and sidewalks to be paved will be completed as soon as possible. Pavement surfaces will be laid as soon as possible after grading unless seeding or soil binders are used;*
- f. Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage will be provided for construction workers at all access points;*
- g. All construction equipment will be maintained and properly tuned in accordance with manufacturer's specifications. All equipment will be checked by a certified mechanic and determined to be running in proper condition prior to operation;*

- h. Post a publicly visible sign with the telephone number and person to contact at the City of San Pablo regarding dust complaints. This person will respond and take corrective action within 48 hours. The Air District's phone number will also be visible to ensure compliance with applicable regulation.*

Mitigation Measure

AQ-2. The following dust control measures will be incorporated into all City construction bid documents and permits, subject to the review and approval of the Public Works Department of the City of San Pablo:

- a. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.*
- b. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 miles per hour.*
- c. Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity.*
- d. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.*
- e. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.*
- f. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.*
- g. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12-inch compacted layer of wood chips, mulch, or gravel.*
- h. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.*
- i. Minimizing the idling time of diesel powered construction equipment to two minutes.*
- j. The project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOX reduction and 45 percent PM reduction compared to the most recent ARB fleet*

average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available.

- k. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings).*
 - l. Require that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NOx and PM.*
 - m. Require all contractors use equipment that meets CARB's most recent certification standard for off-road heavy duty diesel engines.*
- c. The air basin is designated, under state criteria, as a non-attainment area for ozone and particulates (PM₁₀ and PM_{2.5}). Under federal criteria, the air basin is designated as a non-attainment (8-hour standard) for ozone and non-attainment for PM_{2.5}. The BAAQMD CEQA Guidelines identifies that if a project would result in significant individual impacts, those impacts would be cumulatively considerable. Future development of the project site would generate short term and temporary emissions as described, previous, under Item c, above. With implementation of Mitigation Measure AQ-1 and Mitigation Measure AQ-2 (if necessary), future development of the project site would not result in a cumulatively considerable impact to air quality.

The specific plan EIR found that buildout of the plan area would result in a significant and unavoidable impact associated with the criteria pollutant emissions from vehicle miles traveled (VMT), because the VMT would increase faster than population growth, when weighed against the thresholds of significance for criteria pollutants defined in the BAAQMD CEQA Guidelines (2010). The specific plan includes a number of policies consistent with the Air Quality Plan Transportation Demand Measures that could reduce VMT by up to 15 percent overall. Compliance with general plan and specific plan policies would reduce the impact, but not to a less than significant level, and the City adopted a Statement of Overriding Considerations. The proposed project would not change the existing land use designations for the site as identified in the specific plan and 2030 general plan; buildout of the site would be consistent with the uses envisioned in both plans and would be expected to contribute to the impacts identified in the specific plan EIR.

- d,e. The proposed project would not directly expose sensitive receptors to hazardous emissions or unpleasant odors. However, future development of the site could expose sensitive receptors to elevated levels of dust and exhaust from equipment during construction. Sensitive receptors in the vicinity of the project site include residential uses

to the north, patients and employees of the new medical center currently under construction to the east, students and visitors to the Salesian High School southwest of the project site, and patients of an existing medical office and residential uses to the west of the site.

The specific plan EIR identified potential impacts to sensitive receptors from stationary sources of toxic air contaminants (TACs). Specific plan policy 8-I-9 requires proponents of projects within 100 feet of existing hazardous materials case sites or TAC sources to "investigate use compatibility at the location in question (some kinds of uses might be at lower risk than others), as well as potential feasible design-related risk mitigation measures." (p. 3.3-32). The project site is not listed as a hazardous material site (see Section D.8, Hazards). Specific plan Table 3.3-6 lists known TAC sites within the plan area. Of these, the TAC source nearest to the project site is the San Pablo Police Department Gas dispensing facility and emergency generator located at 13880 San Pablo Avenue, about 500 feet to the northwest of the project site. Future development of the project site consistent with the specific plan would not expose sensitive receptors to existing stationary sources of TACs.

Additionally, specific plan policy 8-I-8 requires new development that may be categorized as sensitive receptors to be located an adequate distance from existing and potential sources of TACs and odors, in accordance with the recommendations of the most current version of the BAAQMD Air Quality and Land Use Handbook at the time specific uses are proposed. Compliance with general plan policy OSC-I-20 and specific plan policy 8-I-8 in addition to Mitigation Measures AQ-1 and AQ-2 would reduce the impacts to sensitive receptors to less than significant.

4. BIOLOGICAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service? (1-4,7)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
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 Game or US Fish and Wildlife Service? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
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? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (1-5)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>

Comments:

- a. Although specific uses are not proposed for the project area and the proposed project does not change the existing land use designations on the site, the proposed project could

indirectly lead to impacts to special status species and protected habitats. The project site is located in an urban area; adjacent to Wildcat Creek, where potential valley /foothill riparian habitat for special status plant and animal species is present, as well as protected vegetative communities (San Pablo 2011). Action OSC-I-4 of the general plan requires an assessment of biological resources prior to approval for any development within 300 feet of any creek, wetland or sensitive habitat area. OSC-I-6 prohibits the use of invasive plant species, such as pampas grass and ivies, adjacent to wetlands, riparian areas, or other sensitive habitat. Actions OSC-I-8 and OSC-I-9 of the general plan requires preconstruction surveys and includes minimization measures to protect nesting birds and roosting bats when construction is scheduled during the nesting/roosting season.

The EIR also identified the potential for bird kills from collisions with multi-story buildings, but found that these are intensified when birds fly into illuminated high-rise buildings. The proposed project provides for future development of the site with buildings ranging in height from two to five stories, which the specific plan EIR determined would not be substantially different than other development along San Pablo Avenue, and the potential impact would be less than significant. The specific plan EIR determined that the implementation of general plan and specific plan policies and implementing actions would mitigate these potential impacts to a less than significant level (pages 3.6-19 through 3.6-23). Compliance with the general plan policy PSCU-I-7, and specific plan policies 2-I-16, 4-I-59, and DG-37, which require security lighting through new development using fixtures that do not produce glare or illuminate the night sky would reduce the potential impact to biological resources to less than significant. No further analysis is needed.

- b-d. The proposed project would place development in proximity to Wildcat Creek and could result in habitat modifications that Action OSC-I-10 of the general plan requires minimum setbacks from the top of stream banks, and requires restoration of creekside areas. Action 8-I-2, and 8-I-3 of the specific plan require that redevelopment plan designs to include provisions to restore natural ecological systems wherever possible, and promote the development of new parks that provide both human and habitat services and which are contiguous with, and expand, existing valley/foothill riparian habitat. The proposed project includes a public multi-use trail along Wildcat Creek separated by a minimum 10-foot buffer to the top of the creek bank. Implementation of Mitigation Measures AQ-1 and AQ-2 would reduce construction related dust impacts to a less than significant level. General plan actions OSC-I-20, SN-I-6, and SN-I-7 require the control of erosion and storm drainage through dust control best management practices, erosion prevention on hillsides through re-vegetation or other acceptable methods, preparation of storm drainage assessments consistent with the City's Floodplain Management and Flood Damage Prevention Ordinance and a plans that identifies site development and

construction methods, incorporating BMPs to minimize surface water run-off. Additionally, implementation of the specific plan may incidentally result in the filling of wetlands or jurisdictional waters, and found that the implementation of general plan action policies OSC-I-20, SN-I-6, SN-I-7, and specific plan policies 5-I-4 and 5-I-5, in addition to those listed under Item a., above, would reduce the impacts to wetlands and jurisdictional waters to a less than significant level.

The EIR also found that development construction associated with buildout of the specific plan area is not anticipated to directly modify riparian habitats, but may increase water pollution or noise levels that could impact wildlife within the riparian corridors. The EIR concluded that implementation of general plan and specific plan policies identified above, in addition to general plan policy SN-I-13 would further reduce these impacts to a less than significant level. Additional discussion of water quality impacts is found in this initial study Section D.9, Hydrology and Water Quality. No further analysis is needed.

- e. The proposed project is located within an established urban area on a site that was formerly occupied by a mobile home park. There are no trees on the site, however, the project site is located adjacent to Wildcat Creek, an identified riparian corridor, and the proposed project includes design specifications for a multi-purpose trail along the creek bank. The proposed project does not include tree removal and no tree removal is anticipated to be necessary to implement the proposed multi-use trail along Wildcat Creek. As discussed in the specific plan EIR, the City of San Pablo Municipal Code Chapter 12.16, Trees, Shrubs, and Plants in Public Places, contains provisions for the removal and pruning of trees. No further analysis is needed.
- f. According to the specific plan EIR, the project site is not located within a designated Significant Ecological Area. No Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans include the proposed project site. No further analysis is needed.

5. CULTURAL RESOURCES

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>
a. Cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5? (2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5? (2,3)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
d. Disturb any human remains, including those interred outside of formal cemeteries? (2,3)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>

Comments:

a-d. Although specific uses are not proposed with the project and the proposed project does not change the existing land use designations on the site, the proposed project could indirectly lead to adverse impacts to historic, prehistoric, and/or paleontological resources, including human remains. Impacts to cultural resources would be a significant impact. No historic period or archaeological resources were identified on the site by the specific plan EIR; however, there are four historic buildings located on Church Lane, adjacent to the project site. The proposed project would not materially affect these resources. The specific plan EIR studied the effects of specific plan area buildout on historic, archaeological, including human remains, and paleontological resources and determined that primary impacts that could occur would be disturbance of cultural or archaeological resources during future development of properties in the study area. No known significant paleontological resources exist in the Planning Area. Specific projects are required to conduct supplemental environmental analysis prior to construction to comply with CEQA requirements (general plan Action OSC-1-15 and Housing Element Program H-1.3.2). According to the Northwest Information Center at Sonoma State University, there is a high possibility of encountering archaeological resources in the specific plan area. Future development, consistent with the specific plan land use designation would be subject to compliance with existing national and State laws, as well as policies in the San Pablo 2030 General Plan, which would reduce these potential impacts to cultural resources to less than significant levels. No further analysis is required.

6. GEOLOGY AND SOILS

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
(1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
(2) Strong seismic ground shaking? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
(3) Seismic-related ground failure, including liquefaction? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
(4) Landslides? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

Comments:

- a. (1-4) The entire Bay Area, including San Pablo and the specific plan area, is susceptible to impacts associated with seismic events on one of the many active or potentially active faults in the region. These faults could potentially generate seismic ground shaking capable of damaging existing and proposed structures. As a consequence, new structures would be exposed to both the direct and indirect effects of earthquakes, such as ground

shaking, as well as other existing geological hazards such as landslides and unstable soils. New facility and structure designs would be required by existing building codes to make use of the latest information available on seismic hazards to structures.

The effects of seismic activity and landslide potential within the specific plan planning area were studied in the specific plan EIR (2011), Section 3.7. The EIR determined that potentially significant impacts due to seismic activity could occur to development within the planning area; however, landslide potential is low due to the relatively flat topography along the San Pablo Avenue corridor. The EIR found that general plan policies and implementing actions including development review regulations, acceptable risks, structural standards, and policies requiring geotechnical reports for new development would adequately mitigate these impacts. The EIR concluded that compliance with these policies combined with standard conditions of approval would reduce the impacts to a less than significant level. No further evaluation is required.

- b. Short-term impacts are those that could potentially occur during construction of buildings or infrastructure improvements. Soil erosion hazards could occur during preliminary stages of construction, especially during initial site grading. In addition to causing sedimentation problems in storm drain systems, rapid water erosion could remove topsoil, cause deeply incised gullies on slopes, or undermine engineered soils beneath foundations and paved surfaces. As discussed, previous, in this initial study, Section D.4, Biological Resources, the specific plan EIR determined that erosion effects within the planning area are highest along the banks of creeks and watercourses, and these impacts would be adequately mitigated by compliance with the general plan policies and implementing actions as reported in Section D.4, Biological Resources and in Section D.9, Hydrology and Water Quality. Future development of the site would be subject to compliance with these policies. As a result, the impacts would be reduced to a less than significant level. No further review is required.
- c-d. The specific plan EIR determined that certain soils within the planning area have characteristics, such as highly compressible, expansive, or weak, unconsolidated soils, could present a hazard or limitation to development, which would be considered a significant impact. The EIR found that by implementing appropriate slope conditioning measures such as compaction standards, slope terracing, drainage control, and other slope stability measures, any existing potential slope stability hazards can be reduced to less than significant levels through current geotechnical industry standards, local grading ordinances, and the California Building Code, would reduce the impact to less than significant (p 3.7-19). No further evaluation is required.
- e. The proposed project does not include septic tank systems. Therefore, no impact would occur.

7. GREENHOUSE GAS EMISSIONS

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (2,4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (2,4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>

Comments:

a-b. The specific plan EIR states that the energy and greenhouse gas (GHG) analyses that form the basis for the conclusions of that EIR were conducted at a citywide scale because of inadequate data availability that would describe energy use and GHG emissions at the planning area scale, and the policy approaches to reduce energy use and GHG emissions are primarily applied citywide (3.4-22). According to the specific plan EIR, overall energy use will increase 24 percent in San Pablo between 2007 and 2030; however, existing energy use is about one percent of County energy demands. The expected increase of citywide energy demand represents a small fraction of the overall energy demand (and growth in demand) in the County. According to the specific plan EIR, GHG emissions under the specific plan buildout condition would be approximately 5.99 MTCO_{2e} per service population using no policy-related reductions. This is higher than existing conditions (5.31 MTCO_{2e}), but less than the threshold of significance for plan level impacts established by the BAAQMD (6.6 MTCO_{2e}). If reasonably expected policy-related reductions (listed on pp 3.4-27 through 3.4-30 of the specific plan EIR) are factored in according to air district guidance, the per service population rate is estimated at only 4.4 MTCO_{2e}. The proposed project is consistent with the land use designations in the specific plan and future development consistent with these designations would not result in impacts that are greater in magnitude or intensity than those studied in the specific plan EIR. No further evaluation is required.

8. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, create a significant hazard to the public or the environment? (9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or a public-use airport, result in a safety hazard for people residing or working in the project area? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
f. For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
h. Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands area adjacent to urbanized areas or where residences are intermixed with wildlands? (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

Comments:

- a-d. The project site is not located on any list of hazardous materials sites compiled pursuant to Government Code section 65962.5. The proposed project site is located within the City of San Pablo 2030 General Plan Planning Boundary and also within the San Pablo Avenue specific plan area. The specific plan EIR found that implementation of the proposed San Pablo Avenue specific plan could result in new office, medical, and commercial uses that would involve the transportation, use, and storage of hazardous chemicals, which could present public health and/or safety risks to facility workers, patients and visitors, and the surrounding area. However, the specific plan EIR but concluded that compliance with general plan actions PSCU-G-8, SN-G-5, SN-I-22 and SN-I-23, and specific plan policies 8-I-8 and 8-I-9 regarding the siting of residential and other sensitive receptors, would reduce the impact to a less than significant (p 3.10-11 – 3.10-12). No further evaluation is necessary.
- e,f. The project site is not located within the flight path of a public airport or private airstrip. The airport nearest to the site is the San Rafael Airport, located about 10 miles west of City of San Pablo.
- g. The proposed project would not impair or interfere with an adopted emergency response plan or hinder emergency access to the site. The project site is located within an existing service area and the proposed project provides design standards for streets and multiple access points to the site.
- h. According to the specific plan EIR (2011) less than one percent of the specific plan Planning Area has a high or very high threat of wildfire. The proposed project site is an existing urban infill site and its development would not increase the threat of wildfire hazards. Therefore, no impacts would occur.

9. HYDROLOGY AND WATER QUALITY

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., would the production rate of preexisting nearby wells drop to a level which would not support existing land uses or planned uses for which permits have been granted? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in <i>substantial erosion or siltation on- or off-site?</i> (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface run-off in a manner which would result in <i>flooding on- or off-site?</i> (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
e. Create or contribute run-off water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
f. Otherwise substantially degrade water quality? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
g. Place housing within a 100-year flood hazard area as mapped on Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (2)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>
i. Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam? (2)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
j. Cause inundation by seiche, tsunami, or mudflow? (2)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>

Comments:

- a. Future development of the site could result in storm water runoff that could make its way into area drainages such as Wildcat Creek, an impaired water body identified by the RWQCB. Water quality impacts to the impaired Wildcat Creek due to buildout of the specific plan were analyzed in the specific plan EIR. The EIR determined that construction and development due to buildout would increase impervious surfaces within the planning area, including the project site, which could lead to the transport of urban pollutants and sediments into area waterways (p 3.5-16). However, the EIR found also found that, as new development and redevelopment occurs, on-site drainage plans would be designed to retain, capture and convey increased runoff in accordance with the local county design standards that include site control features. As a result, storm water flows generated from the specific plan area may remain unchanged, or potentially decrease, following the implementation of required source control measures. The specific plan EIR found that these effects would be furthered reduced to a less than significant level through compliance with general plan and specific plan policy actions discussed in this initial study, Section D.4, Biological Resources, and in addition to those listed on pp 3.5-17 – 3.5.-19 of the EIR. Examples of these policies and actions include controlling land use, water quality monitoring, and erosion and storm drainage controls. Construction related impacts to water quality are discussed in Item c., below. No further evaluation is required.

- b. Groundwater within the specific plan area is not used for water supply use but is considered by the RWQCB as a potential resource (San Pablo 2011). Effects to groundwater were analyzed in the specific plan EIR (p 3.5-16 – 3.5-17). Future development of the site consistent with the land use designations of the specific plan may result in an increase in impervious surfaces which would reduce the land available for ground water recharge. In addition to the policy actions cited in item a., previously, specific plan policy DG-22 limits hardscapes to a maximum of 50 percent of required private common open space. The EIR concluded that compliance with the general plan and specific plan policies and implementing actions would reduce this impact to less than significant (p 3.5-17).

- c. Soil erosion during future construction of the development in the specific plan area can result in water quality problems in receiving waters could include turbidity, increased algal growth, oxygen depletion, or sediment buildup, thereby degrading aquatic habitats. Sediment from project-induced erosion could also ultimately accumulate in downstream drainage facilities and interfere with stream flow, thereby aggravating downstream flooding conditions. All projects that would disturb one acre or more during construction are required to prepare and implement a SWPPP, in accordance with the SWRCB's General Construction Permit. As noted in the specific plan EIR, the SWPPP is required to include BMPs (pp 3.5-15-3.5-16) to reduce the impacts of construction-related erosion and sedimentation during construction activities to less than significant. As noted above, the proposed project is consistent with the land use designations in the specific plan and future development of the site consistent with these designations would not result in impacts that are greater in magnitude or intensity than those studied in the specific plan EIR. No further evaluation is required.
- d,e. The specific plan EIR identified potential impacts from increases in impervious surfaces that could result in flooding on and off site in the plan area. However, the EIR found that implementation of the policies identified above would reduce the impact to less than significant. Additionally, the EIR notes that general plan Action PSCU-I-31 requires, as a condition of project approval, storm water drainage and sewer improvements in proportion to a project's impacts, including upgrades, replacements, or repairs to older storm water collection systems, as necessary. Future development of the site, consistent with the specific plan land use designation would not result in impacts that are greater in magnitude or intensity than those studied in the specific plan EIR. No further evaluation is required.
- f. As noted above, the proposed project is consistent with the land use designations in the specific plan and future development of the site consistent with these designations would not result in impacts that are greater in magnitude or intensity than those studied in the specific plan EIR. No further evaluation is required.
- g,h. According to Figure 3.5-1 of the specific plan EIR, a small portion of the project site near the southeastern boundary of the proposed Block F is located within the FEMA 100-year floodplain of Wildcat Creek. Most of the remainder of Block F and much, if not all, of Block E are located within the FEMA 500-year flood plain. Flooding impacts within the specific plan area were studied in the specific plan EIR in Chapter 3.5. The EIR determined that development associated with buildout of the specific plan area would occur within identified floodplains, but found that general plan and specific plan policies (pp 3.5-21 – 3.5-22) of design requirements for new development, required storm drainage capacities, and continued improvements of the flood control projects associated with San Pablo and Wildcat creeks would reduce the risks of flood damage to less than significant.

- i,j. The City of San Pablo is located inland from the east shoreline of San Francisco Bay. As noted in the specific plan EIR, the risks of seiche and tsunami damage is very low. Two reservoirs are located upstream from the project site. The specific plan EIR found studied the impact of development downstream from these areas and found the increase in risk of inundation to be less than significant. No additional review is required.

10. LAND USE AND PLANNING

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>
a. Physically divide an established community? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land-use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan? (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. The proposed project is a regulating plan for a site that is primarily vacant and located within the specific plan (2011) boundary, and no specific development of the site is proposed. The specific plan and the city's 2030 General Plan and Housing Element Update (2011) were prepared concurrently and the specific plan is consistent with the general plan update. The proposed project would not intensify uses on the site nor change the existing land use designations for the site as identified in the specific plan and studied in the specific plan EIR in Section 3.1. The specific plan EIR determined that buildout of the specific plan would not divide the community; instead the plan provides connectivity within the city (p 3.1-9), and the proposed project provides more linkages within and between existing neighborhoods. Buildout of the site would be consistent with the uses envisioned in the general plan, and no additional impacts would occur beyond those identified in the specific plan EIR. No further evaluation is necessary.
- b. The specific plan EIR determined that the proposed specific plan is consistent with the San Pablo General Plan. The proposed Specific Plan and Final EIR are expected to be adopted during the public review period for this proposed project. Other adopted plans, programs, the zoning code, and other implementing tools will be amended to conform to the specific plan, shortly after its adoption (3.1-9). The general plan housing element Program H-1.6.1 requires an update of the zoning ordinance "to provide standards for the Mixed Use Center, Residential Mixed Use, and Commercial Mixed Use land use

designations in the 2030 General Plan. In the interim, before the Zoning Ordinance is updated, the City will in practice enforce the new General Plan land uses and densities rather than the old zoning designations." (City of San Pablo 2011)

The proposed project is consistent with the land use designations and development standards outlined in the specific plan (Chapter 4), and implementation of Program H-1.6.1 ensures that the project would not conflict with existing zoning. Buildout of the site would be consistent with the uses envisioned in the general plan, and no additional impacts would occur beyond those identified and mitigated in the general plan EIR. No further evaluation is necessary.

- c. According to the specific plan EIR, the project site is not located within a designated Significant Ecological Areas. No Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans include the proposed project site. No further analysis is needed.

11. MINERAL RESOURCES

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>
a. Result in loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b. Result in the loss of availability of a locally important mineral resource recovery site delineated in a local general plan, specific plan, or other land-use plan? (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

Comments:

- a,b. There are no known mineral resources within San Pablo or the specific plan area, and therefore the proposed specific plan has no impact to mineral resources or locally-important mineral resource recovery sites (San Pablo 2011).

12. NOISE

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>
a. Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or in applicable standards of other agencies? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b. Result in exposure of persons to or generation of excessive ground-borne vibration or ground borne noise levels? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
c. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
d. Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public-use airport, expose people residing or working in the project area to excessive noise levels? (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
f. For a project located within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels? (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

Comments:

- a. Noise impacts associated with buildout of the uses envisioned by the specific plan are discussed in the specific plan EIR. The specific plan EIR identified potentially significant cumulative impacts related to future noise levels and exposures and the placement of sensitive receptors near noise sources which could expose residential populations to unacceptable average ambient noise levels (p 3.9-11 – 3.9-12). However, the EIR found that most of the exposures fall into the general plan’s range of conditionally acceptable noise that can be mitigated by building code standards and policies in the general plan,

that require, among other things, the preparation of noise analyses for new development and required attenuation where determined necessary. The specific plan EIR found that compliance with general plan and specific plan policies (listed on pp 3.9-15 - 3.9-16), would reduce the impacts to a less than significant level.

The proposed project includes the placement of residential uses on ground floors in proximity to San Pablo Avenue, which is identified in the specific plan EIR as a major source of transportation noise. Additionally, the proposed project would allow the placement of buildings along streets at the property line, which has the potential to place residential uses, on any floor, within the 65 dB noise contour along San Pablo Avenue, and expose sensitive receptors to noise levels greater than 65 dB. General plan action SN-I-36 requires new development that would be exposed to noise greater than the "normally acceptable" noise level range to reduce interior noise through design, sound insulation, or other measures. When specific development plans are proposed, demonstrated compliance with general plan Actions would be required during the design and construction stages: SN-I-36 (attenuation for stationary sources), SN-I-37 (noise analysis), SN-I-39 (residential noise attenuation performance standards), SN-I-41 (interior noise level thresholds), SN-I-42 (required noise analysis criteria), and specific plan actions 8-I-5 and 8-I-6 (design considerations near low-density residential uses). Compliance with these policies would reduce the noise impacts of future development to less than significant.

- b. The proposed project does not include uses that would generate ground-borne noise or vibration.
- c. The proposed project is consistent with the uses envisioned in the specific plan and would not result in impacts to ambient noise levels that are greater in number and intensity than those studied in the specific plan EIR. The EIR found that buildout of the specific plan would result in a cumulative increase in ambient noise levels, and future development of the project site would contribute to this impact. However the EIR determined that compliance with the general plan and specific plan policies listed above in the discussion of Item a. would reduce this impact to less than significant.
- d. The specific plan EIR found that specific plan buildout would result in construction-related noise exposures that, although considered short-term and temporary, could result in exposures to unacceptable levels of noise. Construction noise in the City of San Pablo is regulated by the City's Municipal Code, Chapter 9.12 Noise Control, which prohibits construction operations between the hours of 10 p.m. and 7 a.m. unless there is an emergency, and requires the use of "best available control technology" such as insulation and soundproofing materials to minimize noise and vibration from construction equipment. Compliance with standard conditions of approval required by the Municipal Code would reduce these effects to less than significant.

- e,f. The project site is not located within the flight path of a public airport or private airstrip. The airport nearest to the site is the San Rafael Airport, located about 10 miles west of City of San Pablo.

13. POPULATION AND HOUSING

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>
a. Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

Comments:

- a. Population growth and housing was studied in the specific plan EIR. The proposed project is a form based regulatory code that sets forth development standards for the former Circle-S site located in the planning boundary of the specific plan (2011). Impacts to population and housing as a result of specific plan buildout, including the project site were studied in the specific plan EIR Section 3.1, using buildout projections of the general plan, of which the specific plan area is a part. The specific plan EIR did not identify any significant impacts associated with population growth that could not be remedied through application of general plan housing element and specific plan policies. The population increase associated with general plan buildout is only 4.8 percent less than ABAG population projections. The EIR concludes that implementation of the general plan and the specific plan will lead to increased population and jobs, but are consistent with the growth anticipated by ABAG. Therefore, the impact is less than significant (3.1-9). Buildout of the project site would contribute to this impact but would not increase population beyond that identified in the specific plan EIR.
- b,c. The specific plan EIR found that redevelopment consistent with permitted land uses and densities under the specific plan may result in the temporary removal of housing in some areas. The EIR anticipated that occupants would find replacement housing elsewhere in the vicinity. The proposed project does not include the removal of housing; however, future development of the site would necessitate the removal or replacement of the seven single-family residences located on Chattleton Lane to accommodate development of

Block E. The specific plan EIR found that implementation of general plan housing element programs, at a minimum H-2.2.2, which requires one-to-one replacement of demolished affordable units, would reduce the impact of the loss of housing within the specific plan area to less than significant (p 3.1-9).

The proposed project would not intensify uses on the project site beyond those allowed by the specific plan and studied in the specific plan EIR; therefore, the approval of the project would not result in additional impacts to population and housing. No further evaluation is required.

14. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>
a. Fire protection? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b. Police protection? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
c. Schools? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
d. Parks? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
e. Other public facilities? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>

Comments:

- a,b. According to the specific plan EIR, implementation of the proposed specific plan would generate approximately 2,170 new residents in the plan area, which would increase the demand for police assistance and emergency fire response. The San Pablo Police Department will need to hire three additional police officers in order to maintain a current ratio of 1.6 sworn officers to 1,000 residents (p. 3.8-23). Additionally, the EIR found that existing police facilities are not sufficient to meet future growth as envisioned in the specific plan. As noted in the EIR, all residents in the city of San Pablo are located within 1.5 mile of existing fire stations. Buildout of the specific plan would not affect the provisions of fire protection services, since the development outlined within the plan is urban infill development within the existing service area, and development would not affect response times (p, 3.8-.25). Additionally, redevelopment of these infill areas is subject to fire and building code requirements and other applicable codes which are designed to minimize risks of fire hazards, and would comply with Contra Costa County Fire Protection District access and water supply requirements. The specific plan EIR concluded that implementation of general plan and specific plan policies (pp 3.8-25 – 3.8-26).

Buildout of the project site would be consistent with the land use designations of the specific plan and would be expected to contribute to the impacts identified in the specific plan EIR (2011) and the 2030 General Plan EIR (2011). No further review is necessary.

- c. The proposed project includes residential uses consistent with the specific plan, which would contribute to an increase in school-age children requiring school services. Impacts to schools resulting from implementation of the specific plan were studied in the specific plan EIR (pp 3.8-26 – 3.8-27). The EIR determined that the increase in students would not exceed the capacity of existing schools. Therefore, although buildout of the project site as proposed would contribute to an increase in students, the impact is less than significant.
- d. The specific plan EIR studied the impacts to parklands resulting from implementation of the specific plan. Future development of the project site consistent with the specific plan and the proposed project redevelopment standards would provide housing for 379 residents. The City's parkland ratio is three acres per 1,000 residents. The required amount of parkland would be just under 1.2 acres. The proposed project includes provisions for a 1.2-acre centrally-located open-space use on the project site and an additional public multi-use trail along Wildcat Creek. The proposed trail would be approximately 2,000 feet in length and would vary between 18 feet to 24 feet in width, roughly consisting of one acre. The proposed project is consistent with the City's parkland requirements. No further analysis is required.
- e. Buildout of the project site would be consistent with the land use designations of the specific plan and would be expected to contribute to the impacts identified in the specific plan EIR (2011) and the 2030 General Plan EIR (2011). No further review is necessary.

15. RECREATION

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (1,2,4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? (1,2,4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>

Comments:

- a. The specific plan EIR studied the impacts to existing parks resulting from implementation of the specific plan. The proposed project would contribute to these impacts. To mitigate the impacts from the urban density increase that will occur with specific plan buildout, the specific plan includes policies that promote facility maintenance and community policing, as well as maximizing accessibility to all parks in and near the city. These policies, listed in the EIR (pp 3.8-27 – 3.8-30) help to offset increased demands and use of parks. The EIR determined that compliance with general plan and specific plan policies would reduce the impacts to existing parklands to a less than significant level.
- b. The proposed project would provide parkland in the form of public open space and a multi-use trail as described more fully in Section D.14.d of this initial study, the construction of which would be mitigated to a less than significant level by compliance with general plan and specific plan policies as described herein.

16. TRANSPORTATION/TRAFFIC

Would the project:

	<i>Potentially Significant Impact</i>	<i>Less-than-Significant Impact with Mitigation Measures Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (1-4,6)	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? (1-4,6)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (1-4,6)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
e. Result in inadequate emergency access? (1-4,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decreased the performance or safety of such facilities? (1-4,6)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>

Comments:

- a. Transportation impacts associated with specific plan buildout were identified and studied in the specific plan EIR Chapter 3.2, which is based upon the analysis of the City's 2030 General Plan and Housing Element EIR. That EIR found that buildout conditions

within the specific plan area consistent with the general plan would conflict with Multi-Modal Transportation Service Objectives for U.S. Interstate 80 as presented in the West County Action Plan (p. 3.2-15). Buildout of the specific plan would contribute to delays encountered by motorists on this route, but would not exceed the freeway delay index threshold of 3.0 during both AM and PM peak hours on both travel directions. The EIR determined this impact would be less than significant. Future development of the project site consistent with the specific plan would contribute to this impact, but would not increase the intensity or magnitude of the impact beyond that studied in the specific plan EIR. No mitigation is required.

Additionally, the specific plan EIR identified a significant and cumulative impact to the San Pablo Avenue and San Pablo Dam Road intersection level of service (LOS), to which buildout of the specific plan would contribute. The specific Plan EIR notes that general plan policies (C-I-9) call for interim LOS standards at this intersection that reduce traffic volume below the threshold. Compliance with general plan and specific plan polices (listed on pp. 3.2-18 – 3.2-20) would further reduce this impact. However, the general plan polices may not fully mitigate cumulative impacts to the intersection (3.2-17) due to the uncertainty of timing for related improvements planned by Caltrans and other factors beyond the city's control that would affect traffic volume at this intersection (3.2-20). Therefore, the specific plan EIR determined that buildout would still result in a potentially significant and unavoidable cumulative impact on traffic LOS at the intersection.

The proposed project would contribute to this impact; however, future development of the project site consistent with the land use designations of the specific plan would not result in impacts greater in magnitude or intensity than those studied in the specific plan and general plan EIRs. No mitigation is required.

The proposed project provides a street network and a public multi-use trail consistent with two site-specific policies of the specific plan that direct the development of streets and access to and on the Circle-S site.

Policy 3-I-26 requires a "street grid that covers the entire site and allows visual access into the development from San Pablo Avenue. The grid should organize all development within the site, provide a direct connection to Church Lane to the north, and provide a potential connection through to Vale Road to the south and potentially to the Casino."

Policy 3-I-27 establishes "a central pedestrian-oriented street that provides a direct link from San Pablo Avenue to improved open space along Wildcat Creek."

The proposed project provides connections to San Pablo Avenue, Church Lane, and indicates the location for a future connection to Vale Road. The proposed project also includes an alignment and minimum design standards for a multi-use trail along Wildcat Creek, with four access points recommended from plan area streets. Therefore, the proposed project would not conflict with specific plan policies that direct future development of the project site.

- b. The Contra Costa County Transportation Authority serves as the Congestion Management Agency responsible for the CMP. The specific plan EIR found that buildout of the specific plan area subject to the implementation of the general plan and specific plan policies listed on pp. 3.2-18 – 3.2-20 would not conflict with the CMP. These policies include requiring new development to provide traffic improvements based upon project-level trip-generation, and to provide transportation demand management plans. The proposed project is subject to compliance with these policies. Therefore, the impact is less than significant.
- c. The project site is not located within the flight path of a public airport or private airstrip. The airport nearest to the site is the San Rafael Airport, located about 10 miles west of City of San Pablo.
- d,e. The proposed project would not impair or interfere with an adopted emergency response plan or hinder emergency access to the site. The project site is located within an existing service area for the provision of emergency services and the proposed project provides design standards for streets and multiple access points to the site (refer to Figure 5, Proposed Streets and Block Plan). As noted above, the proposed project is consistent with specific plan policies 3-I-26 and 3-I-27, which provide site-specific minimum design standards for the project site. Further, future development project related roadway design and construction, as well as on-site parking, would be subject to compliance with the City's standard design specifications and conditions of approval to avoid unsafe design features and provide adequate emergency access. No mitigation is required.
- f. The specific plan EIR found that the proposed specific plan land uses, policies, and bicycle linkages and alignments would not conflict with adopted policies, plans, or programs regarding public transit, bikeways, or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities. The EIR found that specific plan policies (pp 3.2-21 – 3.2-23) reduce conflicts between specific plan buildout

conditions and with countywide bicycle planning policies. Additionally, the EIR found that buildout of the specific plan would not conflict with San Pablo 2030 General Plan multimodal level of service policies.

The proposed project is consistent with the general plan and specific plan policies for the provision of multi-modal transportation. The proposed project would eventually require the extension of public roadways to the project site to accommodate residents and visitors. The specific plan EIR determined that increases in traffic and roadway improvements associated with buildout of the specific plan could increase hazards to bicyclists and pedestrians, but determined that compliance with the general plan and specific plan policies and implementing actions listed on page 3.2-21 – 3.2-23, would reduce conflicts between pedestrians, cyclists and vehicles to a less than significant level.

The proposed project is consistent specific plan policies, including: C-I-1 and C-I-2 (complete streets); C-I-13 (contributes to expansion and connectivity of regional bike routes); 3-I-12 (including wider sidewalks, pedestrian-oriented lighting, bulb-outs, curb extensions at intersections, high visibility crosswalks, and on-street parking); 3-G-6 (pedestrian and cyclist connectivity to transit, open space); Ensure that private development integrates pedestrian and bicycle connections to transit, open space and other facilities); 3-I-13 (provides mid-block connections); 3-I-14 (provides for extensions/connections to future bike and walking trails at Wildcat Creek); 3-I-15 (pedestrian-oriented development); and 3-I-17 and 3-I-18 (bicycle parking facilities).

Future development of the project site consistent with the land use designations of the specific plan would not result in new impacts or impacts that are greater in intensity than those studied in the specific plan EIR. Compliance with general plan and specific plan policies listed previous would ensure compliance with adopted plans. Therefore, the impact is less than significant.

17. UTILITIES AND SERVICE SYSTEMS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (1-4,5)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
e. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid-waste disposal needs? ()	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste? (1-4)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>

Comments:

- a. The specific plan EIR determined that buildout of the specific plan area would be accommodated by existing levels of service for wastewater treatment. Buildout of the project site would be consistent with the land use designations of the specific plan and would be expected to contribute to the impacts identified in the specific plan EIR and the 2030 General Plan EIR. Compliance with the general plan and specific plan policies would reduce this impact to a less than significant level. Refer also to the discussion in Section D.9, Hydrology No mitigation is necessary.

- b. The specific plan EIR determined that buildout of the specific plan area would require the construction of new water supply systems, but may trigger the need for infrastructure improvements to update an aging wastewater collection system. To ensure that new development does not adversely affect the wastewater conveyance system, general plan policy PSCU-I-31 requires new development to contribute to the cost of new wastewater facilities in proportion to the demand generated by project occupants and users. Compliance with this policy would reduce impacts to the wastewater system to less than significant. Buildout of the project site would be consistent with the land use designations of the specific plan and would be expected to contribute to the impacts identified in the specific plan EIR and the 2030 General Plan EIR. No mitigation is necessary.
- c. Future development of the project site would be required to comply with the San Pablo Municipal Code Title 8, Chapter 8.40, which regulates storm water. Also, as discussed in Section D.9, Hydrology, the specific plan EIR identified potential impacts from increases in impervious surfaces that could result in flooding on- and off-site in the plan area. However, the EIR found that implementation of the policies identified above would reduce the impact to less than significant. Additionally, the EIR notes that general plan Action PSCU-I-31 requires, as a condition of project approval, storm water drainage and sewer improvements in proportion to a project's impacts, including upgrades, replacements, or repairs to older storm water collection systems, as necessary. Future development of the site, consistent with the specific plan land use designation would not result in impacts that are greater in magnitude or intensity than those studied in the specific plan EIR. No further evaluation is required.
- d. Impact to water supply associated with buildout of the specific plan was studied in the specific plan EIR (2011) in Chapter 3.8. The specific plan EIR determined that specific plan buildout will increase the demand for public water which may exceed supply. The EIR notes that East Bay Municipal Utilities District would be expected to meet water demand for the specific plan in a normal non-drought year, but expects shortfalls during single and multiple drought years. However, the EIR found that compliance with general plan and specific plan policies (pp 3.8-32 – 3.8-34) that promote water conservation, such as the installation of water meters in new residential and commercial development and the use of drought-resistant plant palettes in the design of new streetscapes, would reduce this impact to a less than significant level (p 3.8-31). Buildout of the project site would be consistent with the land use designations of the specific plan and would be expected to contribute to the impacts identified in the specific plan EIR and the 2030 General Plan EIR. No mitigation is necessary

- e. Impacts to wastewater treatment facilities were studied in the specific plan EIR Chapter 3.8. The EIR determined that buildout of the specific plan area would not exceed treatment plant capacity. Buildout of the project site would be consistent with the land use designations of the specific plan and would be expected to contribute to the impacts identified in the specific plan EIR and the 2030 General Plan EIR. No mitigation is necessary.

- f.g. The specific plan EIR found that buildout conditions could generate additional amounts of solid waste that may exceed the city's future annual diversion targets. The EIR determined that implementation of general plan policies listed on pp 3.8-37 – 3.8-38 will reduce residential and commercial waste streams within the city and the impacts to solid waste generation would be reduced to a less than significant level. Future development of the project site consistent with the specific plan land use designation would contribute to the impacts identified in the specific plan EIR, but would not result in new impacts or impacts that are greater than those studied in the EIR. No mitigation is necessary.

18. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Does the project have the potential to degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory? (1-7)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects) (1-8)	<input type="checkbox"/>	✓	<input type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? (1-4,6,8,9)	<input type="checkbox"/>	✓	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

- a. Future development of the proposed project has the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species. It is possible, during grading and construction activities associated with future development, that unknown cultural resources may be unearthed, which may result in a potentially significant impact. However, compliance with City of San Pablo General Plan and San Pablo Avenue Specific Plan policies as described herein would ensure the proposed project would not eliminate important examples of the major periods of California history or prehistory.
- b. Future development consistent with the specific plan land use designation of the project site would generate PM₁₀ emissions and exhaust emission from construction related

activities and equipment. Implementation of Mitigation Measures AQ-1 and AQ-2 would reduce construction related emissions impacts to a less than significant level. Operational emissions from the proposed project would exceed acceptable thresholds for criteria pollutants based upon vehicle miles traveled and would be cumulatively considerable and would contribute to a significant and unavoidable impact identified in the specific plan EIR. The proposed project is consistent with the specific plan and as discussed in Section D.2, Air Quality, and Section D.16, Transportation, the significant and unavoidable cumulative impacts associated with specific plan buildout were fully analyzed and addressed in the specific plan EIR. The City adopted a Statement of Overriding Considerations for these significant and unavoidable impacts to which the proposed project would contribute; however, the proposed project would not result in new impacts or impacts greater in magnitude or intensity than those studied in the specific plan EIR.

The proposed project would also contribute to the cumulative impacts identified in the specific plan EIR to GHG emissions, water quality, special-status plant and/or animal species, risks of exposure to seismic hazards, and noise. Compliance with general plan and specific plan policies would reduce these impacts to less than significant. Buildout of the proposed project is consistent with the specific plan and as discussed herein the cumulative impacts associated with specific plan buildout were fully analyzed and addressed in the specific plan EIR. As determined by the specific plan EIR, compliance with general plan and specific plan policies would reduce these impacts to a less than significant level.

- c. The proposed project would contribute to impacts that could affect human health as identified in the specific plan EIR. These impacts would be exposures to noise, hazards, operational and construction-related emissions. Implementation of Mitigation Measures AQ-1 and AQ-2 would reduce construction related emissions impacts to a less than significant level. The impacts associated with specific plan buildout were fully analyzed and addressed in the specific plan EIR and the proposed project would not result in new impacts or impacts greater in magnitude or intensity than those studied in the specific plan EIR.

E. SOURCES

1. City of San Pablo. *San Pablo Avenue Specific Plan*. March 2011. Available online:
<http://www.ci.san-pablo.ca.us/index.aspx?nid=876>
2. City of San Pablo. *San Pablo Avenue Specific Plan Final EIR*. March 2011. Available online:
<http://www.ci.san-pablo.ca.us/index.aspx?nid=876>
3. City of San Pablo 2030 General Plan and Housing Element. 2011. Available online:
<http://www.ci.san-pablo.ca.us/index.aspx?NID=867>
4. City of San Pablo 2030 General Plan and Housing Element FEIR. February 2011.
Available online: <http://www.ci.san-pablo.ca.us/index.aspx?NID=867>
5. City of San Pablo Municipal Code and amendments. Available online:
<http://www.codepublishing.com/ca/sanpablo/>
6. City Design Collective. Draft Chattleton Square Community Vision + Regulating Code +
Implementation. September 2011. (Included as Appendix)
7. Site Visit August 29, 2011 conducted by EMC Planning Group Inc.
8. Bay Area Air Quality Management District. CEQA Guidelines and 2010 Clean Air Plan.
Found online at: <http://www.baaqmd.gov/Divisions/Planning-and-Research/Plans>
9. California Department of Toxic Substances Control. Envirostor DataBase. Available
online at: <http://www.envirostor.dtsc.ca.gov/public/>

All documents indicated with bold numbers are available for review online or at the **City of San Pablo Planning Department 13831 San Pablo Avenue, Building #3, San Pablo, CA 94806 (510) 215-3002** during normal business hours.

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APPENDIX A

CHATTLETON SQUARE DEVELOPMENT CODE

**REGULATING PLAN FOR "THE AVENUE"
DRAFT MITIGATION MONITORING PROGRAM
OCTOBER 11, 2011**

Introduction

CEQA Guidelines section 15097 requires public agencies to adopt reporting or monitoring programs when they approve projects subject to an environmental impact report or a negative declaration that includes mitigation measures to avoid significant adverse environmental effects. The reporting or monitoring program is to be designed to ensure compliance with conditions of project approval during project implementation in order to avoid significant adverse environmental effects.

The law was passed in response to historic non-implementation of mitigation measures presented in environmental documents and subsequently adopted as conditions of project approval. In addition, monitoring ensures that mitigation measures are implemented and thereby provides a mechanism to evaluate the effectiveness of the mitigation measures.

A definitive set of project conditions would include enough detailed information and enforcement procedures to ensure the measure's compliance. This monitoring program is designed to provide a mechanism to ensure that mitigation measures and subsequent conditions of project approval are implemented.

Monitoring Program

The basis for this monitoring program is the mitigation measures included in the project mitigated negative declaration. These mitigation measures are designed to eliminate or reduce significant adverse environmental effects to less than significant levels. These mitigation measures become conditions of project approval, which the project proponent is required to complete during and after implementation of the proposed project.

The attached list is proposed for monitoring the implementation of the mitigation measures. This monitoring checklist contains all appropriate mitigation measures in the mitigated negative declaration.

Monitoring Program Procedures

The City of San Pablo shall use the attached mitigation monitoring list for the proposed project. The monitoring program should be implemented as follows:

1. The City of San Pablo is responsible for coordinating the monitoring program, including the monitoring list. The City of San Pablo is responsible for completing the monitoring list and distributing the list to the responsible individuals or agencies for their use in monitoring the mitigation measures.
2. Each responsible individual or agency will then be responsible for determining whether the mitigation measures contained in the monitoring list have been complied with. Once all mitigation measures have been complied with, the responsible individual or agency should submit a copy of the monitoring list to the City of San Pablo to be placed in the project file. If the mitigation measure has not been complied with, the monitoring list should not be returned to the City of San Pablo.
3. The City of San Pablo will review the list to ensure that appropriate mitigation measures included in the monitoring list have been complied with at the appropriate time. Compliance with mitigation measures is required for project approvals.
4. If a responsible individual or agency determines that a non-compliance event has occurred, a written notice should be delivered by certified mail to the City of San Pablo within 10 calendar days, describing the non-compliance and requiring compliance within a specified period of time. If non-compliance still exists at the expiration of the specified period, construction may be halted and fines may be imposed at the discretion of the City of San Pablo.

MITIGATION MONITORING PROGRAM

Prior to the Issuance of Construction Bid Documents

AQ-1. The following dust control measures will be incorporated into all City construction bid documents and permits, subject to the review and approval of the Public Works Department of the City of San Pablo:

- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered two times per day;
- b. All haul trucks transporting soil, sand, or other loose material off-site will be covered;
- c. All visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited;
- d. All vehicle speeds on unpaved roads will be limited to 15 mph;
- e. All trails and sidewalks to be paved will be completed as soon as possible. Pavement surfaces will be laid as soon as possible after grading unless seeding or soil binders are used;
- f. Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage will be provided for construction workers at all access points;
- g. All construction equipment will be maintained and properly tuned in accordance with manufacturer's specifications. All equipment will be checked by a certified mechanic and determined to be running in proper condition prior to operation;
- h. Post a publicly visible sign with the telephone number and person to contact at the City of San Pablo regarding dust complaints. This person will respond and take corrective action within 48 hours. The Air District's phone number will also be visible to ensure compliance with applicable regulation.

Party Responsible for Implementation: **City of San Pablo**

Party Responsible for Monitoring: **City of San Pablo**

Implementation Complete

Monitoring Notes and Status:

AQ-2. The following dust control measures will be incorporated into all City construction bid documents and permits, subject to the review and approval of the Public Works Department of the City of San Pablo:

- a. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.
- b. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 miles per hour.
- c. Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity.
- d. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
- e. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.
- f. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
- g. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12-inch compacted layer of wood chips, mulch, or gravel.
- h. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.
- i. Minimizing the idling time of diesel powered construction equipment to two minutes.
- j. The project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOX reduction and 45 percent PM reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-

emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available.

k. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings).

l. Require that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NOx and PM.

m. Require all contractors use equipment that meets CARB's most recent certification standard for off-road heavy duty diesel engines.

Party Responsible for Implementation: **City of San Pablo**

Party Responsible for Monitoring: **City of San Pablo**

Implementation Complete

Monitoring Notes and Status:

**REGULATING PLAN FOR "THE AVENUE"
DRAFT MITIGATION MONITORING PROGRAM
OCTOBER 11, 2011**

Introduction

CEQA Guidelines section 15097 requires public agencies to adopt reporting or monitoring programs when they approve projects subject to an environmental impact report or a negative declaration that includes mitigation measures to avoid significant adverse environmental effects. The reporting or monitoring program is to be designed to ensure compliance with conditions of project approval during project implementation in order to avoid significant adverse environmental effects.

The law was passed in response to historic non-implementation of mitigation measures presented in environmental documents and subsequently adopted as conditions of project approval. In addition, monitoring ensures that mitigation measures are implemented and thereby provides a mechanism to evaluate the effectiveness of the mitigation measures.

A definitive set of project conditions would include enough detailed information and enforcement procedures to ensure the measure's compliance. This monitoring program is designed to provide a mechanism to ensure that mitigation measures and subsequent conditions of project approval are implemented.

Monitoring Program

The basis for this monitoring program is the mitigation measures included in the project mitigated negative declaration. These mitigation measures are designed to eliminate or reduce significant adverse environmental effects to less than significant levels. These mitigation measures become conditions of project approval, which the project proponent is required to complete during and after implementation of the proposed project.

The attached list is proposed for monitoring the implementation of the mitigation measures. This monitoring checklist contains all appropriate mitigation measures in the mitigated negative declaration.

Monitoring Program Procedures

The City of San Pablo shall use the attached mitigation monitoring list for the proposed project. The monitoring program should be implemented as follows:

1. The City of San Pablo is responsible for coordinating the monitoring program, including the monitoring list. The City of San Pablo is responsible for completing the monitoring list and distributing the list to the responsible individuals or agencies for their use in monitoring the mitigation measures.
2. Each responsible individual or agency will then be responsible for determining whether the mitigation measures contained in the monitoring list have been complied with. Once all mitigation measures have been complied with, the responsible individual or agency should submit a copy of the monitoring list to the City of San Pablo to be placed in the project file. If the mitigation measure has not been complied with, the monitoring list should not be returned to the City of San Pablo.
3. The City of San Pablo will review the list to ensure that appropriate mitigation measures included in the monitoring list have been complied with at the appropriate time. Compliance with mitigation measures is required for project approvals.
4. If a responsible individual or agency determines that a non-compliance event has occurred, a written notice should be delivered by certified mail to the City of San Pablo within 10 calendar days, describing the non-compliance and requiring compliance within a specified period of time. If non-compliance still exists at the expiration of the specified period, construction may be halted and fines may be imposed at the discretion of the City of San Pablo.

MITIGATION MONITORING PROGRAM

Prior to the Issuance of Construction Bid Documents

AQ-1. The following dust control measures will be incorporated into all City construction bid documents and permits, subject to the review and approval of the Public Works Department of the City of San Pablo:

- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered two times per day;
- b. All haul trucks transporting soil, sand, or other loose material off-site will be covered;
- c. All visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited;
- d. All vehicle speeds on unpaved roads will be limited to 15 mph;
- e. All trails and sidewalks to be paved will be completed as soon as possible. Pavement surfaces will be laid as soon as possible after grading unless seeding or soil binders are used;
- f. Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage will be provided for construction workers at all access points;
- g. All construction equipment will be maintained and properly tuned in accordance with manufacturer's specifications. All equipment will be checked by a certified mechanic and determined to be running in proper condition prior to operation;
- h. Post a publicly visible sign with the telephone number and person to contact at the City of San Pablo regarding dust complaints. This person will respond and take corrective action within 48 hours. The Air District's phone number will also be visible to ensure compliance with applicable regulation.

Party Responsible for Implementation: **City of San Pablo**

Party Responsible for Monitoring: **City of San Pablo**

Implementation Complete

Monitoring Notes and Status:

AQ-2. The following dust control measures will be incorporated into all City construction bid documents and permits, subject to the review and approval of the Public Works Department of the City of San Pablo:

- a. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.
- b. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 miles per hour.
- c. Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity.
- d. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
- e. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.
- f. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
- g. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12-inch compacted layer of wood chips, mulch, or gravel.
- h. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.
- i. Minimizing the idling time of diesel powered construction equipment to two minutes.
- j. The project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOX reduction and 45 percent PM reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-

emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available.

k. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings).

l. Require that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NOx and PM.

m. Require all contractors use equipment that meets CARB's most recent certification standard for off-road heavy duty diesel engines.

Party Responsible for Implementation: **City of San Pablo**

Party Responsible for Monitoring: **City of San Pablo**

Implementation Complete

Monitoring Notes and Status:
