

**PIERCE STREET PAVEMENT
REHABILITATION AND
BICYCLE/PEDESTRIAN PATH PROJECT
INITIAL STUDY/DRAFT MITIGATED
NEGATIVE DECLARATION**

LSA

August 2009

**NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION FOR THE
PIERCE STREET PAVEMENT REHABILITATION AND
BICYCLE/PEDESTRIAN PATH PROJECT**

NOTICE IS HEREBY GIVEN that the City of Albany has completed an Initial Study/Mitigated Negative Declaration for the proposed Pierce Street Pavement Rehabilitation and Bicycle Pedestrian Path Project in accordance with the California Environmental Quality Act.

Project Location: The project site is located in the City of Albany and generally follows a north-south alignment east of Interstate 80 (I-80) and on the west side of Pierce Street and Cleveland Avenue. The site alignment extends from the northern City limits at the Cerrito Creek Trail, south to the Buchanan Street overcrossing.

Proposed Project: The proposed project includes the development of a Class I bicycle/pedestrian path along the length of the project site. The path would be located on the west side of Pierce Street and Cleveland Avenue, and adjacent to the I-80 soundwall. The alignment is divided into two “segments” and would be conducted in phases. The project would also include pavement rehabilitation for most of Pierce Street and lane re-striping, raised crosswalks, dedicated bus turnouts, and new (or improved) access ramps for the 500 block of Pierce Street.

Findings: The Initial Study prepared by the City was undertaken for the purpose of deciding whether the project may have a significant effect on the environment. On the basis of the Initial Study, City staff has concluded that the project will not have a significant effect on the environment and, therefore, has prepared a Mitigated Negative Declaration. Furthermore, the project site is not on a list of hazardous waste sites compiled pursuant to Government Code Section 65962.5.

Public Review: Copies of the Initial Study/Mitigated Negative Declaration are on file and available for review at the City of Albany Community Development Department, 979 San Pablo Avenue, Albany, California. Written comments will be accepted between **August 28, 2009 and September 28, 2009**. Verbal and written comments will also be received by the City’s Traffic and Safety Commission, at a regular session scheduled for **7:00 p.m., September 24, 2009** at the Albany Library – Edith Stone Room, 1247 Marin Avenue. Comments from all Responsible Agencies are requested. Any person wishing to comment on the Draft Initial Study/Mitigated Negative Declaration must submit such comments, in writing, to the following address:

Ann Chaney, Director
City of Albany
Community Development Department
979 San Pablo Avenue
Albany, CA 94706

**PIERCE STREET PAVEMENT
REHABILITATION AND
BICYCLE/PEDESTRIAN PATH PROJECT
INITIAL STUDY/DRAFT MITIGATED
NEGATIVE DECLARATION**

Submitted to:

City of Albany
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Albany, CA 94706

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LSA

August 2009

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**PIERCE STREET PAVEMENT REHABILITATION AND
BICYCLE/PEDESTRIAN PATH PROJECT
INITIAL STUDY/DRAFT MITIGATED NEGATIVE DECLARATION**

1. Project Title:

Pierce Street Pavement Rehabilitation and Bicycle/Pedestrian Path Project

2. Lead Agency Name and Address:

City of Albany
979 San Pablo Avenue
Albany, CA 94706

3. Contact Person and Phone Number:

Ann Chaney, Director
City of Albany Community Development Department
Phone: 510-528-5768

4. Project Location:

The project site is located in the City of Albany and generally follows a north-south alignment east of Interstate 80 (I-80) and on the west side of Pierce Street and Cleveland Avenue. The site alignment extends from the northern City limits at the Cerrito Creek Trail, south to the Buchanan Street overcrossing. The project site's regional and local context is depicted in Figure 1.

5. Project Sponsor's Name and Address:

City of Albany
979 San Pablo Avenue
Albany, CA 94706

6. General Plan Designation:

Pierce Street and Cleveland Avenue are both classified as Minor Arterial streets on the Circulation Plan Map of the City's General Plan. Undeveloped areas of the site are designated as Commercial/Service/Light Industrial or unclassified in locations of the prior freeway and ramp alignment.

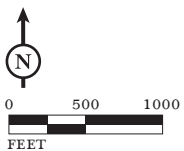
7. Zoning:

The majority of the project site consists of minor arterial streets, which are not classified on the City's Zoning Map. Undeveloped areas of the site are zoned Commercial Mixed Use (CMX) or unclassified in locations of the prior freeway ramp alignment.



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FIGURE 1



— PROJECT SITE

*Pierce Street Pavement Rehabilitation and
Bicycle/Pedestrian Path IS/MND
Project Vicinity and
Regional Location*

SOURCE: GOOGLE MAPS, 2009.

I:\ABY0901 Pierce Street(figures\Fig_1.ai (6/24/09)

8. Description of Project:

The proposed project includes the development of a bicycle/pedestrian path along the length of the project site. The path would be located on the west side of Pierce Street and Cleveland Avenue, and adjacent to the I-80 soundwall. The project would also include pavement rehabilitation for most of Pierce Street and lane re-striping, raised crosswalks, dedicated bus turnouts, and new (or improved) access ramps for the 500 block of Pierce Street. The existing site conditions, project background, and the proposed project are described in further detail below.

a. Existing Conditions. The project site consists of two existing roadways and associated rights of way and a section of a vacant parcel of land owned by Caltrans, as depicted in Figure 2. Existing conditions for each area of the project site are described below (in descending order, from north to south):

- *Pierce Street.* Within the project boundaries, Pierce Street consists of a two-lane roadway that accommodates approximately 41 parallel parking spaces on the east side and 73 diagonal parking spaces on the west side of the street. Parking on the east side of the street is more constrained than on the west side due to a number of driveways and restricted curb areas. The existing width of the roadway consists of 14 feet for the northbound travel lane and 20 feet for the southbound lane. Bus stops are located along Pierce Street; however, there are no existing bus turnouts and buses generally block traffic while loading and unloading passengers. Three crosswalks are located throughout this section of the street. A sidewalk and a number of overhead utility poles are also located west of the roadway.
- *Caltrans Property.* The Caltrans property is located along the project site alignment between the Pierce Street and Cleveland Avenue segments. This area consists of an undeveloped parcel of land and includes a number of trees and potential seasonal wetland features. Caltrans previously graded the property for possible recreational use; therefore, the property consists of a large fairly flat area while the areas within the project site are located within the steep edges at the western boundary.
- *Cleveland Avenue.* The Cleveland Avenue segment of the project site consists of a two-lane roadway, approximately 38 feet in width. Parallel parking is available on the east side of the street. A 6-foot wide area that is included in the project site boundaries west of the roadway includes several mature trees and utility poles.

b. Project Background. In 2004, the Albany City Council included the Pierce Street segment of the proposed bicycle/pedestrian path in the City's Capital Improvement Plan (CIP). In 2007, the pathway was incorporated into the design of the Pierce Street pavement rehabilitation project in order to achieve economies of scale in the construction costs of the two elements of the project.

Several meetings with neighborhood groups and the Albany Traffic and Safety Commission have been held to discuss design alternatives for lane re-striping, parking, and the design of the path itself. The proposed project design described in this report attempts to address community concerns related to pedestrian safety, potential loss of parking, loss of visibility when exiting the southernmost gate at 555 Pierce Street, and access for loading/unloading and garbage pick up.

In March 2009, the City Council authorized the preparation of 20 percent design plans. During May and June 2009, the draft plans were presented to residents of the housing complexes along the 500

block of Pierce Street. The draft plans would be reviewed by the Traffic and Safety Commission and approved by the City Council prior to proceeding to 100 percent design plans. Except for general planning purposes, Caltrans has not yet granted permission to extend the bicycle/pedestrian path through its property.

Development of the proposed bicycle and pedestrian path is influenced by the proximity of other local and regional bicycle and pedestrian facilities located within the vicinity of the site, as well as previous studies that have been undertaken to identify potential bicycle linkages among these facilities, some of which include the alignment of the proposed project site. These are discussed below.

(1) Regional and Local Trails. As illustrated in Figure 2, bicycle and pedestrian facilities in the vicinity of the project site include the San Francisco Bay Trail (Bay Trail), Ohlone Greenway, Cerrito Creek Trail, and the Buchanan Street Connector Trail, which are further described below.

San Francisco Bay Trail. The Bay Trail is a planned recreational corridor that, when complete, will encircle San Francisco and San Pablo Bays with a continuous 500-mile network of bicycling and hiking trails. It will connect the shoreline of nine Bay Area counties, link 47 cities, and cross the major toll bridges in the region. To date, approximately 290 miles of the alignment have been completed. Within the vicinity of the site, the Bay Trail currently runs through the Albany Mudflats Ecological preserve on the eastern edge of San Francisco Bay and along the western terminus of Buchanan Street. Access to the Bay Trail is impeded by Interstate 80 (I-80) and I-580 and the Union Pacific rail lines (which accommodate both freight and passenger rail service).

Ohlone Greenway. The Ohlone Greenway is an approximately 9-acre linear park that provides a continuous bicycle and pedestrian link between Richmond and Berkeley. For most of its length, the Ohlone Greenway runs along what was formerly a railroad right-of-way, and alongside the elevated tracks of the Bay Area Rapid Transit (BART) Richmond line. Most of the pathways are divided for pedestrian and bicycle use.

Cerrito Creek Trail. The Cerrito Creek Trail includes a multi-use pathway that is planned to eventually extend west from the Ohlone Greenway through El Cerrito Plaza and along Cerrito Creek to Pierce Street. Permanent and interim alignments, which include El Cerrito streets that are not adjacent to the creek, currently complete the connection. In its final configuration, the trail will extend along the length of El Cerrito Creek. The trail provides local bicycle and pedestrian access to the Pacific East Mall and El Cerrito Plaza.

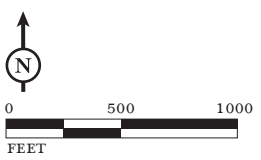
Buchanan Street Trail. The Buchanan Street Connector Trail begins at the pedestrian bridge located at the Buchanan Street overcrossing and extends west beneath the I-80 and I-580 overpasses to connect with the Bay Trail. The bridge pathway allows bicyclists and pedestrians to avoid crossing the freeway on-ramps. The City is currently evaluating potential locations for Class I and II bike paths along Buchanan Street; these facilities will eventually extend east to the intersection of Marin Avenue and Cornell Avenue.

(2) Applicable Background Studies. Various components of the proposed project have been examined in past studies that have explored the opportunities and constraints for developing a bicycle and pedestrian pathway along Pierce Street from the Cerrito Creek Trail to Buchanan Street.



FIGURE 2

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- - - PROJECT SITE
- SAN FRANCISCO BAY TRAIL
- CERRITO CREEK TRAIL (PLANNED FINAL CONFIGURATION)
- OHLONE GREENWAY
- BUCHANAN STREET CONNECTOR TRAIL

*Pierce Street Pavement Rehabilitation and
Bicycle/Pedestrian Path IS/MND
Aerial Photograph and
Surrounding Land Uses*

SOURCE: GOOGLE EARTH, 2009.

I:\ABY0901 Pierce Street\figures\Fig_2.ai (7/9/09)

Back of Figure 2

These include the *Cerrito Creek Bay Trail Connector Feasibility Study*¹ and the *Pierce Street Bicycle Facility Assessment*,² which are described below.

Cerrito Creek Bay Trail Connector Feasibility Study. In January 2004, the City of Albany, together with the cities of El Cerrito and Richmond, completed a *Feasibility Study* for the Cerrito Creek Bay Trail Connector. This study was undertaken to identify preferred and interim alignments for a bicycle link between the Ohlone Greenway and the Buchanan Street overcrossing via Cleveland Avenue, for ultimate connection to the Bay Trail. The project area generally extends from the Ohlone Greenway in the east to the Bay Trail in the west, and from Buchanan Street in the south to Central Avenue in the north. This trail would serve as a connector route, linking residential areas and shopping districts in Albany, El Cerrito, and Richmond to the Bay Trail spine in the vicinity of Golden Gate Fields. The connector trail would also provide a link between the Ohlone Greenway and the Bay Trail, as well as a valuable transit/trail link at the El Cerrito Plaza BART station. As described above, portions of the pathway have been developed, but the connection currently includes interim alignments along City of El Cerrito streets. The project site encompasses portions of the Segment 3 alignment and all of Segments 4 and 5 that were studied in the *Feasibility Study* and the proposed project itself would serve as a component of the Cerrito Creek Bay Trail Connector.

Pierce Street Bicycle Facility Assessment. In June 2005, the City of Albany completed a study of potential bicycle improvements on Pierce Street, between the Cerrito Creek Trail and Albany Hill Park, identified as Segments 3 and 4 in the *Cerrito Creek Bay Trail Connector Feasibility Study*. The *Pierce Street Bicycle Facility Assessment* provided an evaluation of traffic and parking conditions along this segment of Pierce Street and discussed possible configurations for new bicycle facilities that would have limited adverse effects on existing conditions.

c. Proposed Project. The proposed project would develop Class I bicycle and pedestrian facilities³ to connect the Cerrito Creek Trail to the Buchanan Street Connector Trail, which provide access to the Ohlone Greenway and Bay Trail, respectively. The alignment is divided into two “segments” and would be conducted in phases. The entirety of the project site alignment is depicted in Figure 3. Each component of the proposed project is described in detail below.

(1) Segment I (Pierce Street). Segment I begins at the terminus of the Cerrito Creek Trail, at the northern City limits, and extends to the south end of the Gateview condominium complex at 555 Pierce Street, as shown in Figure 4. This segment of Pierce Street, in addition to the area between Calhoun Street and Buchanan Street is currently in a deteriorated condition and in need of repaving. With the objectives of gaining economies of scale and minimizing disruption to residents during construction, the City would complete the needed repaving of Pierce Street at the time of path construction for Segment I. The areas of Pierce Street that would be repaved are shown in Figure 3.

¹ Alta Planning and Design, 2004. *Cerrito Creek Bay Trail Connector Feasibility Study*. January.

² Wilbur Smith Associates, 2005. *Pierce Street Bicycle Facility Assessment*. June 27.

³ A Class I bike path generally provides a completely separated off-street right of way for the exclusive use of bicycles and pedestrians. A Class II bike lane generally provides a dedicated area for bicyclists within the paved street width through the use of striping and appropriate signage. Class III facilities are found along streets that do not provide sufficient width for dedicated bicycle lanes. The street is then designated as a bicycle route through the use of signage.

This segment includes development of a two-way 8-foot wide bike path and widened sidewalk along the west side of Pierce Street. A 2-foot wide buffer area would be located on both sides of the path and could include groundcover or decorative hardscape. In order to construct this improvement, the existing curb face on the west side of Pierce Street would be moved approximately 10 feet towards the centerline of the roadway. The existing parking spaces in this location would also be shifted towards the centerline.

Two bus pads would also be incorporated into the design for this segment. These bus pads would be 45 feet long and 8 feet wide and would be located along the west side of Pierce Street at the crosswalks across from 545 Pierce Street (Bridgewater complex) and 555 Pierce Street (Gateview complex). The design provides for future bus shelters that would be separated from the new pathway. Due to the additional design features that incorporate ADA accessibility ramps and the bus stops, up to three diagonal parking spaces would be removed from the west side of the street. According to input from the adjacent residents, the existing crosswalk located across from the Gateview north access driveway is not heavily utilized; therefore, it would be removed to minimize the loss of parking spaces. The existing crosswalks would be raised approximately 3 to 6 inches from the roadway with a width of 10 feet inside the painted lines and 12 feet outside of the lines. The raised crosswalks are intended to improve pedestrian safety and reduce vehicle speeds on Pierce Street. In addition, a section of the curb located adjacent to the 545 Bridgewater complex driveway may be designated as a loading/unloading zone for a limited period of time each day (possibly between 8 a.m. and 12 p.m.). This would allow moving vans and trucks to load and unload at the curb rather than block the sidewalk and protrude into the roadway, as they currently do now. Up to three existing parallel parking spaces on the east side of Pierce Street may be re-designated for this purpose; however, the loading/unloading period would be limited, and parking would be available throughout the majority of the day, resulting in no additional permanent loss of parking.

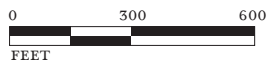
To further improve visibility in the area, a 0.02-acre segment of the Albany Hill, located at the southernmost driveway of the Gateview complex, would be recontoured to provide for better site distance as residents of the Gateview complex exit their parking garage. The City has a slope easement over this section of privately owned land, which would allow the City to modify the slope. Existing eucalyptus trees and shrubbery in this area would also be removed/trimmed to allow for better overall sight lines for residents exiting the Gateview complex.

(2) Segment II (Caltrans Property and Cleveland Avenue). Segment II begins where Pierce Street meets Albany Hill, just south of the Gateview complex. The alignment for this segment is depicted in Figure 5. At this point, the path would continue slightly west, leaving Pierce Street and continuing down the slope to run parallel to the I-80 freeway and through the Caltrans property. The City of Albany would secure an easement from Caltrans prior to development of this segment of the path. This segment would accommodate both bicyclists and pedestrians and would be approximately 1,600 linear feet in length and 12 feet in width. A 2-foot buffer area would be located along both sides of the path, similar to the Pierce Street segment. The maximum longitudinal slope of the trails would be 5 percent, with a maximum cross slope of 2 percent. This segment would be developed as close to the I-80 right-of-way line as possible as requested by Caltrans.



FIGURE 3

LSA



LEGEND

- █ SEGMENT I
- █ SEGMENT II
- █ PAVEMENT REHABILITATION

NOTE: SECTIONS A, B, AND C ARE DEPICTED ON FIGURES 4 AND 5.

*Pierce Street Pavement Rehabilitation and
Bicycle/Pedestrian Path IS/MND
Conceptual Project Alignment*

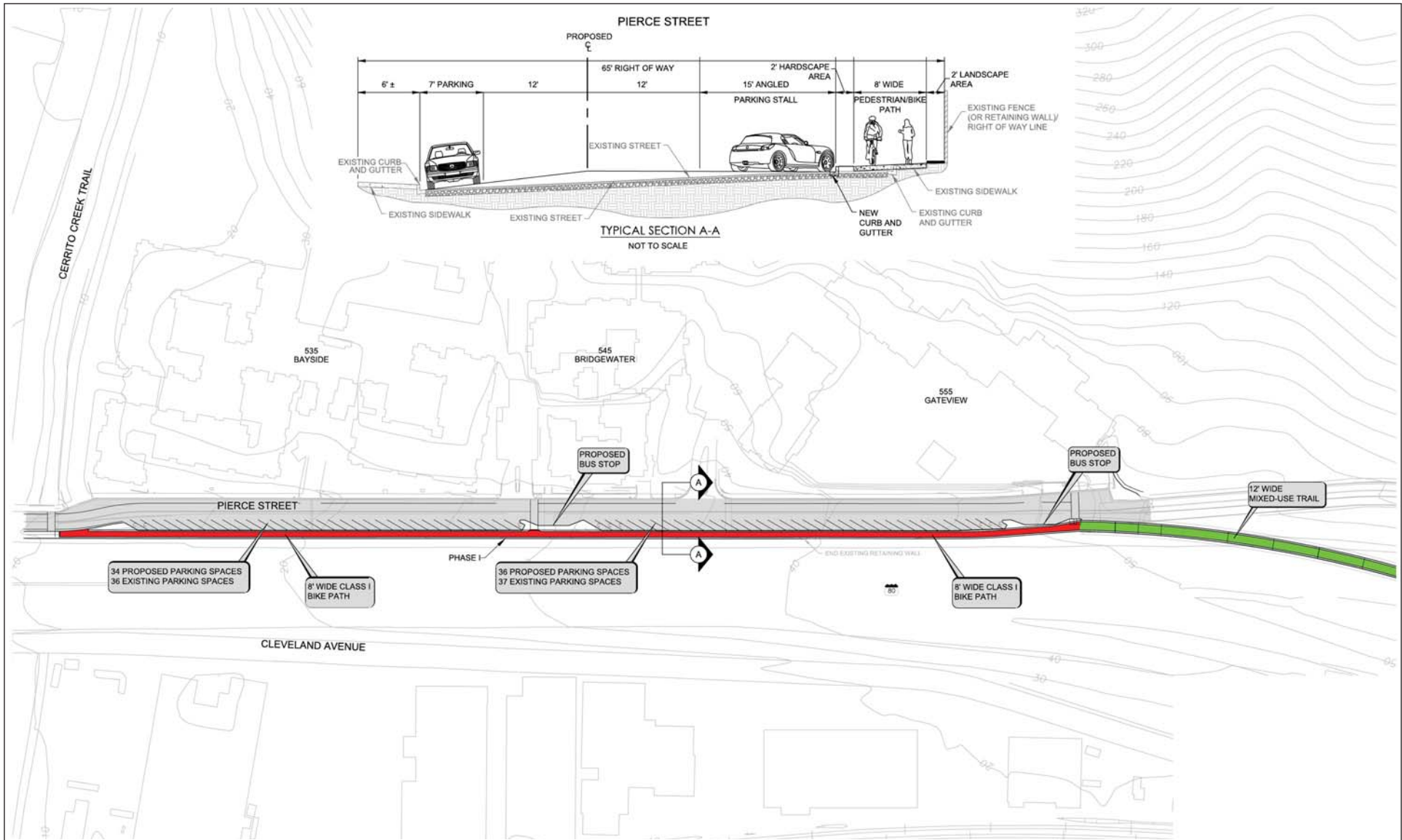


FIGURE 4

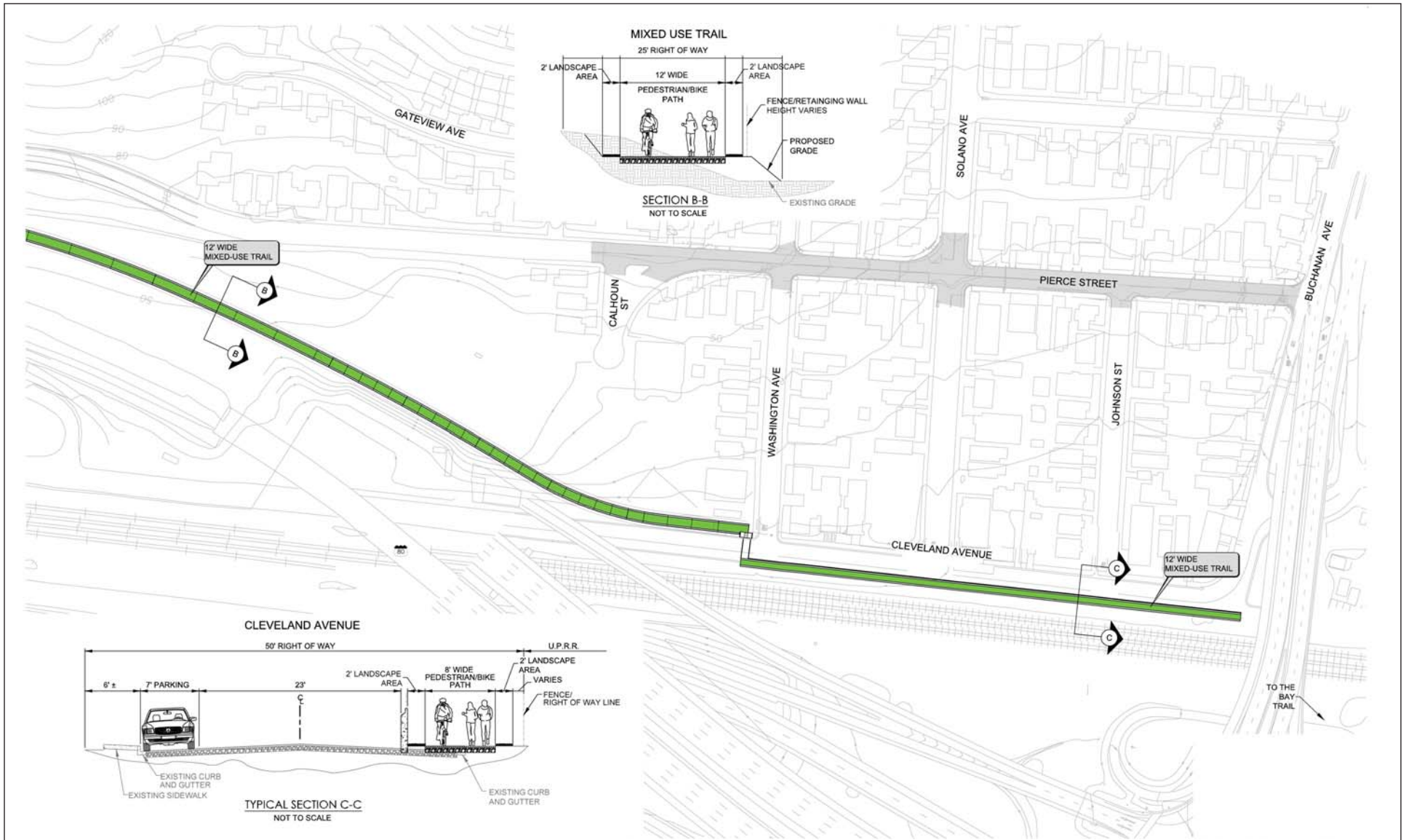
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LEGEND

—	SEGMENT I
—	SEGMENT II
—	PAVEMENT REHABILITATION

*Pierce Street Pavement Rehabilitation and
Bicycle/Pedestrian Path IS/MND
Conceptual Segment I Alignment*



LSA

FIGURE 5



LEGEND

	SEGMENT II
	PAVEMENT REHABILITATION

*Pierce Street Pavement Rehabilitation and
Bicycle/Pedestrian Path IS/MND
Conceptual Segment II Alignment*

SOURCE: KIMLEY-HORN AND ASSOCIATES, 2009.

I:\ABY0901 Pierce Street(figures)\Fig_5.ai (6/24/09)

Back of Figure 5

The path would continue through the Caltrans property, south to Washington Avenue. At this point, the path would cross Cleveland Avenue and continue south to Buchanan Street. At the northern end of the Washington Avenue and Cleveland Avenue intersection, a 200-foot transition would be required, narrowing the street from 38 to 30 feet. In this area, the path would be 8 feet in width, with a 2-foot wide buffer on both sides and would be parallel to the railroad line right of way. A concrete barrier between the southbound traffic and the path would separate vehicles from pedestrians and bicyclists. Approximately 6 feet of existing pavement and a 6-foot wide area west of the curb would be required for the path. The southernmost end of Segment II would connect to the Buchanan Street overcrossing.

(3) Screening and Lighting. A chain link fence (with slats and/or landscaping) and retaining walls would be constructed along the entire western length of the pathway to provide for visual screening, as appropriate. Existing fencing would be removed. Lighting would also be provided along the entire length of the new pathway and existing utility and light poles would be removed and/or relocated. Lighting could also include installation of new light poles on the east side of Pierce Street, light fixtures affixed to the fence screening, or ground fixtures located within the groundcover/hardscape areas on either side of the path. The City would develop and finalize the lighting plan at the time that final construction drawings are approved.

(4) Grading and Construction. The maximum depth of grading would occur in the previously graded area on the Caltrans property. Cuts would generally not exceed 15 feet in depth while fills would be up to 8 feet deep. Slopes would be graded to a maximum of 2:1 with a preferred slope of 3:1. Retaining walls would be up to 10 feet in height for cut slopes and 5 feet in height for fill slopes. The maximum limit of disturbance on either side of the construction area would be approximately 10 feet.

All existing infrastructure, asphalt, and concrete would be collected and off-hauled. Construction is anticipated to occur outside of the rainy season, between the months of April and October. The project would be constructed in phases, with Pierce Street pavement rehabilitation and construction of Segment I of the proposed path to occur during the first phase. It is anticipated that the construction period would occur for a duration of 6 months, which is anticipated to commence in Spring 2010. Subsequent phases of construction for completion of Segment II would be determined at a later date.

9. Surrounding Land Uses and Setting: As previously described, the project site begins at the intersection of Cerrito Creek and Pierce Street and continues south to the intersection of Cleveland Avenue and Buchanan Street. The alignment is located both on existing residential streets and on a vacant parcel of land. Land uses in the vicinity of the site are described below and depicted in Figure 2.

- *North.* Land uses to the north of the Cerrito Creek Trail include the Pacific East Mall and commercial, retail, and residential areas located within the Cities of Richmond and El Cerrito. El Cerrito Plaza and the El Cerrito BART station are located further northeast of the site in the vicinity of the Cerrito Creek Trail's connection with the Ohlone Greenway.
- *East.* Land uses immediately east of the Pierce Street segment of the site include the Bayside Commons, Bridgewater, and Gateview condominium complexes. Immediately east and south of these complexes is the Albany Hill Park. Further east of the entire length of the project site, land

uses consist of single-family and multiple-family residences and the San Pablo Avenue commercial district. The Ohlone Greenway is located approximately ½ mile to the east of the site.

- *South.* South of the project site's terminus at Buchanan Street is the Buchanan Street overcrossing, which provides pedestrian and bicycle access to the Bay Trail. Land uses south of Buchanan Street consist of public facilities such as the USDA facility, Ocean View Park, and Ocean View Elementary School. Land uses further south consist of multiple-family housing (University Village) and Eastshore Highway commercial and industrial uses.
- *West.* The Pierce Street and Caltrans segments of the project site are bordered immediately to the west by the I-80 freeway. Commercial uses, the Union Pacific Railroad line, and I-580 are located further west. The Cleveland Avenue segment is bordered immediately to the west by the Union Pacific Railroad rail line, which accommodates both freight and passenger rail service. Further west are the I-80 and I-580 interchanges and the Buchanan Street freeway on- and off-ramps. West of the freeways, is the Bay Trail, Eastshore State Park, and San Francisco Bay, including the Albany Mudflats. Golden Gate Fields is located to the southwest of the site.

10. Other agencies whose approval may be required:

- U.S. Army Corps of Engineers (Corps)
- California Department of Transportation (Caltrans)
- California Department of Fish and Game (CDFG)
- Regional Water Quality Control Board (Water Board)

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

Determination. (To be completed by the Lead Agency.)

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 (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) 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.



Signature

Ann Chaney
Printed Name

August 24, 2009

Date

City of Albany
For

ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a) *Have a substantial adverse effect on a scenic vista? (Less-than-Significant Impact)*

The project site is located immediately west of Albany Hill, the most recognizable topographical feature within the City of Albany. The site is generally bordered by residential uses to the east and I-80 to the west. Rising from the western slope of Albany Hill, the three housing complexes tower over the project alignment. San Francisco Bay is visible from some sections of the site alignment, including from Pierce Street and elevated areas of the currently inaccessible Caltrans property. Soundwalls and fencing along the western edge of the roadway generally screen views of the adjacent freeway. The City's General Plan,⁴ identifies views of San Francisco, the Bay, Albany Hill, and the Berkeley Hills as visual resources within the City. Protection of these views from public viewpoints should be considered with new development.

While fence screening along the western edge of the pathway could block some existing views of San Francisco Bay from Pierce Street, the project would not substantially alter existing views of surrounding areas from within the project site or from adjacent areas. In addition, bicyclists and pedestrians using the new pathway would likely have intermittent views of San Francisco and the Bay from elevated areas of the pathway. Views of Albany Hill would not be affected by the proposed project. Therefore, the project would result in a less-than-significant impact to scenic vistas.

b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway? (No Impact)*

The project site does not include any portions of a State scenic highway and is not located in the vicinity of a State scenic highway. The closest State scenic highway is a section of I-580 in Oakland,

⁴ City of Albany, 1992. *City of Albany, California General Plan 1990-2010.*

approximately 7 miles away. The proposed project would not impact scenic resources within a State scenic highway.

c) *Substantially degrade the existing visual character or quality of the site and its surroundings?*
(Less-than-Significant Impact)

The project site primarily consists of existing paved sections of Pierce Street and Cleveland Avenue, which include diagonal and parallel parking and sidewalks on each side of the roadways. A section of Segment II includes undeveloped land adjacent to the freeway. Existing vegetation includes a number of ornamental trees along the path alignment and ruderal vegetation, primarily where Pierce Street meets the Caltrans property and along Cleveland Avenue. The proposed project would develop a bicycle and pedestrian path and associated improvements along the proposed site alignment, and could remove or adversely affect approximately 70 existing trees. Tree removal is addressed in Section IV.e. With respect to visual impacts, tree removal would not substantially degrade the existing visual character or quality of the site. Project landscaping, which would include ornamental trees and shrubs, would be developed along the entire length of the pathway and would not only be consistent with, but would enhance the visual character of the area.

A chain link fence (with slats and/or landscaping) and retaining walls would be developed along the entire length of the site to provide visual screening, as appropriate. Visual screening would be designed to blend with and enhance the visual character of the path, and would generally obstruct views of the adjacent freeway. Signage, bus shelters and other project elements would be designed to enhance the visual character of the area and the proposed pathway and would generally provide a safe and established route for bicyclists and pedestrians to connect to other local and regional trails in the area; in this sense, the project is intended to comprise an overall benefit to visual quality and setting. For the reasons listed above, the project's impact on the visual character and quality of the site would be less than significant.

d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?* ***(Potentially Significant Unless Mitigation Incorporated)***

The proposed project would provide lighting along the entire length of the new pathway. Existing utility and light poles would be removed and relocated. Lighting could include installation of new light poles on the east side of Pierce Street, light fixtures affixed to the fence screening, or ground fixtures located within the landscaped areas on either side of the path. The City would develop and finalize a lighting plan for the project at the time that final construction drawings are approved. Implementation of the following Mitigation Measure would reduce potentially significant impacts related to light and glare to a less-than-significant level.

Mitigation Measure AES-1: The City shall develop a lighting plan for the proposed project that demonstrates that the project's light and glare impacts on adjacent residential uses are less than significant. The City shall finalize and approve the lighting plan prior to approving final construction drawings for the project.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURAL RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
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 a non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) <i>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 a non-agricultural use? (No Impact)</i>				

No agricultural resources are located on or near the project site, and the site has not been subject to agricultural use in recent history. The project site is classified as “Urban and Built-Up Land” by the State Department of Conservation, Farmland Mapping and Monitoring Program.⁵ Therefore, development of the proposed project would not convert agricultural land to non-agricultural uses.

b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract? (No Impact)*

The project site is not zoned for agriculture use, nor is it under a Williamson Act contract.

c) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use? (No Impact)*

Development of the proposed project would not result in the extension of infrastructure into an undeveloped area, the development of urban uses on a greenfield site, or other physical changes that would result in the conversion of farmland to non-agricultural uses.

⁵ California Department of Conservation. Alameda County Important Farmland 2006, <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2006/ala06.pdf>. Accessed February 23, 2009.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
III. 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:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<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 non-attainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) *Conflict with or obstruct implementation of the applicable air quality plan? (Less-than-Significant Impact)*

The project site is located within the San Francisco Bay air basin and is subject to the rules and regulations of the Bay Area Air Quality Management District (BAAQMD). The BAAQMD's Bay Area 2005 Ozone Strategy is the latest Clean Air Plan applicable to the project site and surrounding area within the air basin. The air quality plan describes air pollution control strategies to be implemented within the San Francisco Bay region, which is classified as a nonattainment area for ozone and particulate matter, and is intended to bring the area into compliance with the requirements of federal and State air quality standards for these pollutants.

Air quality plans use assumptions and projections from local planning agencies, including data used in the development of General Plans, to determine control strategies for regional compliance with air quality standards. The City of Albany General Plan is consistent with the ozone strategy. The project would not require amendments to the General Plan. The proposed project would not lead to increased emissions and would be consistent with the BAAQMD's 2000 CAP and the Bay Area 2005 Ozone Strategy.

The proposed project would: 1) comply with State and national ambient air quality standards; 2) be consistent with the air quality management policies in the current air quality plan; and 3) would not create emissions that exceed the emissions thresholds established in BAAQMD's *CEQA Guidelines*,

December 1999, as discussed in Section III.b, below. As the proposed project would not violate air quality standards or exceed emission thresholds, and is generally consistent with the buildout scenario envisioned in the City's General Plan and current air quality management policies, the project would not conflict with the Ozone Attainment Plan or the CAP.

b) *Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Potentially Significant Unless Mitigation Incorporated)*

Air Quality Emissions. The proposed project would not generate new vehicle trips that would increase ozone precursor or PM_{2.5} emissions such that the project would contribute to the Bay Area's existing non-attainment status. Air pollutant emissions associated with the proposed project would occur over the short term in association with construction activities such as grading and vehicle/equipment use. The discussion below describes potential air quality violations that could occur as a result of construction equipment exhaust emissions and fugitive dust.

Construction Equipment Exhaust Emissions. Construction period emissions would result from development of the proposed project. Construction activities are a source of organic gas emissions. Asphalt used in paving is also a source of organic gases for a short time after its application.

Various diesel-powered vehicles and equipment would be in use during the construction period. In 1998, the California Air Resources Board (CARB) identified particulate matter from diesel-fueled engines as a toxic air contaminant (TAC). The CARB has completed a risk management process that identified potential cancer risks for a range of activities using diesel-fueled engines.⁶ High volume freeways, stationary diesel engines and facilities attracting heavy and constant diesel vehicle traffic (e.g., distribution centers and truck stops) were identified as having the highest associated risk.

Health risks from TACs are a function of both concentration and duration of exposure. Unlike the above types of sources, construction diesel emissions are temporary, affecting an area for a period of days or perhaps weeks. Additionally, construction-related sources are mobile and transient in nature. Residential uses adjacent to the project site could be exposed to health risks from TACs during construction phases. However, due to their short duration and with implementation of Mitigation Measure AIR-1a, below, health risks from construction emissions of diesel particulate would be less than significant.

Construction Dust. Construction dust would affect local air quality at various times during construction of the proposed project. The dry, windy climate of the area during the summer months creates a high potential for dust generation if and when underlying soils are exposed. Clearing, grading and earthmoving activities have a high potential to generate dust whenever soil moisture is low and particularly when the wind is blowing.

Construction activities would result in increased dustfall and locally elevated levels of particulates downwind of construction activity. Construction dust has the potential to create a nuisance at nearby properties or at previously completed portions of the proposed project.

⁶ California Air Resources Board (CARB), 2000. *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*, October.

Emissions of particulate matter or visible emissions are regulated by the BAAQMD under Regulation 6 “Particulate Matter and Visible Emissions.” Specifically, visible particulate emissions are prohibited where the particulates are deposited on real property other than that of the person responsible for the emissions and cause annoyance.

Implementation of the following two-part mitigation measure would reduce construction period air quality impacts resulting from construction equipment exhaust emissions and construction dust to a less-than-significant level.

Mitigation Measure AIR-1a: The City shall require contractors to include the following emissions control measures in construction specifications for the project:

- 1) Alternative powered construction equipment (i.e., CNG, biodiesel, electric) shall be utilized when feasible;
- 2) Idling time of diesel powered construction equipment shall be limited to 3 minutes;
- 3) Heavy-duty (>50 horsepower) off-road vehicles shall achieve a project-wide fleet average of 40 percent NO_x reduction and 45 percent particulate reduction compared to the most recent CARB fleet average.
- 4) Add-on control devices shall be used such as diesel oxidation catalysts or particulate filters;
- 5) Construction equipment shall be located away from sensitive receptors, such as fresh air intakes to buildings, air conditioners and operable windows; and
- 6) The operating hours of heavy duty equipment and/or the amount of equipment in use shall be minimized.

Mitigation Measure AIR-1b: Consistent with guidance from the BAAQMD, the City shall require construction contractors to include the following dust control measures in construction specifications for the project.

Demolition. The following controls shall be implemented during demolition:

- 1) Water during break-up of pavement to control dust generation;
- 2) Cover all trucks hauling demolition debris from the site; and
- 3) Use dust-proof chutes to load debris into trucks whenever feasible.

Construction. The following controls shall be implemented during construction:

- 1) Water all active construction areas at least twice daily and more often during windy periods; active areas adjacent to existing sensitive land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers to control dust;
- 2) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard;
- 3) Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites;

- 4) Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites;
- 5) Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets;
- 6) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more);
- 7) Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.);
- 8) Limit traffic speeds on unpaved roads to 15 mph;
- 9) Install sandbags or other erosion control measures to prevent silt runoff to public roadways;
- 10) Replant vegetation in disturbed areas as quickly as possible;
- 11) Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site;
- 12) Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph;
- 13) Route any temporary haul roads to the soil stockpile area away from existing sensitive receptors to the extent feasible. Any temporary haul roads shall be surfaced with gravel and regularly watered to control dust or treated with an appropriate dust suppressant;
- 14) Utilize water sprays to control dust when material is being added or removed from the stockpile. When the stockpile is undisturbed for more than 1 week, the storage pile shall be treated with a dust suppressant or crusting agent to eliminate blown dust generation; and
- 15) All neighboring properties located within 500 feet of property lines of a construction area shall be provided with the name and phone number of a designated construction operation control coordinator who will respond to complaints within 24 hours by suspending all dust producing activities or providing additional personnel or equipment for dust control deemed necessary. The phone number of the BAAQMD pollution complaints contact shall also be provided. The dust control coordinator shall be on-call during construction hours. The coordinator shall keep a log of complaints received and remedial action taken in response.

According to the BAAQMD, if control measures of the type set forth above are implemented, then air pollution from emissions from construction activities would be considered less-than-significant.

Greenhouse Gas Emissions. There is currently no guidance from the State of California on the CEQA Guidelines for thresholds in assessing the impact of greenhouse gas emissions. The following considerations were developed for the proposed project from a review of recent publications and actions from CARB that address how the state plans to achieve goals of reducing greenhouse gases. These considerations include: (1) Would the project have the potential to conflict with the 44 early action strategies identified by CARB; or (2) Would the project conflict with the State goal of reducing greenhouse gas emissions in California to 1990 levels by 2020 as set forth by the timetable established in AB 32, Global Warming Solutions Act of 2006.

These considerations will be used to evaluate whether the projects would conflict with the State goals for reducing greenhouse gas emissions. If a project implements (when applicable) or does not conflict with strategies identified above, it could reasonably follow that the project would not result in a significant contribution to the cumulative impact of global climate change.

The 44 early action items focus on industrial production processes, agriculture, and transportation sectors. Early action items associated with industrial production and agriculture do not apply to the proposed project. The transportation sector early action items such as truck efficiency, low carbon fuel standard, proper tire inflation, truck stop electrification and strengthening light duty vehicle standards are also not specifically applicable to the proposed project. Therefore, the proposed project would not conflict with early action items and no significant global climate change impacts associated with this project would occur.

The project would increase pedestrian and bicycle access through Albany, allowing for longer-distance bike commutes and connectivity between the Cerrito Creek Trail, the Bay Trail (via the Buchanan Street overcrossing), and the Ohlone Greenway further to the east, which could contribute to an overall reduction in regional greenhouse gas emissions. Therefore, this project would not conflict with the goals of AB 32 and SB 375, which require planning agencies to develop strategies for meeting greenhouse gas emission targets as part of regional transportation plans. Based on the project's consistency with these measures, the project would not have a significant impact on global climate change.

- c) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Potentially Significant Unless Mitigation Incorporated)*

As of April 2009, the San Francisco Bay air basin is classified as nonattainment for ozone (O₃), PM₁₀, and PM_{2.5} per State standards. The air basin is classified as nonattainment for ozone under the federal standard.⁷

The proposed project would develop a bicycle and pedestrian pathway within existing rights-of-way and vacant land, and would not generate new vehicle trips. Therefore, it would not increase ozone precursor emissions such that the proposed project would contribute substantially to the Bay Area's existing ozone nonattainment status. Temporary increases in PM₁₀, and PM_{2.5} due to construction of the proposed project would be minimized by implementation of Mitigation Measure AIR-1a and AIR-1b. In addition, the project, which would increase pedestrian and bicycle access through Albany, would not substantially increase vehicle trips to the project site and associated cumulative long-term air quality impacts. By allowing for longer-distance bike commutes and connectivity between the Cerrito Creek Trail, the Bay Trail (via the Buchanan Street overcrossing), and the Ohlone Greenway further to the east, the proposed project could result in a decrease in the emission of criteria pollutants associated with internal combustion engines. Thus, the project would not generate long-term emissions in excess of the BAAQMD's air quality thresholds and would not result in a cumulatively considerable net increase of any criteria pollutant. The project's impact would be less than significant.

⁷ Bay Area Air Quality Management District, 2009. Website: www.baaqmd.gov/pln/air_quality/ambient_air_quality.htm. Accessed April 20.

d) *Expose sensitive receptors to substantial pollutant concentrations? (Potentially Significant Unless Mitigation Incorporated)*

Construction of the proposed project could expose surrounding, sensitive land uses to airborne particulates and fugitive dust, as well as pollutants associated with the use of construction equipment (e.g., diesel-fueled vehicles and equipment). Sensitive receptors are facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Sensitive receptors in the vicinity of the project site include: residential areas directly east of Pierce Street; Ocean View Elementary School (1000 Jackson Street); and MacGregor High School (720 Jackson Street). Development of the proposed project could expose these sensitive receptors to increased levels of particulate matter and toxic air contaminants during the construction period. However, implementation of Mitigation Measures AIR-1a and AIR-1b would reduce this impact to a less-than-significant level.

e) *Create objectionable odors affecting a substantial number of people? (Less-than-Significant Impact)*

Development of the proposed project would not result in the removal or disturbance of large quantities of saturated or hydric soils with high proportions of organic matter that would cause objectionable odors during desiccation. Construction and operation of the proposed bicycle and pedestrian path and associated facilities would not create objectionable odors.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES. Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" 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, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Information provided in the following section is based on two reconnaissance-level site visits conducted by LSA biologists on March 4 and May 14, 2009; a search of records in the California Natural Diversity Database (CNDDDB)⁸; a search of the California Native Plant Society (CNPS) on-line Inventory of Rare and Endangered Plants; and LSA’s knowledge of biological resources in the Albany area.

The database searches covered occurrences within 5 miles of the project area. During the March 4 site visit, the entire project alignment was walked and plants and wildlife observed in the project area were noted. In addition, existing habitats were assessed for their potential to support special-status species.

- a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Potentially Significant Unless Mitigation Incorporated)*

The potential for special-status plant and wildlife species to occur on the project site is described below.

Plant Species. Segment I of the proposed path alignment does not support any significant vegetation communities with the exception of a narrow strip of ruderal vegetation and landscaping along the western edge of Pierce Street (i.e., between the sidewalk and existing right-of-way fence/soundwall).

At the northern end of Segment II, in the vicinity of Pierce Street, the proposed path alignment extends through a band of non-native trees and associated understory vegetation on the roadside. The trees in this location consist of non-native acacia mixed with a few native coast live oak (*Quercus agrifolia*) seedlings and non-native fruit trees (*Prunus* spp.). Other plant species observed at this

⁸ California Department of Fish and Game, 2009. California Natural Diversity Data Base (CNDDDB). Version 3.1.0 (May 2, 2009) Update. CDFG, Sacramento, California.

location include bottlebrush (*Callistemon* sp.), cut-leaf geranium (*Geranium dissectum*) and a mix of other ruderal species.

Non-native grassland is the dominant vegetation type in the central portion of Segment II. This community is comprised of the following species: wild oats (*Avena* sp.), rip-gut brome (*Bromus diandrus*), foxtail fescue (*Vulpia myuros*), and Italian ryegrass (*Lolium multiflorum*). Ruderal species such as wild radish (*Raphanus sativus*), fennel (*Foeniculum vulgare*), bristly ox-tongue (*Picris echioides*), Italian thistle (*Carduus pycnocephalus*), mustard (*Brassica* sp.), sourclover (*Melilotus indicus*), pampas grass (*Cortaderia selloana*), clover (*Trifolium* spp.), stinkwort (*Dittrichia graveolens*), and bird's-foot trefoil (*Lotus corniculatus*) are also present. Coyote brush (*Baccharis pilularis*) and flat sedge (*Cyperus eragrostis*) were the only native plant species observed within the non-native grassland community.

At the southern end of Segment II, in the vicinity of Cleveland Avenue, vegetation consists of a mix of non-native trees and associated understory vegetation. Tree species observed include acacia, eucalyptus (*Eucalyptus* sp.), coast live oak, coast redwood (*Sequoia sempervirens*), cypress (*Cupressus* sp.), pine (*Pinus* sp.), and fruit trees. Understory vegetation observed in this area includes jade plant (*Crassula ovata*), Himalayan blackberry (*Rubus discolor*), pampas grass, ivy (*Hedera* sp.), fennel, wild radish, Scotch broom (*Cytisus scoparius*), bristly ox-tongue, cotoneaster (*Cotoneaster* sp.), rose (*Rosa* sp.), coyote brush, and toyon (*Heteromeles arbutifolia*), ornamental forbs, and ruderal species.

Due to past disturbance within and around the proposed project site and consequent lack of suitable native substrates/habitats, the proposed project would not result in any impacts to special-status plants.

Wildlife Species. The project site provides potential habitat for a variety of birds, mammals, reptiles, and amphibians. Wildlife species that have been observed on or in the vicinity of the project site include red-tailed hawk (*Buteo jamaicensis*), red-shouldered hawk (*Buteo lineatus*), Cooper's hawk (*Accipiter cooperii*), great horned owl (*Bubo virginianus*), mourning dove (*Zenaida macroura*), American robin (*Turdus migratorius*), northern mockingbird (*Mimus polyglottos*), California towhee (*Pipilo crissalis*), Anna's hummingbird (*Calypte anna*), American crow (*Corvus brachyrhynchos*), cliff swallow (*Petrochelidon pyrrhonota*), western scrub-jay (*Aphelocoma californica*), house finch (*Carpodacus mexicanus*), rock pigeon (*Columba livia*), and European starling (*Sturnus vulgaris*). Amphibian and reptile species that may occur on the project site include Sierran treefrog (*Pseudacris sierra*), arboreal salamander (*Aneides lugubris*), western fence lizard (*Sceloporus occidentalis*), ring-necked snake (*Diadophis punctatus*), and gopher snake (*Pituophis catenifer*). Mammal species that have been observed in the vicinity of the project site include several common species that are adapted to semi-urban areas including black-tailed deer (*Odocoileus hemionus*), raccoon (*Procyon lotor*), striped skunk (*Mephitis mephitis*), and house mouse (*Mus musculus*).

Special-status wildlife species known to occur in the region and for which suitable habitat is present on the project site, include white-tailed kite (*Elanus leucurus*; a California Fully Protected Species [CFP]), northern harrier (*Circus cyaneus*; a California Species of Special Concern [CSC]), Bryant's savannah sparrow (*Passerculus sandwichensis alaudinus*; CSC), burrowing owl (*Athene cunicularia*; CSC), and pallid bat (*Antrozous pallidus*; CSC). With the exception of pallid bat, the project could have adverse effects on all of the above-described special-status wildlife species. Pallid bats may

occasionally forage over the project site, but this species is not expected to roost on the project site due to the lack of suitable roosting sites (i.e., caves, rocky crevices, large trees, bridges, etc.).

The white-tailed kite, northern harrier, and Bryant's savannah sparrow are known to occur in the vicinity of the Berkeley Marina and may occasionally forage over the project site and, though considered unlikely, could nest on the site. The CNDDDB contains a 1994 record (Occurrence #59) of a pair of white-tailed kites nesting approximately 1.3 mile southwest of the project site in a tree on the north side of the Berkeley Marina and a 1990 record (Occurrence #13) of white-tailed kites nesting approximately 2.6 miles to the northwest on Brooks Island in Richmond. This species has also been observed nesting in an acacia tree on Cedar Street in Berkeley, approximately 1 mile southeast of the project site.⁹ Northern harriers are known to nest approximately 1.1 mile southwest of the project site in a meadow near the Berkeley Marina (CNDDDB occurrence #15). LSA biologists have observed Bryant's savannah sparrow foraging in Cesar Chavez Park and they likely nest at this location based on the presence of suitable habitat.

Although no active or inactive nests were observed during LSA's site visits, native birds including white-tailed kite, northern harrier, and Bryant's savannah sparrow could nest on or near the project site and, therefore, could be adversely affected by the project. Implementation of the following two-part mitigation measure would ensure that potential impacts to the above-described special-status and common native bird species would be reduced to a less-than-significant level.

Mitigation Measure BIO-1a: For construction activities occurring during the nesting season (February 1 through August 31), a qualified biologist shall conduct nesting bird surveys no more than 30 days prior to tree pruning, tree removal, ground disturbing activities, or construction activities to locate active nests on or immediately adjacent to the project site. If construction activities are delayed, additional preconstruction surveys, at 30 day intervals, shall be completed until construction is initiated.

Mitigation Measure BIO-1b: If nesting birds are identified on the project site, the locations of active nests shall be mapped and protective measures implemented. Protective measures shall include establishment of clearly delineated (i.e., orange construction fencing) exclusion zones around each nest site. Each exclusion zone shall have a 300-foot radius centered on the nest tree for raptor nests and a 50-foot radius centered on the nest for other birds. Active nest sites shall be monitored periodically throughout the nesting season to identify any sign of disturbance. These protection measures shall remain in effect until the young have left the nest and are foraging independently or the nest is no longer active. Exclusion zones may be reduced in size, if in consultation with CDFG, a smaller exclusion zone is determined to adequately protect the active nest. Upon completion of construction activities, a report detailing the results of the preconstruction surveys and monitoring shall be prepared. The report shall be submitted to the City and CDFG by November 30 of each year during the construction period.

Burrowing owls occur in open, well-drained grasslands with short vegetation and abundant small mammal burrows, particularly those of California ground squirrels (*Spermophilus beecheyi*). Although no burrowing owls, California ground squirrel burrows or other suitable owl burrows were observed during the field visits, suitable foraging habitat exists within the non-native grassland in the

⁹ LSA Associates, Inc. Personal observation in 2002.

central portion of the project site and migrating and/or dispersing individuals could rest or forage on the site for brief periods. The closest CNDDDB occurrence (Occurrence #1160) of a wintering burrowing owl is in Richmond, approximately 1.7 miles north of the project site. Wintering burrowing owls have also been observed in a meadow south of Golden Gate Fields, approximately 1 mile south of the project site and have been observed by LSA biologists in Cesar Chavez Park at the Berkeley Marina, approximately 1 mile southwest of the project site.¹⁰ Although considered unlikely, the proposed project could adversely affect wintering burrowing owls, should this species be present during construction activities. Implementation of the following Mitigation Measures would ensure that potential impacts to burrowing owls are reduced to a less-than-significant level.

Mitigation Measure BIO-2a: A qualified biologist shall conduct pre-construction surveys for burrowing owls prior to initiation of ground disturbing activities, including clearing and grubbing. Surveys shall conform to the survey protocol established by the California Burrowing Owl Consortium.¹¹ Pre-construction surveys shall be conducted no more than 21 days prior to the initiation of construction activities. If construction activities are delayed, additional pre-construction surveys shall be conducted at 21-day intervals until construction is initiated.

Mitigation Measure BIO-2b: If burrowing owls are found on the project site, they shall be avoided to the extent practicable. A clearly defined buffer area shall be established around each occupied burrowing owl burrow to be avoided. No disturbance shall occur within 50 meters (approximately 160 feet) of occupied burrows during the non-breeding season (September 1 through January 31) or within 75 meters (approximately 250 feet) during the breeding season (February 1 through August 31).

Mitigation Measure BIO-2c: If occupied burrows cannot be avoided as described above, passive relocation techniques to relocate burrowing owls from the project site would be required during the non-breeding season (September 1 through January 31). Passive relocation activities shall be implemented according to the requirements of CDFG's *Staff Report on Burrowing Owl Mitigation*¹² or current protocol established by CDFG. The City shall coordinate with CDFG to obtain authorization to conduct passive relocation activities and determine the need for additional mitigation to address loss of wintering habitat and/or displacement of wintering owls.

- b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Potentially Significant Unless Mitigation Incorporated)*

Construction of the path would occur within the vicinity of potentially jurisdictional seasonal wetlands located within the Caltrans property. No impacts to these potential wetlands are anticipated from project construction activities; however, implementation of Mitigation Measure BIO-3 as

¹⁰ LSA Associates, Inc. Personal observations in December 2008 and February 2009.

¹¹ California Burrowing Owl Consortium. 1997. Burrowing Owl Survey Protocol and Mitigation Guidelines. Pages 171-177 In J. L. Lincer and K. Steenhof editors. *The Burrowing Owl: Its Biology and Management, Proceedings of the First International Symposium*. Raptor Research Report Number 9.

¹² California Department of Fish and Game, 1995. *Staff Report on Burrowing Owl Mitigation*. October 17.

described in Section VI.c, below would ensure that the wetlands are avoided by project activities. The project site does not support any riparian habitat or any other sensitive natural communities.

- 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? (Potentially Significant Unless Mitigation Incorporated)*

As described above in Section IV.b, the project site supports potentially jurisdictional seasonal wetlands as defined under the federal Clean Water Act and/or California Porter-Cologne Act. These potentially jurisdictional seasonal wetlands are located on a flat graded pad in the central portion of the Caltrans property. The soil in this location consists of compacted gravelly fill with no wetland indicators in the soil. Two shallow basins have algal matting¹³ and ostracod (seed shrimp) shells indicating long-duration seasonal ponding. The largest of these shallow basins is in the northeast portion of the graded pad and is predominantly vegetated with species that meet U.S. Army Corps of Engineers (Corps) hydrophytic vegetation criteria (e.g., Italian ryegrass, bristly ox-tongue, cut-leaf plantain, and flat sedge). A smaller potential wetland area occurs in another shallow basin located along the western edge of the graded pad and has similar, but more marginal, wetland characteristics in an area of tire ruts approximately 20 feet long by 8 feet wide. The Corps typically asserts jurisdiction over otherwise marginal potential wetlands that support ostracods. A third area, also situated on the western side of the graded pad, has algal matting, but no ostracods and supports a mix of hydrophytic and non-hydrophytic species. This area probably does not meet hydrophytic plant criteria and, therefore, likely does not meet jurisdictional wetland criteria.

A constructed ditch is present at the southern end of Segment II between Cleveland Avenue and the railroad tracks. The ditch consists of a shallow basin that contained ponded water during the March 4, 2009 site visit. During the May 12, 2009 site visit, the basin showed sediment stains and mud cracks from ponding in an area approximately 10 feet long by 4 feet wide. The basin itself is completely unvegetated. Adjacent portions of the ditch have sparse vegetation dominated mostly by non-hydrophytic species, such as wild oats and rip-gut brome. The soil in the vicinity of the ditch is composed of gravelly fill without any hydric indicators. Based on the indicators observed, this feature does not appear to meet jurisdictional wetland criteria.

Implementation of the following three-part mitigation measure would ensure that impacts to potential wetlands/jurisdictional areas resulting from project construction would be reduced to a less-than-significant level.

Mitigation Measure BIO-3a: The City shall consult with the Corps to determine possible jurisdiction of the potential wetland features on the site. Unless otherwise exempted by the Corps through written documentation, a formal wetland delineation shall be conducted by the City and verified by the Corps prior to construction of the proposed path. The Corps-verified delineation map, depicting the locations and boundaries of jurisdictional features, shall be used by the City for final design of the path alignment. The path shall be designed to avoid fill

¹³ Algal matting is a layer of algae that remains on top of the soil after a ponded area has dried, and indicates that the area exhibited algae growth during inundation of water.

and/or disturbance to all identified jurisdictional features from project construction, staging, access, and other activities.

Mitigation Measure BIO-3b: All construction work shall occur outside of potential jurisdictional areas as verified by the Corps. In areas where the proposed project is adjacent to jurisdictional areas, construction fencing shall be installed to protect the jurisdictional areas prior to any clearing, staging, or construction activities. All vehicles equipment and personnel shall be prohibited from encroaching into the fenced area. Fencing shall be properly maintained, and shall remain in place for the duration of the construction work in the designated areas and removed only upon completion of construction.

Mitigation Measure BIO-3c: In areas adjacent to potential jurisdictional areas, erosion and sediment control measures shall be installed. Such measures shall include, but not be limited to the following:

- Hay bales, silt fences, organic mesh, or other appropriate erosion control measures shall be used to prevent erosion and sedimentation from impacting jurisdictional areas adjacent to the construction zone;
- All fueling and maintenance of vehicles and other equipment, and staging areas shall be located at least 20 meters (65 feet) from any jurisdictional area. The construction contractor shall prepare plans for a prompt and effective response to any accidental spills;
- Natural areas disturbed by project construction outside of the proposed path alignment, shall be revegetated with an assemblage of native vegetation and restored to preconstruction conditions, as appropriate.

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? (Potentially Significant Unless Mitigation Incorporated)

The proposed path would not substantially interfere with wildlife movement. Wildlife that currently move through the site would continue to do so after the project is complete since the site would remain largely unaltered following construction. In addition, most of the species that likely occur in the area are generalists that are adept at moving through urban and semi-urban landscapes. The relatively limited extent of habitat loss that would result from the project would not affect the ability of these species to move through the project site and surrounding areas following construction of the project.

Several trees and shrubs would be removed and portions of the grasslands would be disturbed during construction of the proposed path. Construction activities on the project site could temporarily affect nesting birds both on the site and in adjacent habitats. Trees, shrubs, and the non-native grasslands on the project site, if occupied by nesting native birds, could be considered a wildlife nursery site. Therefore, destruction or abandonment of an active nest as a result of project related activities would result in direct effects to a wildlife nursery site. Implementation of Mitigation Measures BIO-1 and BIO-2 would ensure that potential impacts to birds and their nursery sites are reduced to a less-than-significant level.

- e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Potentially Significant Unless Mitigation Incorporated)*

Tree removal in the City of Albany typically requires a permit under Section 20.48 of the City’s Municipal Code. Based on the current project plans, trees along Pierce Street and Cleveland Avenue would be affected by construction of the proposed path. Besides direct removal of trees, construction could also adversely impact the root system of trees where the grading limits of the proposed path are within the dripline of any tree canopy.

Based on a review of current project plans, LSA’s reconnaissance-level site visits, and aerial images of the project site, an estimated 70 trees would be removed or adversely affected by the proposed project. Approximately 25 acacia trees, one fruit tree, and two coast live oak seedlings may be affected along the western side of Pierce Street, at the northern end of Segment II. Approximately 41 trees may be impacted by the project at the southern end of Segment II, west of Cleveland Avenue. These trees include acacia, juniper, cypress, coast redwood, pine, coast live oak, eucalyptus, and fruit trees. One additional eucalyptus tree east of Cleveland Avenue and north of Washington Avenue, may also be affected by the proposed path.

Implementation of the following mitigation measure would ensure that the proposed project does not conflict with any local policies or ordinances protecting biological resources and that trees designated for preservation are adequately protected.

Mitigation Measure BIO-4: An arborist report shall be prepared by a certified arborist detailing the number of trees to be removed or affected and preserved within the project site. This report shall form the basis for compliance with the City’s tree ordinance, including the appropriate tree replacement ratio to be implemented by the proposed project, if determined to be necessary.

- f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or State habitat conservation plan? (No Impact)*

The proposed project would not conflict with the provisions of any adopted or other approved local, regional, or State habitat conservation plan.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES. Would the project:

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|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a) <i>Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (Potentially Significant Unless Mitigation Incorporated)</i>				

The proposed project would develop bicycle and pedestrian facilities within disturbed areas that include existing rights-of-way adjacent to existing roadways and graded vacant land. No known historical resources are located within or in the vicinity of the proposed path alignment. However, it is possible that historical resources, as defined by *CEQA Guidelines* section 15064.5, could be encountered during construction activities. Implementation of the following mitigation measure would ensure that potential impacts to historic resources that may be encountered during project activities would be reduced to a less-than-significant level.

Mitigation Measure CULT-1: Should an archaeological resource be encountered during project construction activities, the construction contractor shall halt construction in the vicinity of the find and immediately notify the City of Albany. Construction activities shall be redirected and a qualified archaeologist, in consultation with the City, shall: 1) evaluate the archaeological deposit to determine if it meets the CEQA definition of a historical or unique archaeological resource and 2) make recommendations about the treatment of the deposit, as warranted. If the deposit does meet the CEQA definition of a historical or unique archaeological resource, then it shall be avoided to the extent feasible by project construction activities. If avoidance is not feasible, then adverse effects to the deposit shall be mitigated as specified in *CEQA Guidelines* section 15126.4(b) (for historic resources) or CEQA section 21083.2 (for unique archaeological resources). This mitigation may include, but is not limited to, a thorough recording of the resource on Department of Parks and Recreation Form 523 records, or archaeological data recovery excavation. If data recovery excavation is warranted, *CEQA Guidelines* section 15126.4(b)(3)(C), which requires a data recovery plan prior to data recovery excavation, shall be followed. If the significant identified resources are unique archaeological resources, mitigation of these resources shall be subject to the limitations on mitigation measures for archaeological resources identified in CEQA sections 21083.2(c) through 21083.2(f).

b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (Potentially Significant Unless Mitigation Incorporated)*

It is possible that archaeological resources, as defined by CEQA section 21083.2(g) could be encountered during construction activities. Implementation of Mitigation Measure CULT-1 would ensure that impacts to any archaeological resources discovered during construction would be reduced to a less-than-significant level.

- c) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Potentially Significant Unless Mitigation Incorporated)*

Although there is no documentation that suggests paleontological resources are present within or in the vicinity of the project site, there is a possibility that construction activities could uncover paleontological resources beneath the surface. Implementation of the following mitigation measure would ensure that potential impacts to paleontological resources would be reduced to a less-than-significant level.

Mitigation Measure CULT-2: If paleontological resources are encountered during site preparation or grading activities, all work within 25 feet of the discovery shall be redirected until a qualified paleontologist has assessed the discoveries and made recommendations. Paleontological resources include fossil plants and animals, and evidence of past life such as trace fossils and tracks.

If the paleontological resources are found to be significant, adverse effects to such resources shall be avoided by project activities to the extent feasible. If project activities cannot avoid the resources, the adverse effects shall be mitigated. In accordance with *CEQA Guidelines* Section 15126.4(b)(3), mitigation may include data recovery and analysis, preparation of a final report, and the formal transmission or delivery of any fossil material recovered to a paleontological repository, such as the University of California Museum of Paleontology (UCMP). Upon completion of project activities, the final report shall document methods and findings of the mitigation and be submitted to the City of Albany and a suitable paleontological repository.

- d) *Disturb any human remains, including those interred outside of formal cemeteries? (Potentially Significant Unless Mitigation Incorporated)*

The potential to uncover Native American human remains exists in locations throughout California. Although not anticipated, human remains could be identified during site-preparations and grading activities, specifically within the undeveloped areas of the site, resulting in a significant impact to Native American cultural resources. Implementation of the following Mitigation Measure would reduce potential adverse impacts to human remains to a less-than-significant level.

Mitigation Measure CULT-3: If human remains are encountered during construction activities, work within 25 feet of the discovery shall be redirected and the Alameda County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation and consult with the appropriate agencies. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report shall be submitted to the City of Albany and the Northwest Information Center.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (No Impact)

Fault rupture is the displacement of the earth's surface resulting from fault movement associated with an earthquake. There are 30 known faults in the Bay Area that are considered capable of generating

earthquakes. The Hayward Fault is the nearest active fault to the project site, and is located approximately 2 miles northeast of the project site.

The project site is not located within a State of California Earthquake Fault zone for active faults (formerly referred to as Alquist-Priolo Special Study Zones). Since surface faulting or ground rupture tends to occur along previous fault lines, and identified fault lines or similar surface expressions are not located within the vicinity of the project site, construction of the proposed project would not adversely affect persons or structures due to the rupture of a known earthquake fault.

ii) Strong seismic ground shaking? (Potentially Significant Unless Mitigation Incorporated)

The project site is located in the San Francisco Bay Area, which is one of the most seismically active regions in the United States. Historically, numerous moderate to strong earthquakes have been generated in northern California by several major faults and fault zones in the San Andreas Fault Zone system. The level of active seismicity results in a classification of the San Francisco Bay Area as seismic hazard Zone 4 (the highest risk category) in the California Building Code (CBC).

As it affects a much broader area, ground shaking, as opposed to surface fault rupture, is the cause of most damage during earthquakes. Three major factors that affect the intensity of ground shaking at a site in an earthquake are: (1) the size (magnitude) of the earthquake; (2) the distance to the fault that generated the earthquake; and (3) the geologic materials that underlie the site. Thick, loose soils, such as bay mud, tend to amplify and prolong ground shaking.

The adverse impacts of seismically-generated ground shaking on infrastructure, structures, and people can be reduced to acceptable levels by incorporating appropriate seismic design standards and construction and conforming to current best standards for earthquake resistant construction per the CBC and Seismic Hazards Mapping Act.

It is acknowledged that seismic hazards cannot be completely eliminated, even with site-specific geotechnical methods and advanced building practices. However, exposure to seismic hazards is a generally accepted part of living in the seismically active areas of California. Therefore, implementation of the following mitigation measure would reduce the potential hazards associated with strong seismic ground shaking at the project site to a less-than-significant level:

Mitigation Measure GEO-1: A site specific geotechnical report shall be prepared by a qualified and licensed geotechnical engineer under contract to the City. The report shall determine the proposed project's surface geotechnical conditions and address potential seismic hazards such as ground shaking, liquefaction, landslides, lateral spreading, and expansive soils. All mitigation recommendations, design criteria, and specifications set forth in the geotechnical report shall be implemented.

iii) Seismic-related ground failure, including liquefaction? (Potentially Significant Unless Mitigation Incorporated)

Soil liquefaction is a phenomenon primarily associated with saturated soil layers located close to the ground surface that lose strength during ground shaking. Due to the loss of strength, the soil acquires "mobility" sufficient to permit both horizontal and vertical movements. Soils that are most suscepti-

ble to liquefaction are clean, loose, uniformly graded, saturated, fine-grained sands that lie relatively close to the ground surface. However, loose sands that contain a significant amount of fines (minute silt and clay fraction) may also liquefy.

Liquefaction susceptibility hazard maps provided by the Association of Bay Area Governments identify the northern portion of the project site to have a “high” liquefaction hazard level, and the southern portion of the site to have a “moderate” hazard level.¹⁴ Implementation of Mitigation Measure GEO-1 would ensure that potential impacts related to ground failure and liquefaction would be reduced to a less-than-significant level.

iv) Landslides? (Potentially Significant Unless Mitigation Incorporated)

The majority of the project site is relatively flat, sloping very gently down to the west. However, the Caltrans property is located on a steep slope, and construction of the project would require a substantial amount of grading within this area of the site. ABAG’s landslide susceptibility map identifies portions of Albany Hill, directly east of the project site, as a “Landslide Zone.” Although no area of the project site is identified as a “Landslide Zone,”¹⁵ project-related grading on the Caltrans property could increase the change of landslides on this parcel. Implementation of Mitigation Measure GEO-1 would reduce potential landslide impacts on the Caltrans property to a less-than-significant level.

b) Result in substantial soil erosion or the loss of topsoil? (Potentially Significant Unless Mitigation Incorporated)

Exposed soils on the site could be subject to erosion during construction and grading activities, particularly on the steeper Caltrans property. The potential for soil erosion exists during the period of earthwork activities and between the time when earthwork is completed and new vegetation is established or hardscape is installed. Implementation of Mitigation Measure HYDRO-1, which requires preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) for the project (see Section VIII.a, below), would reduce potential erosion impacts to a less-than-significant level.

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? (Potentially Significant Unless Mitigation Incorporated)

Subsidence or collapse can result from the removal of subsurface water resulting in either catastrophic or gradual depression of the surface elevation of the project site. The proposed project would connect to the City’s water infrastructure and would not utilize groundwater resources; therefore, subsidence or collapse of site soils is not likely.

¹⁴ Association of Bay Area Governments. 2009. Website: www.abag.ca.gov/bayarea/eqmaps/liquefac/liquefac.html. Accessed April 20.

¹⁵ Association of Bay Area Governments. 2009. Website: http://gis.abag.ca.gov/website/landslides_cgs/viewer.htm. Accessed May 4.

Lateral spreading is a form of horizontal displacement of soils toward an open channel or other “free” face, such as an excavation boundary. Lateral spreading can result from either the slump of low cohesion unconsolidated material or more commonly by liquefaction of either the soil layer or a subsurface layer underlying soil material on a slope, resulting in gravitationally driven movement. Earthquake shaking leading to liquefaction of saturated soil can result in lateral spreading where the soil undergoes a temporary loss of strength. Excavation of site soils, particularly in the area of the previously graded Caltrans property, could induce lateral spreading during project construction. As discussed in Section VI.a, the project site could be susceptible to liquefaction and landslides. Implementation of Mitigation Measure GEO-1 would ensure that potential impacts associated with landslides, lateral spreading, and liquefaction would be reduced to a less-than-significant level.

- 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? (Potentially Significant Unless Mitigation Incorporated)*

It is unknown whether soils on the site are expansive. Expansive soil undergoes changes in volume that correspond with changes in water content (i.e., expansive soil shrinks when dry and swells when wet). Expansive soils on the project site could result in differential soil movement and resultant damage to the proposed bike and pedestrian path could result in differential soil movement and resultant damage to the proposed path and accessory structures (i.e., lighting fixtures, signs, etc). Implementation of Mitigation Measure GEO-1 would ensure that potential impacts associated with expansive soils, if present at the site, would be reduced to a less-than-significant level.

- e) *Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? (No Impact)*

The proposed bicycle and pedestrian path would not require the treatment or disposal of wastewater; therefore, the proposed project would have no impacts associated with soils incapable of supporting alternative wastewater disposal systems.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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VII. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) <i>Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Less-than-Significant Impact)</i>				

Although small quantities of commercially-available hazardous materials could be used during project construction activities (e.g., oil, gasoline, paint) and for landscape maintenance within the project site, these materials would not be used in sufficient quantities to pose a threat to human or environmental health. Therefore, development of the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

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? (Potentially Significant Unless Mitigation Incorporated)*

Development of the proposed project would not result in the release of substantial quantities of hazardous materials into the environment. However, site soils may contain elevated concentrations of lead or other contaminants that could pose a hazard to construction workers during excavation and

grading activities at the site, particularly within the undeveloped areas of the Caltrans property or within open areas adjacent to project roadways. Lead alkyl compounds were first added to gasoline in the 1920s. Beginning in 1973, the Environmental Protection Agency (EPA) ordered a gradual phase out of lead from gasoline that significantly reduced the prevalence of lead by the mid-1980s.¹⁶ Soils adjacent to major roadways often contain elevated concentrations of aerially-deposited lead. The lead deposition is the result of airborne particulates and surface water runoff associated with tailpipe emissions prior to the time lead was phased out of vehicle fuels.¹⁷ Lead has commonly been found within 30 feet of the edge of pavement and within the top six inches of soil.¹⁸

A portion of the proposed pathway, on the western edge of the Caltrans property, would be located within 30 feet of I-80, a heavily-trafficked highway; I-580, another heavily-trafficked highway, is located just west of I-80. Exposed surface soils on properties located adjacent I-80 may contain elevated concentrations of lead, which is a state-recognized carcinogen (causes cancer) and reproductive toxicant (causes birth defects or other reproductive harm).¹⁹ Exposure of construction workers to lead in soils during grading and construction could result in adverse health effects, depending on the duration and extent of exposure. However, implementation of the following mitigation measure would ensure that potential impacts associated with contaminated site soils would be less than significant.

Mitigation Measure HAZ-1: Prior to earthworking and construction activities, the City shall use reasonable means to determine the presence of soil and/or groundwater contamination associated with the potential for aerially-deposited lead within site soils that are in proximity to the I-80 corridor (Segment II). Those reasonable means may consist of soil and/or groundwater sampling, and/or conducting a Phase I Environmental Site Assessment (ESA). A qualified environmental professional (e.g., Professional Geologist, Professional Engineer) shall complete this investigation with oversight from a regulatory agency (e.g., Alameda County Department of Environmental Health). Where the results of the studies indicate that soil and/or groundwater contamination is present, any necessary remediation and/or subsequent documentation shall be conducted in accordance with the recommendations of the Phase I ESA or soil sampling results. The findings of the investigation(s) shall be documented in a written report and shall be submitted to the regulatory oversight agency.

- c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (**Less-than-Significant Impact**)*

Ocean View Elementary School (1000 Jackson Street) and MacGregor High School (720 Jackson Street) are located within one quarter mile of the project site. The proposed project does not include facilities that would result in emissions of hazardous materials or the regular handling of hazardous waste. Hazardous materials, including pesticides, fuels, and paint, could be used temporarily on the

¹⁶ California Department of Toxic Substances Control, 2004. *Draft Lead Report*. August.

¹⁷ California Department of Toxic Substances Control, 2000a. *Variance No. 00-H-VAR-01*. September 22.

¹⁸ California Department of Toxic Substances Control, 2000b. *Fact Sheet, Variance for Caltrans Districts 4,6,7,8,10,11,12 for Reuse of Lead-Contaminated Soils*.

¹⁹ Cal/EPA, Office of Environmental Health Hazard Assessment, Safe Drinking Water and Toxic Enforcement Act of 1986, 2007. *Chemicals Known to the State to Cause Cancer or Reproductive Toxicity*. June 1.

site during the construction period. However, the use of these materials would not pose a hazard to students at schools in the vicinity of the project site.

- 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, would it create a significant hazard to the public or the environment? (No Impact)*

The project site is not located on the list of hazardous materials sites prepared pursuant to Government Code Section 65962.5²⁰ and would not pose a significant health hazard to the public or environment.

- 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, would the project result in a safety hazard for people residing or working in the project area? (No Impact)*

Oakland International Airport, which is the closest airport to the project site, is located approximately 12 miles southeast of the site. The proposed project would not be located in an airport land use plan or within 2 miles of a public or public use airport. Therefore, development of the proposed project would not expose people to airport-related hazards.

- f) *For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (No Impact)*

The project site is not located within the vicinity of a private airstrip. Therefore, development of the proposed project would not expose people to airport-related hazards.

- g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Less-than-Significant Impact)*

The proposed project would enhance pedestrian and bicycle access and circulation in the vicinity of the project site, and would improve the ability of bicyclists and pedestrians to travel in the event of an emergency or evacuation. Development of the proposed project would not impair the implementation of or substantially interfere with an adopted emergency response plan or emergency evacuation plan.

- h) *Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Less-than-Significant Impact)*

According to ABAG maps of wildland fire risk areas, the project site is located in a “fire threatened community.”²¹ The project, which would develop bicycle and pedestrian facilities on existing rights-of-way and vacant land, would not introduce inappropriate uses or materials to the site – for example, introducing housing or a large amount of fire-susceptible vegetation to the site – that would increase the risk of wildland fires on the site. Therefore, this impact would be less than significant.

²⁰ California Department of Toxic Substances Control, 2009. Website: www.dtsc.ca.gov/SiteCleanup/CorteseList.cfm. Accessed April 20.

²¹ Association of Bay Area Governments, 2009. *Wildland Urban Interface-Fire Threatened Communities*. Website: www.quake.abag.ca.gov. Accessed April 20.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" 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., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding of as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) ***Violate any water quality standards or waste discharge requirements? (Potentially Significant Unless Mitigation Incorporated)***

Runoff water quality is regulated by the National Pollutant Discharge Elimination System (NPDES) Program (established through the Clean Water Act). The NPDES program objective is to control and reduce pollutants to water bodies from stormwater and non-stormwater discharges. Locally the NPDES program is administered by the Water Board. The Water Board has conveyed responsibility for implementation of stormwater regulations in the vicinity of the project site to the Alameda Countywide Clean Water Program (ACCWP).²² The ACCWP maintains compliance with the NPDES Permit and promotes stormwater pollution prevention within that context. Compliance with the NPDES Permit is mandated by state and federal statutes and regulations. Participating agencies (including the City of Albany)²³ must comply with the provisions of the County permit by ensuring that new development and redevelopment mitigate water quality impacts to stormwater runoff both during construction and operation periods of projects. The required stormwater management provisions are described in Water Board Order R2-2003-0021 (NPDES Permit No. CAS0029831).²⁴

New development and significant redevelopment projects that that would create or replace more than 10,000 square feet of impervious surface are subject to Provision C.3 of the Water Board order. The proposed project would create approximately 37,000 square feet of impervious surface and therefore would be required to meet all the terms of the permit.

During the construction period, grading and excavation activities would result in exposure of soil to runoff, potentially causing erosion and entrainment of sediment and contaminants in the runoff. Soil stockpiles and excavated areas on the project site would be exposed to runoff and, if not managed properly, the runoff could cause erosion and increased sedimentation and pollutants in stormwater.

The potential for chemical releases is present at most construction sites given the types of materials used, including fuels, oils, paints, and solvents. In addition, as described in Section VII.b, soils on the site may have been affected by aerially-deposited lead from I-80 and I-580. Site grading during the construction period could result in releases of contaminants in site soils. Once released, these substances could be transported to San Francisco Bay in stormwater runoff, wash water, and dust control water, potentially reducing water quality. Erosion of contaminated soils could result in the transport of pollutants (along with the sediments) to the Bay. The proximity of the project site to the Bay reduces the chances that the pollutants would be naturally attenuated in a standard-design storm

²² Alameda Countywide Clean Water Program (ACCWP). Program Information, www.cleanwaterprogram.com/aboutus_home.htm, (accessed April 2, 2009).

²³ City of Albany, 2009. Urban Runoff Program, www.albanyca.org/index.aspx?page=505, (accessed April 3, 2009).

²⁴ Water Board, 2003. Alameda Countywide NPDES Municipal Stormwater Permit, Order R2-2003-0021, www.waterboards.ca.gov/sanfranciscobay/board_decisions/adoporders.shtml, (accessed April 2, 2009).

drainage system prior to discharge to the Bay. Implementation of the following mitigation measure would ensure that potential impacts to water quality during construction and operation of the proposed project would be reduced to a less-than-significant level.

Mitigation Measure HYDRO-1: The project contractor shall comply with the City of Albany Municipal Code relating to grading projects, erosion control, and discharge regulations and requirements (Chapter XX, Section 15-4.7). In addition, the construction contractor shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) designed to reduce potential impacts to surface water quality through the construction of and life of the project. The SWPPP shall act as the overall program document designed to provide measures to mitigate potential water quality impacts associated with the implementation and operation of the proposed project. The SWPPP shall include:

- 1) Specific and detailed Best Management Practices (BMPs) designed to mitigate construction-related pollutants. Specific and detailed BMPs included in the SWPPP shall include practices to minimize the contact of construction materials, equipment, and maintenance supplies (e.g. fuels, lubricants, paints, solvents, adhesives) with stormwater. The SWPPP shall specify properly designed centralized storage areas that keep these materials out of the rain.
- 2) Specific BMPs designed to reduce erosion of exposed soil that may include, but are not limited to: soil stabilization controls, watering for dust control, perimeter silt fences, placement of hay bales, and sediment basins. The potential for erosion is generally increased if grading is performed during the heavy rainy season, as disturbed soil can be exposed to rainfall and storm runoff. If grading must be conducted during the rainy season, the primary BMP's selected shall focus on erosion control (i.e., keeping sediment on the site). End-of-pipe sediment control measures (e.g., basins and traps) shall be used only as secondary measures. Entry and egress from the construction site shall be carefully controlled to minimize off-site tracking of sediment. Vehicle and equipment wash-down facilities shall be designed to be accessible and functional both during dry and wet conditions.
- 3) A monitoring program to be implemented by the construction site supervisor that included both dry and wet weather inspections.
- 4) Measures designed to mitigate potential water quality degradation of runoff from all portions of the completed development.

The proposed project would result in discharge of a relatively minimal amount of urban pollutants to stormwater runoff. Runoff from landscaped areas at the site may contain residual pesticides and nutrients. Impacts associated with potential discharge of pollutants related to the operational phase of the project would be reduced to a less-than-significant level with implementation of the following mitigation measure.

Mitigation Measure HYDRO-2: The City of Albany shall ensure that the proposed project drainage design meets all the requirements of the current Countywide NPDES Permit (NPDES Permit No. CAS0029831). The drainage plan shall include features and operational Best Management Practices to reduce potential impacts to surface water quality associated with operation of the project. These features shall be included in the project drainage plan and final development drawings. Specifically, the final design shall include measures designed to

mitigate potential water quality degradation of runoff from all applicable portions of the completed development. In general, “passive,” low-maintenance BMPs (e.g., stormwater planters, grassy swales, pervious pavements) are preferred over active filtering or treatment systems.

The final design team for the project shall review and incorporate as many concepts as practicable from *Start at the Source, Design Guidance Manual for Storm Water Quality Protection*²⁵ and the California Storm water Quality Association’s *Storm Water Best Management Practice Handbook, Development and Redevelopment*, and the Alameda County Clean Water Program (ACCWP) technical guidelines. The City Public Works Department shall review and approve the drainage plan prior to project construction.

- 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., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Less-than-Significant Impact)*

The proposed project would not require the use or extraction of groundwater. Although the project would introduce new impervious surfaces to vacant and landscaped rights-of-way along the proposed path alignment, stormwater would generally drain into landscaped and other pervious areas on either side of the 8-foot wide path, allowing continued groundwater recharge in the area. Therefore, the project would not substantially deplete groundwater supplies or interfere with groundwater recharge.

- 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 substantial erosion or siltation on- or off-site? (Less-than-Significant Impact)*

The proposed project would not alter the course of Cerrito Creek, which abuts the northern end of the project site, nor would the project involve extensive earth-shaping operations or other activities near Cerrito Creek (most project-related grading would occur on the Caltrans property) that would cause increased erosion/siltation or flooding of the creek. The project site exhibits a slight sloping pattern from east to west, and surface runoff from the site drains to San Francisco Bay. The introduction of impermeable surfaces to sections of the project site would not substantially alter the drainage pattern of the area, such that substantial on- or off-site erosion/siltation or flooding would occur.

- 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 runoff in a manner which would result in flooding on- or off-site? (Less-than-Significant Impact)*

Refer to Section VIII.c. The project would not substantially alter the existing drainage or flooding pattern of the site.

²⁵ Bay Area Storm Water Management Agencies Association, 1999. *Start at the Source, Design Guidance Manual for Storm water Quality Protection*.

- e) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Potentially Significant Unless Mitigation Incorporated)*

Please refer to Sections VII.a and VII.c. Implementation of Mitigation Measures HYDRO-1 and HYDRO-2 would ensure that potential impacts associated with polluted runoff from the project site would be reduced to a less-than-significant level. In addition, the drainage pattern of the site would not be substantially altered and stormwater would generally drain into landscaped and other pervious areas on either side of the 8-foot wide pathway; therefore, the proposed project would not exceed the capacity of the stormwater system.

- f) *Otherwise substantially degrade water quality? (Less-than-Significant Impact)*

Aside from potential impacts related to construction activities and post-construction site uses (see Section VII.a), the proposed project would not adversely affect water quality.

- g) *Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (No Impact)*

The proposed project does not include housing. Therefore, the placement of housing in a floodplain would not occur.

- h) *Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Less-than-Significant Impact)*

The northern edge of the project site that abuts Cerrito Creek is located within the 100-year flood hazard area for the creek.²⁶ This area of the site consists of the existing, paved Pierce Street right-of-way. The project, which would develop bicycle and pedestrian facilities, would not result in the placement of structures in an area prone to flooding that could impede or redirect flood flows.

- i) *Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding of as a result of the failure of a levee or dam? (Less-than-Significant Impact)*

The southern portion of Cleveland Avenue is located within a Dam Failure Inundation Area for Berryman Reservoir.²⁷ Although development of the project could result in a small increase in the number of bicyclists and pedestrians in the area, the increase in the number of people exposed to flooding risks as a result of a failure of a levee or dam on the site would be small, and would not be considered significant. Therefore, this impact would be less-than-significant.

²⁶ Association of Bay Area Governments, 2009. *Flood Hazard Areas*. Website: www.abag.ca.gov/bayarea/eqmaps/eqfloods/floods.html. Accessed May 28.

²⁷ Association of Bay Area Governments, 2009. *Dam Failure Inundation Areas*. Website: www.abag.ca.gov/bayarea/eqmaps/damfailure/damfail.html. Accessed May 27.

j) *Inundation by seiche, tsunami, or mudflow? (Less-than-Significant Impact)*

The project site is not located near any large open bodies of water; therefore, impacts associated with seiches would not occur. Although the project site is located near San Francisco Bay, coastal hazards such as tsunamis, extreme high tides, and sea level rise would not adversely affect the project site. Although some areas of the project site are on a slope, the site would be graded and retaining walls would be installed along the alignment, where appropriate. Therefore, the new pathway would not likely be affected by mudflows.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Physically divide an established community? (Less-than-Significant Impact)*

The physical division of an established community typically refers to the construction of a physical feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying area.

The project would enhance pedestrian and bicycle access through Albany and would improve connectivity between the Cerrito Creek Trail, the San Francisco Bay Trail (via the Buchanan Street overcrossing), and the Ohlone Greenway further to the east. Therefore, the proposed project would not physically divide an established community and would result in an overall benefit to community integrity and connectivity.

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? (Less-than-Significant Impact)*

The proposed project is consistent with the City of Albany General Plan (Bikeways section of the Circulation Element) and Zoning Ordinance. Pierce Street is classified as a Collector street in the

General Plan, while Cleveland Avenue is classified as a Local street. Undeveloped areas of the site are designated as Commercial Service Light Industrial or are unclassified. The unclassified areas adjacent to the existing freeway were formerly part of the freeway and ramp alignment. The majority of the project site consists of collector and local roadways which are not classified on the City's Zoning Map. Undeveloped areas of the site are zoned Commercial Mixed Use (CMX) or are unclassified. Development of the proposed bicycle and pedestrian path within existing rights-of-way and adjacent to the existing freeway would not be inconsistent with existing General Plan or zoning designations for the site alignment.

The proposed project is also consistent with other planning documents. By providing a designated bicycle/pedestrian path along the proposed site alignment, the project is consistent with the Master Bicycle Plan (Section 3 Goals, Objectives, and Standards) and the Alameda Countywide Bicycle Plan (Chapter 3 Goals and Policies). The Pierce Street bicycle lanes are identified as Priority 8 in the Albany Master Bicycle Plan (Table 1, Bicycle System Improvements and Priorities). Also refer to Section XV.g, below, which provides a detailed discussion of the project's consistency with adopted plans and programs supporting alternative transportation.

For the reasons listed, above, the proposed project would not conflict with plans or policies adopted for the purpose of avoiding or mitigating an environmental effect.

- c) *Conflict with any applicable habitat conservation plan or natural community conservation plan? (No Impact)*

No habitat conservation plan or natural community conservation plan exists for the project site.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
X. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) <i>Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State? (No Impact)</i>				

The Albany General Plan²⁸ does not identify mineral resources within the City. No known mineral resources are located on or adjacent to the project site.

²⁸ City of Albany, 1992. *City of Albany General Plan and Final EIR*. December 7.

- b) *Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (No Impact)*

No locally important mineral resource recovery sites are delineated by the Albany General Plan for the project site. Development of the proposed project would not result in an impact to mineral resources.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) <i>Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Less-than-Significant Impact)</i>				

The proposed project would encourage pedestrian and bicycle use and improve access and connectivity within the City of Albany. The majority of the project site is already subject to motor vehicle use, and the project would not increase vehicle trips or introduce other generators of high noise levels to the site. Therefore, the project would not expose persons to or generate high noise levels in excess of established standards.

- b) *Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels? (**Less-than-Significant Impact**)*

Construction of the proposed project would require excavation and earthwork activities. Repaving activities would also occur adjacent to residential areas. Although these activities could result in infrequent periods of high noise, this noise would not be sustained and would occur only during the temporary construction period. No pile driving or other construction activity that would generate very high noise levels or ground borne vibration would occur. Project construction would comply with Section 8-1.7g.1 of the City's Municipal Code which regulates the hours of construction activities. Construction activities would be restricted to the hours of 8:00 a.m. to 6:00 p.m. Mondays through Saturdays and 10:00 a.m. to 6:00 p.m. on Sundays and legal holidays, unless otherwise approved by the City Engineer. Therefore, the proposed project would not expose people to or generate excessive ground-borne vibration or noise and the temporary increase in noise levels during the construction period would be less than significant.

- c) *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (**Less-than-Significant Impact**)*

The proposed project would introduce new bicycle and pedestrian users to the project site. These users would not generate an increase in ambient noise levels. Much of the path alignment is already subject to motor vehicle traffic, and is adjacent to a busy freeway. Construction-related noise levels would be temporary in nature and no long-term increase in ambient noise levels would result from development of the proposed project.

- d) *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (**Less-than-Significant Impact**)*

Construction activities on the site would increase ambient noise levels during the construction period. However, this increased noise level would be temporary, and would occur in association with excavation, earthwork, and paving activities, would be intermittent and short term, and would be less-than-significant.

- 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, would the project expose people residing or working in the project area to excessive noise levels? (**No Impact**)*

Oakland International Airport, which is the closest airport to the project site, is located approximately 12 miles southeast of the site. The proposed project would not be located in an airport land use plan or within 2 miles of a public or public use airport. Development of the proposed project would not expose persons within the project site to high levels of airport-related noise.

- f) *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (**No Impact**)*

The project site is not located within the vicinity of a private airstrip. Development of the proposed project would not expose persons within the project site to high levels of airport-related noise.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (No Impact)*

Development of the proposed project would result in the development of bicycle and pedestrian facilities, and would not directly or indirectly induce population growth.

b) *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (No Impact)*

No housing is located within the project site. Development of the proposed project would not remove existing housing.

c) *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (No Impact)*

There are currently no residential units or residents within the project site. Development of the project would not displace substantial numbers of people requiring the construction of replacement housing elsewhere.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIII. PUBLIC SERVICES.

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

i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

i) Fire protection? (Less-than-Significant Impact)

The City of Albany Fire Department serves as the first responder to emergency fire calls to the project site. The Albany Fire Station (1000 San Pablo Avenue) is located approximately 0.7 miles east of the project site. The Fire Station is currently undergoing seismic retrofitting, and a temporary station is located at 1051 Monroe Street, which is located approximately 0.7 miles southeast of the project site.

The Albany Fire Department has 18 full-time employees.²⁹ Ambulance service in Albany is provided by American Medical Response, and the closest ambulance to the project site is stationed with the Fire Department. The Fire Department’s average City-wide response time to emergency calls is between 2 and 3 minutes. The Department’s average City-wide response time to non-emergency calls is 3 to 5 minutes.³⁰ The Fire Department has a mutual aid agreement with neighboring fire

²⁹ McGinn, Marc, 2009. City of Albany, Fire Chief. Personal communication with LSA Associates, Inc. April 9.

³⁰ Sanders, James, 2009. City of Albany, Fire Fighter/Paramedic. Personal communication with LSA Associates, Inc. March 30.

departments and districts, which ensures provision of fire services at appropriate levels even during periods of unusually high activity.

The proposed project would result in the development of bicycle and pedestrian facilities within existing rights-of-way and undeveloped land, and would include minor landscaping. The site would continue to be adequately served by the Albany Fire Department. Roadway widths on Pierce Street would be narrowed to City minimum standard and would not impair emergency access to residential units in the vicinity of the site. Therefore, the project would result in a less-than-significant impact to fire protection services.

ii) Police protection? (Less-than-Significant Impact)

The Albany Police Department provides police services to the project site. The Albany Police Station (1000 San Pablo Avenue) is located approximately 0.7 miles east of the project site. Like the City's Fire Station, the Police Station is also currently undergoing seismic retrofitting, and operating out of a temporary station at 1051 Monroe Street. The Police Department currently has approximately 27 sworn officers and its City-wide average response time to emergency calls is under 5 minutes.³¹

The proposed project would develop bicycle and pedestrian facilities on existing rights-of-way and vacant land that are adequately served by the Albany Police Department. Development of the project would result in a moderate increase in the number of bicyclists and pedestrians on the project site, but this increase would not require the construction of new police facilities to serve the site. In addition, project lighting and landscaping would be situated such that the pathway is well-lit and visible, and such that it would not create an increased need for police patrols in the area. Therefore, the project would result in a less-than-significant impact to police services.

iii) Schools? (No Impact)

The proposed project does not involve the construction of housing or employment-generating facilities. Therefore, it would not increase demand for school services.

iv) Parks? (Less-than-Significant Impact)

The proposed project includes development of new bicycle and pedestrian facilities in the City of Albany. Development of the project would increase connections between existing recreational facilities and parks in the vicinity of the site; however, an increase in the usage of these facilities is unlikely. It is anticipated that bicyclists and pedestrians that would use the path to visit other parks and recreational facilities in the area would either use alternate routes or another mode of transportation to visit these facilities without the availability of the new path. Therefore, the proposed project would not result in deterioration of recreational facilities.

³¹ McQuiston, Mike, 2009. City of Albany, Chief of Police. Personal communication with LSA Associates, Inc. April 1.

v) *Other public facilities? (No Impact)*

The proposed project bicycle and pedestrian facilities would not increase demand for other public facilities, such as libraries, beyond those discussed above.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. RECREATION.				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) <i>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? (Less-than-Significant Impact)</i>				

As noted in XIII.a.iv, the proposed project would not result in an increase in park usage. The project is intended to increase bicycle and pedestrian connectivity between existing trails, including the San Francisco Bay Trail, the Cerrito Creek Trail, and the Ohlone Greenway. Because the project would provide enhanced access to these other trails in the vicinity of the project site, use of these facilities could increase. However, the increase in use resulting from development of the proposed project would not cause physical deterioration of existing local and regional trail facilities, and thus would result in a less-than-significant impact.

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? (Less-than-Significant Impact)*

The proposed bicycle and pedestrian path is a recreational facility. As noted in XIV.a, the proposed project would not substantially increase use of local recreational facilities, and would not require the construction or expansion of recreational facilities. Therefore, the project would not have a significant impact on recreational facilities.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. TRANSPORTATION/TRAFFIC. Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency or designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) <i>Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (Potentially Significant Unless Mitigation Incorporated)</i>				

The proposed pavement rehabilitation and pathway is a capital project that helps maintain the City's existing investment in public roads as well as promotes alternative modes of transportation. It would not generate new vehicle trips. Therefore, it would not result in any new traffic that could exceed the capacity of the street system.

Although the proposed project itself would not generate new vehicle trips, construction of the project could result in a temporary increase in traffic volumes during construction activities. Construction is anticipated to take approximately 6 months. Construction activities would be restricted to the hours of 8:00 a.m. to 6:00 p.m. Mondays through Saturdays and 10:00 a.m. to 6:00 p.m. on Sundays and legal holidays, unless otherwise approved by the City Engineer. The proposed project is not anticipated to affect traffic on the adjacent streets during the construction phase. However, if street closures are required along Pierce Street, traffic from Pierce Street could be temporarily rerouted to adjacent

roadways such as Cleveland Avenue. Implementation of the following mitigation measure would reduce the impact of construction traffic on the adjacent roadways to a less-than-significant level.

Mitigation Measure TRANS-1: Prior to construction, the City shall develop a construction traffic management plan that specifies measures that would reduce impacts to motor vehicle, bicycle, pedestrian, and transit circulation. The construction traffic management plan shall include the following:

- Disclosure of all planned construction activity (such as provisions for staging, grading, and trash removal) and duration.
- Location of construction staging areas for materials, equipment, and vehicles.
- Anticipated number of truck trips, truck routes, employees, and employee parking locations.
- Identification of haul routes for movement of construction trucks and vehicles that would minimize impacts on vehicular and pedestrian traffic, circulation and safety, and provision for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks can be identified and corrected by the City or construction contractor.
- Notification procedures for adjacent property owners and public safety personnel regarding when major project-related deliveries, detours, and lane closures will occur.
- Procedures for trash pick up, deliveries, and move-ins at the residential communities on the east side of Pierce Street during construction activities.
- A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an on-site complaint manager.

The measures outlined in the construction plans shall be devised to reduce circulation impacts during the construction period to the maximum extent possible.

With implementation of a construction traffic management plan, the increase in traffic associated with the project would be less than significant.

b) *Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (**Less-than-Significant Impact**)*

Interstates 80 and 580 and San Pablo Avenue (State Route 123 [SR-123]) are the Alameda County Congestion Management Program (CMP) roadways in the vicinity of the project site. Although these facilities are located within 2,000 feet of the proposed bicycle/pedestrian path, the project will not generate new vehicle trips. The proposed project would generate some temporary trips associated with construction. The number of construction workers, truck trips per day, and the truck routes are not known at this time, but they would be temporary, limited to portions of the construction period. These details would be disclosed in the construction traffic management plan that would be developed for the project with as required by Mitigation Measure TRANS-1. The implementation of Mitigation Measure TRANS-1 would reduce construction-related traffic impacts to the maximum extent possible during the construction period. Because the project would not add permanent vehicle

trips to these facilities, the project will have a less-than-significant impact on these CMP locations.

- 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? (No Impact)*

The project is not located in the vicinity of any airfields or airports. Oakland International Airport, which is the closest airport to the project site, is located approximately 12 miles southeast of the site. Air traffic patterns would not be affected.

- d) *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Less-than-Significant Impact)*

The proposed project would not increase hazards due to design features. The project would provide a designated path for bicycles and pedestrians ensuring safety and separation from vehicular traffic on Pierce Street and Cleveland Avenue. This bicycle/pedestrian path would be designed according to City and Caltrans standards. The proposed project includes a widened sidewalk/Class I bicycle path on the west side of Pierce Street from the northern City limits to the south end of 555 Pierce Street (Segment I); three raised crosswalks across Pierce Street; two bus turnouts with provisions for two bus shelters; and narrower travel lanes (reduced southbound lane from 20 to 12 feet and southbound lane from 14 to 12 feet).

Although the proposed project would narrow Pierce Street travel lanes to 12 feet in each direction, this conforms to the City's standard lane width. The narrower travel lanes and the raised crosswalks would generally reduce travel speeds on Pierce Street which, in turn, would improve overall pedestrian safety and safety for vehicles backing out of the diagonal parking spaces. The provision of bus turnouts would also improve safety for loading and unloading of passengers. In addition, other project improvements, such as the recontoured section of Albany Hill and addition of a limited loading/unloading zone on the east side of Pierce Street would improve site distance and safety in the area, especially for residents exiting the Gateview complex driveways.

The construction timing and phasing of Segment II of the proposed pathway is not currently known. Although it is likely that Segment I would be completed well before Segment II, the interim terminus of the Class I facility (where Pierce Street meets the Caltrans property) would not pose a safety hazard to pedestrians and cyclists using Segment I of the pathway, or to motorists traveling on Pierce Street. The raised crosswalk at the south end of the Gateview complex would provide an interim opportunity for pedestrians to transition from the new Class I path to the existing sidewalk along the east side of Pierce Street, while bicyclists could continue south on Pierce Street, as they would currently. Conditions on Pierce Street, south of the terminus of Segment I, would not be altered from current conditions and construction and operation of this segment prior to completion of Segment II would not require pedestrians or bicyclists to unsafely enter the roadway, posing a hazard to motorists. Therefore, the proposed project would not increase hazards in the area.

e) *Result in inadequate emergency access? (No Impact)*

The proposed project would not result in inadequate emergency access. Emergency access to the project is provided via Pierce Street, Cleveland Avenue, Washington Avenue, Solano Avenue, Johnson Street, and Buchanan Avenue. The raised pedestrian crosswalks proposed as part of the project would be designed so that emergency vehicle response times would not be significantly affected and emergency vehicle travel on Pierce Street will not be impeded. All roadway widths would be sufficient to accommodate fire trucks, as much of the east side of Pierce Street is a restricted curb for emergency vehicles. Therefore, the proposed project would not result in inadequate emergency access.

f) *Result in inadequate parking capacity? (Less-than-Significant Impact)*

The west side of Pierce Street currently provides 73 diagonal parking spaces for public use. These spaces are heavily utilized by residents and guests of Bayside Commons, Bridgewater, and Gateview Condominiums at 535, 545, and 555 Pierce Street. The Gateview Condominiums (555 Pierce Street) were approved with one parking space per dwelling unit and do not provide adequate parking, per current City standards. The Bridgewater Condominiums (545 Pierce Street) and the Bayside Commons development provide adequate on-site parking in accordance with the City's parking requirements outlined in City Code Section 20.28.030.A (two spaces per dwelling unit). As approved, the Gateview complex is a legal non-conforming use with a substandard on-site parking supply. Although the reduction of up to 3 diagonal parking spaces could affect the ability of Gateview, Bridgewater, and Bayside Commons residents and guests to locate overflow parking spaces, the public spaces along Pierce Street are not assigned or designated for the adjacent residential developments. Based on the off-street parking regulations of the City Code, it is the responsibility of the condominium communities to provide adequate on-site parking. The removal of 3 diagonal parking spaces would not be considered significant. The proposed project would provide ADA accessibility and two bus pads/stops on the west side of Pierce Street to facilitate and improve mobility and transit in the area. Therefore, the project would have a less-than-significant impact on parking capacity.

g) *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Less-than-Significant Impact)*

The proposed project would not conflict with any adopted policies or programs. The proposed project is clearly identified in the Cerrito Creek Bay Trail Connector Feasibility Study³² and the City of Albany Pierce Street Bicycle Facility Assessment,³³ and is consistent with their results and recommendations. By providing a designated bicycle/pedestrian path along Pierce Street, Caltrans property, and Cleveland Avenue, the project is also consistent with the Albany General Plan (Bikeways section of the Circulation Element), Master Bicycle Plan (Section 3 Goals, Objectives, and Standards) and the Alameda Countywide Bicycle Plan (Chapter 3 Goals and Policies). The Pierce Street bicycle lanes are identified as Priority 8 in the Albany Master Bicycle Plan (Table 1, Bicycle System Improvements and Priorities). The Bicycle Master Plan identifies Pierce Street for potential Class II or III facilities, pending further study. Installation of a Class I facility along the length of the

³² Alta Planning + Design, 2004. *Cerrito Creek Bay Trail Connector Feasibility Study*. January.

³³ Wilbur Smith Associates, 2005. *City of Albany Pierce Street Bicycle Facility Assessment*. June 27.

proposed alignment would not only implement but would also would improve upon this vision by providing a safer and more visually desirable route for use by both bicyclists and pedestrians. In addition, consideration and planning of this specific route has been underway for approximately 5 years and the City recognizes the need to provide additional routes and alternative transportation within Albany. The project would create a viable alternative to the automobile, reduce vehicle trips, improve existing bikeway facilities in the City and County, and promote a bicycle system that meets the needs of commuter and recreation users. With the addition of two bus stops along Pierce Street, the project will also encourage the use of transit. The proposed project is not anticipated to interfere with existing bus routes or other means of transportation. Therefore, the proposed project would not conflict with, but would actually implement, adopted policies, plans, and programs supporting alternative transportation.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, State, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (No Impact)*

The proposed project would not increase the demand for wastewater treatment and would therefore not compromise the treatment standards of the Water Board.

- 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? (Less-than-Significant Impact)*

Development of the proposed project would not generate wastewater or require the use of substantial quantities of water. A small increase in water use would occur with landscape irrigation. However, the project would not require the construction of new wastewater or water facilities, or the expansion of existing facilities.

- 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? (Less-than-Significant Impact)*

Refer to VIII.e. The proposed project would not generate a substantial quantity of runoff that would exceed the capacity of stormwater drainage systems that serve the site.

- d) *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Less-than-Significant Impact)*

Development of the proposed project could require small amounts of water for landscape irrigation. Existing water entitlements would be sufficient to supply water to the project.

- e) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (No Impact)*

The proposed project would not result in an increase in demand for wastewater treatment.

- f) *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Less-than-Significant Impact)*

Development of the proposed project could result in the generation of relatively small quantities of solid waste associated with bicycle and pedestrian uses. Existing landfills would have sufficient capacity to accommodate this potential minor increase in solid waste.

- g) *Comply with federal, State, and local statutes and regulations related to solid waste? (Less-than-Significant Impact)*

Recycling receptacles would be provided along the proposed bicycle and pedestrian trail, as required, in accordance with all statutes and regulations related to solid waste.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVII. MANDATORY FINDINGS OF SIGNIFICANCE.

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|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| 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, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input checked="" 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.) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- 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, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? (Potentially Significant Unless Mitigation Incorporated)*

Development of the proposed project could adversely affect protected wildlife habitats. However, implementation of Mitigation Measures BIO-1 and BIO-2 would ensure that potential impacts to nesting birds and burrowing owls would be reduced to a less-than-significant level. Implementation of Mitigation Measures CULT-1, CULT-2, and CULT-3 would ensure that potential impacts to cultural resources would also be reduced to a less-than-significant level. With mitigation, development of the proposed project would not: 1) degrade the quality of the environment; 2) substantially reduce the habitat of a fish or wildlife species; 3) cause a fish or wildlife species population to drop below self-sustaining levels; 4) threaten to eliminate a plant or animal community; 5) reduce the number or restrict the range of a rare or endangered plant or animal; or 6) eliminate important examples of the major periods of California history.

- 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.) (Less-than-Significant Impact)*

The proposed project’s impacts are individually limited and not cumulatively considerable. In addition, most of the project’s impacts result from construction-period activities and would be temporary. The project would result in the development of pedestrian and bicycle facilities that would provide increased connectivity between existing trails, including the San Francisco Bay Trail, the Cerrito Creek Trail, and the Ohlone Greenway. All environmental impacts that could occur as a result of the proposed project would be reduced to a less-than-significant level through implementation of the Mitigation Measures recommended in this document.

- c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (No Impact)*

The proposed project would not result in any environmental effects that would cause substantial direct or indirect adverse effects to human beings.

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C. CONTACTS

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