



# CITY OF BERKELEY ENVIRONMENTAL INITIAL STUDY

- 1. Project Title:** City of Berkeley Climate Action Plan
- 2. Lead Agency Name and Address:** City of Berkeley
- 3. Contact Person and Phone Number:**  
Dan Marks, Director of Planning and Development; 510-981-7400
- 4. Project Location:** Citywide
- 5. Project Sponsor's Name and Address:**  
City of Berkeley  
Office of Energy and Sustainable Development  
2120 Milvia Street  
Berkeley, CA 94704
- 6. General Plan Designation:** All
- 7. Zoning:** All
- 8. Description of Project:**

The proposed project is the adoption of a policy document, the Climate Action Plan intended to provide policy direction and actions the City and the community can take to significantly reduce the generation of Greenhouse Gases (GHG) consistent with the direction adopted by the voters in 2006 to reduce GHG emissions in the City of Berkeley by 80% by 2050.

The purpose of the plan is to guide the development, enhancement, and ultimately the implementation of actions that aggressively cut Berkeley's greenhouse gas emissions. The plan does the following:

- Describes where Berkeley's GHG emissions come from
- Provides an estimate of how those emissions could be expected to grow
- Recommends goals, policies and actions that we as a community can implement to achieve GHG reductions and other community benefits such as increased green job opportunities and improved public health
- Provides a timeline for the plan's implementation, including identifying existing and potential costs and funding sources

- Defines a strategy for turning this plan into action and transparently tracking and reporting progress toward our goal.

The Berkeley Climate Action Plan was designed under the premise that local governments and the communities they represent can address the main sources of the emissions that cause global warming: the energy consumed in buildings and for transportation and the solid waste sent to landfills.

Below is a summary of the core recommended strategies for each category of action included in the plan.

**1. Sustainable Transportation & Land Use (Chapter 3):** The plan is designed to reduce vehicle miles traveled in the community by making cycling, walking, public transit and other sustainable mobility modes the mainstream and to increase vehicle fuel efficiency and the utilization of low-carbon fuels:

- *Increase the safety, reliability, and frequency of public transit*
- *Expand other mobility options, such as car share pods and shuttle buses, into areas where existing public transit is less frequent and accessible*
- *Accelerate implementation of the City's Bicycle and Pedestrian Plans and continue efforts to make walking and cycling a safe, healthy and enjoyable alternative to driving*
- *Ensure that new development is "green" development, meaning that it is oriented toward transit and is coupled with enhancements to green and open space, urban forestry efforts, and water conservation efforts, among others.*
- *Manage parking effectively to minimize driving demand and to encourage and support alternatives to driving*
- *Create incentives for low-carbon vehicles, such as electric vehicles and plug-in hybrids*

**2. Building Energy Use (Chapter 4):** The community's task is to reduce conventional energy use in every existing Berkeley home, business and institution through high-quality energy efficiency retrofits and a greater reliance on renewable energy such as solar:

- *Strive to achieve zero net energy performance in new construction by 2020*
- *Enhance and lower the cost of energy efficiency services and standards for existing residential and non-residential buildings*
- *Develop a local, clean, decentralized renewable energy supply to meet a larger portion of the community's energy needs*
- *Continue to increase energy efficiency and renewable energy use in public buildings*
- *Prepare local residents for job opportunities in the emerging green economy*

**3. Waste Reduction & Recycling (Chapter 5):** These measures aim to eliminate solid waste at its source, i.e., the point of production, and to maximize reuse and recycling throughout the community:

- *Enhance recycling, composting and source reduction services for residential and non-residential buildings*
- *Increase the City's capacity to divert construction & demolition debris from landfills*
- *Expand the types of materials that can be recycled locally, such as certain plastics*
- *Expand efforts to eliminate waste at its source by limiting the use of plastic bags and by increasing producers' responsibility for product waste and packaging*

**4. Community Outreach & Empowerment (Chapter 7):** The success of the local climate action efforts rests on behavior change. Actions designed to educate and empower community members are fundamental to this plan:

- *Launch a coordinated outreach and education campaign to mobilize residents, businesses and industry*
- *Continue to expand the opportunities students have to learn about and take action on climate change*
- *Increase awareness and action in the City government by providing training on how to increase sustainability at home and in the workplace*

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The plan also includes measures to prepare for the risks associated with climate change. The CAP calls for the City to partner with local, regional, and state agencies to develop a plan of action for climate adaptation.

## **9. Surrounding Land uses and Setting:**

The City of Berkeley is a largely built-out city of approximately 110,000 people with structures dating from the late 19<sup>th</sup> century. Most of the City was built-out in the earlier part of the 20<sup>th</sup> century, and most new development that occurs in the City is “redevelopment” of previously developed property. The University of California is the dominant institution in Berkeley but is not subject to the City’s land use authority.

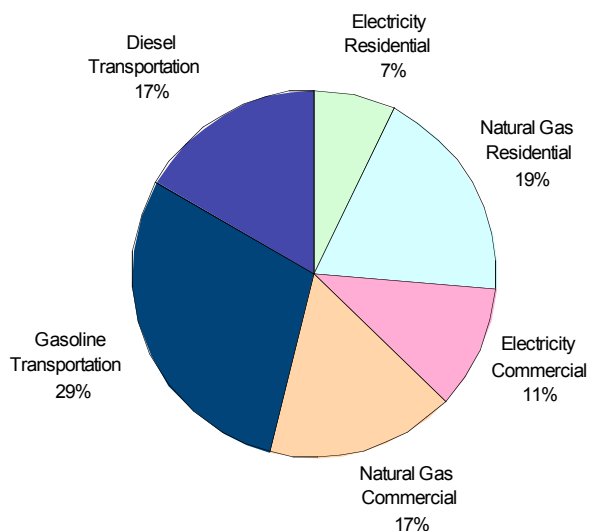
According to the Association of Bay Area Governments' (ABAG) ABAG’s “*Projections 2007*”, the total population of Berkeley is expected to grow from 104,400 in 2005 to 119,400 in 2035 – a total increase of 15,000 people, about half the growth rate projected for the region as a whole. The City is expected to increase its housing stock from 45,530 in 2005 to 50,980 during that same period – or an increase of 5,450 units. The projections expect an average increase in housing of about 182 units per year. Jobs are expected to increase from 75,430 to 87,150, or about 11,700 jobs. ABAG is projecting that the average number of workers per household will increase substantially over the projection period, with employed residents increasing from 55,510 in 2005 to 77,450 in 2035 – or about 22,000 new workers living in Berkeley. Although not calculated by ABAG, this means that the average number of workers per household will increase from 1.22 in 2005 to 1.52 in 2035 – very close to the regional averages for both those figures. It is largely because of this increase in workers per household

(both here and in the region) that the region’s (and Berkeley’s) job/housing balance does not substantially worsen over the 30-year projection period. Today, Berkeley has about 20,000 more jobs than employed residents. In 2035, Berkeley is projected to have only 10,000 more jobs than employed residents.

The increase in housing units in Berkeley forecasted by ABAG reflects the significant existing imbalance between jobs and housing in the City, and projected employment growth. The City is also relatively “transit-rich” with four fixed rail stations (BART and Amtrak) and over 20 AC Transit bus routes in a relatively small city.

Berkeley’s job/housing imbalance results in high demand for limited housing and a large number of people driving into the city on a daily basis. About 50 percent of employed Berkeley residents, or 28,000 people, live and work in Berkeley. These 28,000 residents fill 44 percent of the jobs. Thirty-six thousand non-resident commuters fill the remaining 56 percent of Berkeley-based jobs.

In regard to GHG emissions, in 2005 Berkeley emitted approximately 576,000 metric tons of GHG emissions. The chart below illustrates these emissions by source.



**Berkeley’s GHG Emissions by Source in 2005**

The inventory reflects the emissions that result from motor vehicles driven and electricity and natural gas consumed within Berkeley city limits.

Per Measure G, Berkeley’s emissions reduction target is an 80 percent reduction from 2000 levels by 2050. This target is in absolute tons and is not relative to projected growth. An interim, short term targets for 2020 target is to achieve a 33 percent absolute reduction below 2000 community-wide emissions levels, which equates to about a two percent reduction per year in total community-wide emissions. Based on forecasted emissions levels, a 33 percent reduction from 2000 levels equates to an annual GHG emissions reduction of nearly 185,000 metric tons by 2020.

**10. Other public agencies whose approval is required:**

The City of Berkeley acts as the lead agency and the local jurisdiction for the California Environmental Quality Act process. There are no standards or requirements under the California Environmental Quality Act for other agency review of plans for reduction in GHG emissions, although other agencies, such as the Bay Area Air Quality Management District, have some responsibility for addressing air quality impacts, there is no current requirement for any State agency review of this plan.

**INITIAL STUDY CHECKLIST**

**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"/> Agriculture 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

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.	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	<input type="checkbox"/>
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.	<input type="checkbox"/>
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.	<input type="checkbox"/>

Dan Marks, Planning Director April 23, 2009

Signed

Date

Initial Study prepared by:

Land Use Planning Division

2120 Milvia Street

Berkeley CA 94704

Check List

I. AESTHETICS -- Would the project<sup>1</sup>:

- a) Have a substantial adverse effect on a scenic vista?

The Climate Action Plan calls for increased density near transit. Taller more intense buildings have the potential for aesthetic impacts on scenic vistas. The proposed CAP actions related increasing residential and commercial density near transit are already articulated in the Berkeley General Plan, including:

**Goal #1: Preserve Berkeley’s unique character and quality of life**

B. Encourage Appropriate Infill Development. With little vacant land available for development, all new development in Berkeley will be infill development. . . zoning encourages housing and mixed-use development in Downtown and along the city’s transit corridors.

**Goal #5: Create a Sustainable Berkeley**

Protect the Environment. The Plan is committed to protecting the environment through appropriate environmental management actions and programs as described above in Goal #3, but also through actions and programs such as improvement of the regional and local public transportation system and development of multi-family, affordable housing at transit hubs, on transit corridors and near job centers such as the Downtown and the University of California.

Policy LU-23 Transit-Oriented Development

*Encourage and maintain zoning that allows greater commercial and residential density and reduced residential parking requirements in areas with above-average transit service such as Downtown Berkeley.*

*Policy t-16: Access by Proximity*

*B. Encourage higher density housing and commercial infill development that is consistent with General Plan and zoning standards in areas adjacent to existing public transportation services.*

*Policy H-16 Transit-Oriented New Construction*

*Encourage construction of new medium and high density housing on major transit corridors and in the Downtown consistent with zoning and compatible with the scale and character of these areas.*

*B. Consider a variety of incentives such as waiver or partial waiver of parking requirements in areas heavily served by transit, or expansion of lot coverage in addition to height bonuses.*

1 The headers of column check boxes are defined as follows: PSI : Potentially Significant Impact, <SwM : Less Than Significant With Mitigation, LS : Less Than Significant Impact, ⊙ : No Impact

*C. Consider revisions to the zoning ordinance to establish a minimum height of two, and where feasible, three stories, and to require or encourage residential development above the ground floor on transit corridors.*

The CAP emphasizes and recommits the City to these policies as an important element in the Climate Action Plan. These policies are consistent with the General Plan and have been evaluated in the General Plan EIR (pages 164 - 165), and no further impacts are expected as a result of adoption of the CAP [Ref. 4]

- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

There are no State Scenic Highways within the City of Berkeley, therefore the project will have no effect. [Ref. 3]

- c) Substantially degrade the existing visual character or quality of the site and its surroundings?

The CAP is a policy document related to reducing GHG emissions for all of Berkeley. No development project is proposed as part of the CAP.

- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

The CAP is a policy document related to reducing GHG emissions for all of Berkeley. Policies in the document refer to using more efficient lighting and to reducing unnecessary lighting whenever possible. The CAP should have a beneficial impact by reducing the overall amount of light in the City.

**II. AGRICULTURE 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 non-agricultural use?
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- c) Involves other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

Comment to sections a through c: This is not applicable, according to the *Adopted General Plan (2001-2002)* there is no significant agricultural resources in Berkeley. None is shown in that document’s Existing Land Use map and the Land Use Diagram. Further, the *Land Management Element* states that “Agriculture in Berkeley is limited to personal and community gardens.” [Ref. 1]

**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?

In the City of Berkeley, air quality is closely tied to transportation, and specifically the use of the automobile. The CAP calls for implementing existing General Plan policies related to transit oriented development in order to reduce vehicle miles traveled (VMT). The CAP also includes policies and actions related to encouraging alternatives to the automobile and reducing reliance on the automobile, also consistent with and expanding on existing General Plan policies and actions. The Air Quality impacts of implementing the General Plan are described in the General Plan EIR. Adoption of the CAP will have no additional impacts beyond those already evaluated in the General Plan EIR, and should have beneficial impacts on regional air quality. [Ref. 4]

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

The CAP is a plan for reducing the generation of greenhouse gases. The policies in the CAP intended to reduce generation of carbon dioxide and other greenhouse gases, will also reduce the generation of other transportation-related criteria pollutants. The CAP's commitment to encouraging transit-oriented development is consistent with the General Plan and any air quality impacts associated with those policies are addressed in the General Plan EIR. The CAP should have a beneficial impact on regional air quality. [Ref 4]

- 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)?

See response to (b)

- d) Expose sensitive receptors to substantial pollutant concentrations?

See response to (b).

- e) Create objectionable odors affecting a substantial number of people?

See response to (b). There is no development project associated with adoption of the CAP.

**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?

The City of Berkeley is a built-out city, and there are no candidate, sensitive or special status species of plant or animal that have been identified as inhabiting or potentially inhabiting Berkeley’s riparian habitat areas in the urbanized portion of the City (City of Berkeley General Plan Draft Environmental Impact Report, pages 231-232). To the degree species have been identified, they are in the wildland areas on the eastern edges of the City and will not be affected by the CAP. [Ref 1 and 4]

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

The CAP strongly encourages water conservation which can have beneficial impacts on water quality by reducing the amount of urban drainage into creeks and the Bay. CAP policies related to reducing waste and the use of automobiles may have indirect beneficial impacts by reducing the amount of toxic pollutants entering into the City's creeks, waterways and the Bay.

- 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?

See response to b).

- 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?

See response to a & b).

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The CAP encourages increasing the "urban forest" as a way of mitigating the impacts of increasing temperatures, absorbing GHG, and reducing air quality impacts. The CAP should have a beneficial impact on the City's policies to protect biological resources and trees.

- 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?

Not Applicable. There are no adopted habitat conservation plans or natural community conservation plans in Berkeley or in adjacent communities that could be affected

**V. CULTURAL RESOURCES -- Would the project:**

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

The CAP is a plan for reduction of GHG. To the degree it encourages transit-oriented development, it is consistent with the existing policies of the General Plan and should not have any impacts beyond those already fully assessed in the General Plan EIR. [Ref 1 and 4]

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

See a).

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

See a).

- d) Disturb any human remains, including those interred outside of formal cemeteries?

See a)



**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.

The CAP encourages transit-oriented development within the City of Berkeley, consistent with the existing General Plan. The locations of such potential development would be along major transit corridors. Although the Hayward fault traverses the City, the known fault traces are at the base of the Berkeley hills, and neither Downtown, nor the major transit-oriented streets that might accommodate such development cross the Hayward fault. [Ref 4 and 1]

- ii) Strong seismic ground shaking?

The CAP encourages transit-oriented development within the City of Berkeley that is subject to a major groundshaking event due to its proximity to major earthquake faults. However, the development suggested by the CAP is consistent with existing General Plan policies and the risks and impacts associated with such development in Berkeley were addressed in the General Plan EIR (Ref 4, page 195 - 212)

- iii) Seismic-related ground failure, including liquefaction?

See a) ii

- iv) Landslides?

The CAP encourages transit-oriented development within the City of Berkeley, consistent with the existing General Plan. The locations of potential landslides are in the Berkeley hills and potential development would be along major transit corridors that are in the flatlands of Berkeley and not generally subject to landslides. In any case, promotion of TOD is consistent with the General Plan and its impacts assessed in the General Plan EIR.

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

Not applicable. There CAP is not a development project.

- 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?

Not applicable. The CAP is not a development project.

- 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?

Not applicable. The CAP is not a development project.

- 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?

Not Applicable. The CAP is not a development project.

**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?

Not applicable

- 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?

Not applicable

- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Not applicable

- 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?

Not applicable

- 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?

- f) or a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

Comment to items e) and f) Not applicable; the closest airport is Oakland International which is approximately 7.5 miles from Berkeley. [Ref 2.]

- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Not applicable

- 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?

The infill transit-oriented development promoted by the CAP is consistent with the City's General Plan and focuses development in Downtown and along major transit corridors which are not adjacent to wildlands. The CAP should have beneficial regional impacts by accommodating development in existing urbanized areas near transit rather than in more outlying areas of the region that may be adjacent to wildland areas or intermixed with wildland areas.

**VIII. HYDROLOGY AND WATER QUALITY -- Would the project:**

- a) Violate any water quality standards or waste discharge requirements?

The infill transit-oriented development promoted by the CAP is consistent with the City's General Plan and focuses development in Downtown and along major transit corridors. Projects developed consistent with the General Plan and the CAP would be subject to all State, regional and local water quality discharge requirements. [Ref 4, pages 213 - 238]

- 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)?

Berkeley is a largely built out City and the infill development promoted by the CAP would not interfere with groundwater recharge. The City's water is not supplied locally and so local development has no impact on wells or other sources of local water. [Ref 4]

- 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?

The infill transit-oriented development promoted by the CAP is consistent with the City's General Plan and focuses development in Downtown and along major transit corridors and would have no additional impacts on existing drainage patterns or cause substantial erosion or siltation beyond that addressed in the General Plan EIR [Ref 4].

- 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?

See Response to c).

- 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?

The infill transit-oriented development promoted by the CAP is consistent with the City's General Plan and focuses development in Downtown and along major transit corridors. The CAP would have no additional stormwater drainage system impacts not addressed in the General Plan EIR. [Ref 4 page 213 - 238]

- f) Otherwise substantially degrade water quality?

See above c and e.

- 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?

See c and e.

- h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

See c and e.

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

See c, and e.

- j) Inundation by seiche, tsunami, or mudflow?

See c and e.

**IX. LAND USE AND PLANNING - Would the project:**

- a) Physically divide an established community?

The infill transit-oriented development promoted by the CAP is consistent with the City's General Plan and focuses development in Downtown and along major transit corridors. It will not divide an established community.

- 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?

See 1-a). The land use goals, policies and actions in the CAP are consistent with the General Plan. [Ref 1]

- c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

Not applicable. There are no habitat conservation plans or natural community conservation plans in Berkeley. [Ref 1 and 4]

**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?

Not applicable.

- 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?

Not applicable.

**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?

The infill transit-oriented development promoted by the CAP is consistent with the City's General Plan and focuses development in Downtown and along major transit corridors. Implementation of the CAP would not have additional noise impacts beyond those assessed in the General Plan EIR [Ref 4 pages 261-283]

- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

See XI, a)

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Not applicable. The CAP is not a development project.

- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Not applicable. The CAP is not a development project.

- 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?
- 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?

Comment to Items e) and f), Not applicable; the closest airport is Oakland International which is approximately 7.5 miles from Berkeley. [Ref. 2]

**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)?

The infill transit-oriented development promoted by the CAP is consistent with the City's General Plan and focuses development in Downtown and along major transit corridor. Population growth expected under the CAP is addressed in the General Plan and its EIR [Ref 4, page 55 - 67]

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Not applicable. The CAP is not a development project and will not directly displace housing.

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Not applicable. The CAP is not a development project and will not directly displace housing.

**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:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The infill transit-oriented development promoted by the CAP is consistent with the City's General Plan and focuses development in Downtown and along major transit corridor. The Public Service impacts associated with development consistent with the General Plan is addressed in the General Plan EIR. [Ref 4, pages 55 -67]

**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?

The infill transit-oriented development promoted by the CAP is consistent with the City's General Plan and focuses development in Downtown and along major transit corridor. The impacts on parks associated with development consistent with the General Plan is addressed in the General Plan EIR. [Ref 4, pages 183-195]

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?

Not applicable. The CAP is not a development project and does not require the expansion of recreational facilities.

**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)?

The overall goal of the CAP is to reduce the use of the private auto and encourage alternative modes, including transit, walking and bicycling. The CAP's transportation actions are consistent with and enhance those already included in the General Plan and should further reduce use of the private automobile and Vehicle Miles Traveled (VMT) on a per capita basis. These policies should have beneficial impacts on regional traffic levels. At the local level, the infill transit-oriented development promoted by the CAP is consistent with the City's General Plan and focuses development in Downtown and along major transit corridor. Localized (i.e., within the City of Berkeley) traffic impacts of development under the General Plan is addressed in the General Plan DEIR [Ref 4, pages 93 -137]. .

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

See XV a). From a regional perspective, the CAP should have beneficial cumulative impact on congestion by encouraging development in locations well-served by transit, thereby reducing or at least reducing the rate of increase in regional Vehicle Miles Traveled (VMT).

- 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?

Not applicable; the closest airport is Oakland International which is approximately 7.5 miles from Berkeley. [Ref. 2]

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

Not applicable. The CAP is not a development project and does not involve roadway redesign or development.

- e) Result in inadequate emergency access?

The infill transit-oriented development promoted by the CAP is consistent with the City's General Plan and focuses development in Downtown and along major transit corridor. Implementation of the CAP will have no additional impacts on emergency access. [Ref 1, 4].

- f) Result in inadequate parking capacity?

Comment: a shortfall in the provision of parking is not in itself an environmental impact, according to an appeal court finding. The infill transit-oriented development promoted by the CAP is consistent with the City's General Plan and focuses development in Downtown and along major transit corridor. The CAP should have beneficial impacts by further emphasizing the importance of focusing development in areas where the need to own an automobile is reduced and where residents tend to have a much lower rate of car ownership. To the degree that parking issues are generally addressed, the analysis is found in the General Plan DEIR [Ref 4 page 127]

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

The CAP includes several policies and actions supporting and implementation of General Plan policies and goals promoting alternative modes to the automobile. It should have beneficial impacts by identifying the importance of these strategies as a GHG reduction strategy as well as a traffic congestion reduction strategy. [Ref 1]

**XVI. UTILITIES AND SERVICE SYSTEMS -- Would the project:**

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

The infill transit-oriented development promoted by the CAP is consistent with the City's General Plan and focuses development in Downtown and along major transit corridor. The CAP should have no additional impacts on utilities and service systems associated with development beyond those addressed in the General Plan EIR [Ref 4 pages 137 - 152]. The CAP further encourages water conservation and the use of new technologies for reducing waste of all types, and should therefore have beneficial impacts.

- 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?

See XVI a).

- 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?

See XVI a)

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

See XVI a).

- 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?

See XVI a).

- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

The CAP further encourages reduction in solid waste generation, including the implementation of several programs to achieve the goals of the General Plan in that regard. Accordingly, adoption of the CAP should have beneficial impacts in regard to reduction of solid waste.

- g) Comply with federal, state, and local statutes and regulations related to solid waste?

See XVI f).

**XVII. MANDATORY FINDINGS OF SIGNIFICANCE --**

- 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?

The goals, policies and actions of the CAP are consistent with the General Plan and would have no impacts beyond those already evaluated in the General Plan EIR [Ref 4].

- 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)?

See XVII a).

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

The CAP is intended to reduce the generation of the greenhouse gases that cause global warming. The goals, policies and actions in the CAP are consistent with the General Plan. Adoption of the CAP should further environmental goals such as reducing air pollution, conserving water and reducing waste. Adoption of the CAP should therefore have beneficial environmental affects, both at the local and regional level. To the degree there are localized (City of Berkeley) environmental

impacts, they are addressed in the General Plan EIR [Ref 4].

#### 18. SOURCE REFERENCES

1. General Plan, City of Berkeley, Adopted 2001-2002
2. California Division of Aeronautics “California Airport Data”
3. The California Department of Transportation, *The California Scenic Highway System: A List of Eligible and Officially Designated Routes*.
4. Draft General Plan Draft Environmental Impact Report, February, 2001; Final (Response to Comments), June, 2001