II. SUMMARY

A. PROJECT UNDER REVIEW

This Draft EIR has been prepared to evaluate the environmental impacts of the University Village at San Pablo Avenue Project in the City of Albany. The 5.3-acre project site is located within University Village, a 77-acre area owned by University of California. The project site is located on two separate "blocks" (Blocks A and B) within the University Village development and includes the area generally bounded by San Pablo Avenue, Codornices Creek, 10th Street, and Village Creek. On Block A (located northwest of the San Pablo Avenue/Monroe Street intersection) the proposed project would include the development of a 55,000 square foot Whole Foods Market, or similar full service grocery store, and associated parking lot. Additional parking would be located under the Whole Foods Market. This block would also include a 2,000 foot retail structure, pedestrian and bike paths, and site drainage facilities. Block B (located southwest of the San Pablo Avenue/Monroe Street intersection) would include a 175-unit senior housing facility and 28,000 square feet of retail space fronting on San Pablo Avenue and Monroe Street. A pedestrian/bike path and drainage swale would also be located on this block. A more detailed description of the proposed project is provided in Chapter III, Project Description.

B. SUMMARY OF IMPACTS AND MITIGATION MEASURES

The summary provides an overview of the analysis contained in Chapter IV, Setting, Impacts and Mitigation Measures. CEQA requires a summary to include a discussion of: (1) potential areas of controversy; (2) significant impacts; (3) significant unavoidable impacts; (4) alternatives to the proposed project; and (5) cumulative impacts.

1. Potential Areas of Controversy

Letters and verbal testimony (from the April 22, 2008 scoping session) received as comments on the Notice of Preparation (NOP) raised a number of potential areas of controversy, including: traffic generated by the project; transit service; bicycle and pedestrian circulation; hazardous materials; wastewater planning; water recycling and conservation; creek impacts; farmland; global climate change; energy; agriculture and food supply; water quality; parking; open space; aesthetics; and cultural resources. In addition, several of the comments addressed the merits or design of the project itself and not the potential adverse environmental impacts that are the subject of this EIR. The NOP and comments received are included in Appendix A of this EIR.

2. Significant Impacts

Under CEQA, a significant impact on the environment is defined as "…a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic

significance."[1] Implementation of the proposed project has the potential to result in adverse environmental impacts in several environmental areas. Impacts in the following areas would be significant without the implementation of mitigation measures, but would be reduced to a less-than-significant level if the mitigation measures recommended in this report are implemented:

- Air Quality
- Global Climate Change
- Noise
- Biological Resources
- Hydrology and Water Quality
- Aesthetics
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Utilities and Service Systems

3. Significant Unavoidable Impacts

Implementation of the proposed project would result in significant and unavoidable impacts in the following area:

- Transportation, Circulation and Parking

The proposed project would contribute to the following intersections experiencing unacceptable levels of congestion when measured against the City's significance thresholds:

  - Marin Avenue/San Pablo Avenue
  - Gilman Street/I-80 Westbound Ramps
  - Gilman Street/I-80 Eastbound Ramps
  - Gilman Street/Eastshore Highway
  - Gilman Street/San Pablo Avenue
  - Gilman Street/Hopkins Street

The proposed project would also contribute to significant and unavoidable cumulative (2035) impacts at the following intersections:

  - Solano Avenue/San Pablo Avenue
  - Buchanan Street/Eastshore Highway
  - Harrison Street/San Pablo Avenue

[1] Remy, Thomas, Moose, and Manley, *Guide to the California Environmental Quality Act*, 2007. p.184; Public Resources Code 15382; Public Resources Code 21068.

The proposed project would significantly affect operations on the following segments of the CMP roadway network:

- Northbound San Pablo Avenue between Gilman Street and Marin Avenue during the PM peak hour under Near Term (2015) Plus Project Conditions.
- Northbound San Pablo Avenue between Gilman Street and Solano Avenue during the PM peak hour under Cumulative (2035) Plus Project Conditions.
- Southbound San Pablo Avenue between Marin Avenue and Gilman Street during the PM peak hour under Cumulative (2035) Plus Project Conditions.

4. Alternatives to the Project

The following alternatives to the proposed project were considered in this EIR:

- The **No Project alternative,** which assumes the continuation of existing conditions within the project site.
- The **Existing Zoning alternative,** which envisions a level and type of development that would comply with the existing zoning designations on the project site. A 15,000 square foot grocery store would be situated along the San Pablo Avenue frontage on Block A. Block B would include two buildings: (1) a mixed-use building with 16,000 square feet of retail on the ground floor and senior living units on the second floor that fronts on San Pablo Avenue, and (2) a building with senior housing that fronts on 10th Street.
- The **Reduced Residential alternative,** which would include 85 senior housing units and the same grocery and retail component as the proposed project.

5. Cumulative Impacts

As noted above the project, in conjunction with other foreseeable projects would result in cumulative transportation impacts.

C. SUMMARY TABLE

Information in Table II-1, Summary of Impacts and Mitigation Measures, has been organized to correspond with environmental issues discussed in Chapter V. The table is arranged in four columns: (1) impacts; (2) level of significance prior to mitigation; (3) mitigation measures; and (4) level of significance after mitigation. Levels of significance are categorized as follows: SU = Significant and Unavoidable; S = Significant; and LTS = Less Than Significant. For a complete description of potential impacts and recommended mitigation measures, please refer to the specific topical discussions in Chapter IV.

Mitigations that require approval by agencies other than the City of Albany are considered significant and unavoidable. Determination of project "fair share" will be made as part of project conditions of approval.

Table II-1: Summary of Impacts and Mitigation Measures

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
IMPACTS AND MITIGATION MEASURES IDENTIFIED IN THE EIR			
A. Transportation, Circulation and Parking			
TRANS-1: Completion of the proposed project would significantly affect operations of the Marin Avenue/San Pablo Avenue (#7) intersection under Existing Plus Project conditions.	S	TRANS-1: Optimize traffic signal timing parameters (i.e., allocation of green time for each intersection approach and coordination with adjacent signals along San Pablo Avenue). This mitigation measure would improve intersection operations to LOS D during both AM and PM peak hours. Although this improvement would mitigate the impact to a less-than-significant level, the impact is considered significant and unavoidable because the City of Albany does not have jurisdiction over the mitigation measure. This mitigation measure would need to be implemented by Caltrans.	SU
TRANS-2: Completion of the proposed project would significantly affect operations of the Gilman Street/I-80 Westbound Ramps (#13) intersection under Existing Plus Project conditions.	S	TRANS-2: The project applicant shall contribute its fair share to the City of Berkeley's proposed dual roundabout project at the Gilman Street/I-80 Interchange. Based on a preliminary analysis, the west roundabout is expected to operate at LOS F and the east roundabout is expected to operate at LOS B during the AM peak hour; the west roundabout would operate at LOS C and the east roundabout would operate at LOS B during the PM peak hour; and both roundabouts would operate at LOS F during the Saturday peak hour after the implementation of this planned improvement. Although either one or both roundabouts would operate at LOS F during certain peak hours, they would operate with less delay than the current configuration. Because the City of Albany does not have jurisdiction over the mitigation measure and it would need to be implemented by City of Berkeley and Caltrans, the impact is considered significant and unavoidable. In addition, the improvement is still in preliminary design, has not been approved, and does not have full funding.	SU
TRANS-3: Completion of the proposed project would significantly affect operations of the Gilman Street/I-80 Eastbound Ramps (#14) intersection under Existing Plus Project conditions.	S	TRANS-3: Implement Mitigation Measure TRANS-2.	SU
TRANS-4: Completion of the proposed project would significantly affect operations of the Gilman Street/Eastshore Highway (#15) intersection under Existing Plus Project conditions.	S	TRANS-4: Implement Mitigation Measure TRANS-2.	SU

Table II-1 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
TRANS-5: Completion of the proposed project would significantly affect operations of the Gilman Street/San Pablo Avenue (#18) intersection under Existing Plus Project conditions.	S	TRANS-5: The project applicant shall contribute its fair share to the City of Berkeley's plan to eliminate parking along the north side of Gilman Street between Kains Avenue and San Pablo Avenue and provide an additional travel lane on the westbound approach of the intersection. The improvement would reduce delay at the intersection. However, the intersection would continue to operate at LOS E during the PM and Saturday peak hours. Thus, the impact would remain significant and unavoidable. In addition, the City of Albany does not have jurisdiction over the mitigation measure. This mitigation measure would need to be implemented by City of Berkeley and may require approval from Caltrans.	SU
TRANS-6: Completion of the proposed project would significantly affect operations of the Gilman Street/Hopkins Street (#19) intersection under Existing Plus Project conditions.	S	TRANS-6: The project applicant shall contribute its fair share to signalize this intersection. This mitigation measure would improve intersection operations to LOS B during the PM peak hour. Although this improvement would mitigate the impact to a less-than-significant level, the impact is considered significant and unavoidable because the City of Albany does not have jurisdiction over the mitigation measure. This mitigation measure would need to be implemented by City of Berkeley, and the City of Berkeley does not currently have any plans to signalize this intersection.	SU
TRANS-7: Completion of the proposed project would significantly affect operations of the Marin Avenue/San Pablo Avenue (#7) intersection under Near-Term (2015) Plus Project conditions.	S	TRANS-7: The project applicant shall install an exclusive right-turn lane and convert the current shared through/right-turn lane into an exclusive through lane on eastbound Marin Avenue approach of the intersection. This mitigation measure would improve intersection operations to LOS D during the PM peak hour. Although this improvement would mitigate the impact to less-than-significant level, the impact is considered significant and unavoidable because the mitigation measure would need to be approved by Caltrans. In addition, this mitigation measure would adversely affect pedestrian circulation by increasing the distance to cross the west approach of the intersection.	SU
TRANS-8: Completion of the proposed project would significantly affect operations of the Solano Avenue/San Pablo Avenue (#1) intersection under Cumulative (2035) Plus Project conditions.	S	TRANS-8: No improvements are currently feasible at this intersection. This is due to the lack of available right-of-way at this location, presence of existing lights and utilities, and that Caltrans has jurisdiction over this intersection. Thus, the impact is considered significant and unavoidable.	SU

Table II-1 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
TRANS-9: Completion of the proposed project would significantly affect operations of the Buchanan Street/Eastshore Highway (#4) intersection under Cumulative (2035) Plus Project conditions.	S	TRANS-9: The project applicant shall contribute its fair share to signalize this intersection and provide a left-turn from northbound Eastshore Highway to westbound Buchanan Street. Signal timing at the intersection shall be coordinated with adjacent signals along Buchanan Street. This mitigation measure would improve intersection operations to LOS B during the Saturday peak hour. Although this improvement would mitigate the impact to a less-than-significant level, the impact is considered significant and unavoidable because the City of Albany does not have jurisdiction over the mitigation measure. This mitigation measure would need to be approved by Caltrans. Caltrans currently has no plans to signalize this intersection.	SU
TRANS-10: Completion of the proposed project would significantly affect operations of the Harrison Street/San Pablo Avenue (#12) intersection under Cumulative (2035) Plus Project conditions.	S	TRANS-10: The project applicant shall contribute its fair share to signalize this intersection. Signal timing at the intersection shall be coordinated with adjacent signals along San Pablo Avenue. This mitigation measure would improve intersection operations to LOS A during the AM, PM, and Saturday peak hours. Although this improvement would mitigate the impact to a less-than-significant level, the impact is considered significant and unavoidable because the City of Albany does not have jurisdiction over the mitigation measure. This mitigation measure would need to be implemented by City of Berkeley and approved by Caltrans. Neither the City of Berkeley nor Caltrans currently have any plans to signalize this intersection.	SU
TRANS-11: Completion of the proposed project would significantly affect operations on segments of the CMP roadway network.	S	TRANS-11: Full mitigation of these impacts is not feasible as the constrained right-of-way along San Pablo Avenue does not allow widening of the roadway. Implement Mitigation Measures TRANS-5, TRANS-7, TRANS-8, and TRANS-10. These mitigation measures would reduce the magnitude of the project impact, but not to a less-than-significant level; the impact would remain significant and unavoidable.	SU

Table II-1 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
TRANS-12: Completion of the proposed Class I bicycle and pedestrian path along Codornices Creek will have an adverse impact on bicycle and pedestrian safety at San Pablo Avenue.	S	TRANS-12: Implement any one of the following four improvements as shown on Figures IV.A-16a and IV.A-16b to improve pedestrian and bicycle access across San Pablo Avenue between the proposed Class I path along Codornices Creek and Dartmouth Street: 1. Install a high-intensity activated crosswalk (HAWK) traffic signal on San Pablo Avenue at Dartmouth Street. HAWK signals operate by using traffic and pedestrian/bicycle signal heads, but they are only activated when the pedestrian push buttons or bicycle loop detectors are triggered. Therefore when bicyclists and/or pedestrians desire to cross San Pablo Avenue at Dartmouth Street, they would activate the HAWK signal, stopping northbound and southbound traffic on San Pablo Avenue, allowing for bicyclists/ pedestrians to cross safely. When not activated, the HAWK signal rests on all dark. In addition, widen the sidewalk on west side of San Pablo Avenue between Codornices Creek and Dartmouth Street to accommodate both pedestrians and bicycles, install bicycle detector loops on the Dartmouth Street approach, and coordinate the HAWK signal with the existing signals along San Pablo Avenue in order to minimize vehicle delay. Since HAWK signals have not been officially approved for use in California, consider installing an interim traffic signal designed to accommodate conversion to a HAWK. 2. Signalize the San Pablo Avenue/Dartmouth Street intersection and provide pedestrian countdown signal and high-visibility crosswalk on both north and south approaches of San Pablo Avenue. Coordinate signal timing parameters with adjacent signals along San Pablo Avenue. In addition, install bicycle detector loops on the Dartmouth Street approach and coordinate the signal with the existing signals along San Pablo Avenue. Widen the sidewalk on west side of San Pablo Avenue between Codornices Creek and Dartmouth Street to accommodate both pedestrians and bicycles.	SU

Table II-1 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
TRANS-12 *Continued*		3. Install a two-stage signalized crossing with a six-foot wide median refuge on San Pablo Avenue between Codornices Creek and Dartmouth Street. Provide a crosswalk and a signal on southbound San Pablo Avenue opposite Codornices Creek path to allow pedestrians and bicycles to cross southbound San Pablo Avenue. Provide a crosswalk and a signal on northbound San Pablo Avenue at Dartmouth Street to allow pedestrians and bicycles to cross northbound San Pablo Avenue. A path in the median would connect the two signalized crosswalks. The main advantage of the two-stage signalized crossings is that each of the signals can be individually coordinated with adjacent signals along San Pablo Avenue. 4. Provide a two-stage unsignalized crossing with a median refuge on San Pablo Avenue. This option would be similar to the previous option except the crossings would not be signalized. However, other safety features such as stutter flashing lights would be required. Since stutter flashing lights have not been officially approved for use in California, consider installing overhead beacons as an interim measure. The overhead beacons should be designed for easy conversion to stutter flashing lights when appropriate. Any of the four improvement options would mitigate the impact to less-than-significant level. However, San Pablo Avenue is a Caltrans facility, and the lead agency cannot ensure that Caltrans approval of the mitigation measure would be granted. As such, this impact is considered significant and unavoidable.	

Table II-1 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
TRANS-13: Construction activities associated with the proposed project will have temporary adverse impacts on vehicular, bicycle, and pedestrian circulation and access.	S	TRANS-13: Prior to start of construction, the prime contractor shall prepare a Construction Traffic Management Plan which shall include the following items: • Proposed truck routes to be used, consistent with the City's truck route map. All trucks shall use the Buchanan Street Interchange to access the project site from the freeways. • Construction hours, including limits on the number of truck trips during the AM and PM peak traffic periods (7:00 to 9:00 a.m. and 4:00 to 6:00 p.m.), if conditions demonstrate the need. • Proposed employee parking plan (number of spaces and planned locations) to be accommodated within the site. • Proposed construction equipment and materials staging areas, showing minimal conflicts with traffic, pedestrian and bicycle circulation patterns. • Expected traffic detours needed, planned duration, and traffic control plans including potential sidewalk closures and plans to accommodate vehicular, pedestrian and bicycle detours. The Construction Traffic Management Plan shall be approved by City of Albany staff prior to start of construction.	LTS
B. Air Quality			
AIR-1: Demolition and construction period activities would generate dust and exhaust, and organic emissions from vehicles.	S	AIR-1a: Consistent with guidance from the BAAQMD, the project applicant shall require contractors to include dust control measures in construction specifications for the project. Demolition. The following controls shall be implemented during demolition:	LTS

Table II-1 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
AIR-1 *Continued*		• Water during demolition of structures and break-up of pavement to control dust generation; • Cover all trucks hauling demolition debris from the site; and • Use dust-proof chutes to load debris into trucks whenever feasible. Construction. The following controls shall be implemented during construction: • 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; • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard; • 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; • Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites; • Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets; • Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more); • Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.) • Limit traffic speeds on unpaved roads to 15 mph; • Install sandbags or other erosion control measures to prevent silt runoff to public roadways; • Replant vegetation in disturbed areas as quickly as possible; • Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site; • Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph;	

Table II-1 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
AIR-1 *Continued*		• 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; • 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 • 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. AIR-1b: The project applicant shall require contractors to include emissions control measures in construction specifications for the project: • Alternative powered construction equipment (i.e., CNG, biodiesel, electric) shall be utilized when feasible; • Idling time of diesel powered construction equipment shall be limited to 3 minutes; • Heavy-duty (>50 horsepower) off-road vehicles shall achieve a project-wide fleet average of 40 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average. • Add-on control devices shall be used such as diesel oxidation catalysts or particulate filters; • Construction equipment shall be located away from sensitive receptors, such as fresh air intakes to buildings, air conditioners and operable windows; and • The operating hours of heavy duty equipment and/or the amount of equipment in use shall be minimized.	

Table II-1 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
C. Global Climate Change			
GCC-1: Policies included in the project may conflict with applicable plans, policies and regulations of other agencies to the degree that GHG reduction goals may not be met.	S	GCC-1: To the extent feasible and to the satisfaction of the City, the following measures shall be incorporated into the design and construction of the project: ***Construction and Building Materials*** • Use locally produced and/or manufactured building materials for construction of the project; • Recycle/reuse demolished construction material in accordance with or exceeding the City of Albany's ordinance regarding construction and demolition debris recycling (Ordinance #06-017); and • Use "Green Building Materials," such as those materials which are resource efficient, and recycled and manufactured in an environmentally friendly way, including low Volatile Organic Compound (VOC) materials. ***Energy Efficiency Measures*** • Design all project buildings to exceed California Building Code's Title 24 energy standard, including, but not limited to any combination of the following: o Increase insulation such that heat transfer and thermal bridging is minimized; o Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption; o Design, construct and operate all newly constructed and renovated buildings, including grocery store, commercial retail, and mixed-use residential buildings, pursuant to the City of Albany Green Building Standards. • Install solar panels as appropriate to minimize demand for traditional energy usage, including electricity and natural gas usage, water heating and/or space heating/cooling; • Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping;	LTS

Table II-1 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
GCC-1 *Continued*		• Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings; • Install light colored "cool" roofs and cool pavements; • Install energy efficient heating and cooling systems, appliances and equipment, and control systems; and • Install solar or light emitting diodes (LEDs) for outdoor lighting. ***Water Conservation and Efficiency Measures*** • Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include the following, plus other innovative measures that might be appropriate: o Create water-efficient landscapes within the development, requiring drought tolerant landscaping; o Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls; o Install pipes for recycled water use for nondomestic purposes, including landscape irrigation, commercial process use, and toilet/urinal flushing in nonresidential buildings, when it becomes available at adequate quality and quantity and available at reasonable cost; o Collect surface runoff on site for irrigation purposes; o Design buildings to be water-efficient. Install water-efficient fixtures and appliances, including low-flow faucets, dual-flush toilets and waterless urinals; and o Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff. ***Transportation and Motor Vehicle Measures*** • Provide transit facilities (e.g., bus bulbs/turnouts, benches, shelters); • Provide bicycle lanes and/or paths, incorporated into the proposed street systems and connected to a community-wide network; and • Provide sidewalks and/or paths, connected to adjacent land uses, transit stops, and/or community-wide network.	

Table II-1 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
D. Noise			
NOISE-1: Noise levels from construction activities may range up to 85 dBA L_{max} at the nearest sensitive land uses to the project site.	S	NOISE-1a: All construction equipment must have appropriate sound muffling devices, which shall be properly maintained and used at all times such equipment is in operation.	LTS
		NOISE-1b: Where feasible, the project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.	
		NOISE-1c: The construction contractor shall locate on-site equipment staging areas so as to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the project site during.	
		NOISE-1d: Except as otherwise permitted, construction activities shall be restricted to the hours of 8:00 a.m. to 6:00 p.m. weekdays and Saturdays, and 10:00 a.m. to 6:00 p.m. on Sundays and legal holidays.	
NOISE-2: Local traffic would generate long-term noise exceeding normally acceptable levels on the project site and could expose site uses to unacceptable interior noise levels.	S	NOISE-2: All residential units of the senior housing component of the project shall include an alternative form of ventilation, such as air conditioning systems, to ensure that windows can remain closed for prolonged periods of time.	LTS
E. Biological Resources			
BIO-1: Development of the proposed project could impact Central Coast Steelhead habitat in Codornices Creek.	S	BIO-1a. All construction activities in or adjacent to Codornices Creek shall be completed between June 15 and October 15 (i.e., outside the steelhead migration period). Should the project proponent demonstrate a need to conduct activities outside this time period, the Corps may authorize such activities after obtaining approval from NOAA Fisheries. During temporary de-watering of the stream (if required), pre-construction surveys by a qualified biologist shall be conducted. Subject to the approval of the NOAA Fisheries, any steelhead that are found in the stream section	LTS

Table II-1 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
BIO-1 *Continued*		that would be de-watered shall be captured and relocated to a suitable site upstream or downstream from the construction area. Prior to the initiation of construction activities for the outfalls, NOAA Fisheries shall approve a permit for the biologists to conduct such relocation work. The following additional steps will be implemented to further reduce direct and indirect impacts to steelhead and their habitat: • The NOAA Fisheries-approved biologist shall be present at the work site until such time as all removal of steelhead (if found) and habitat disturbance has been completed. After that time, the contractor or permittee shall designate a person to monitor on-site compliance with all mitigation measures. The monitor and the NOAA Fisheries-approved biologist shall have the authority to halt any action that might result in impacts that exceed the levels anticipated by the Corps and NOAA Fisheries. • Disturbance to existing grades and vegetation will be limited to the actual site of the project and necessary access routes. Vegetation removal will be minimized to the extent possible. Placement of all roads, staging areas, and other facilities shall avoid and limit disturbance to the stream bank or stream channel habitat to the extent possible. When possible, existing ingress or egress points shall be used and/or work performed from the top of the creek banks. Following completion of the work, the contours of the creek bed and creek flows shall be returned to pre-construction conditions or better. • All fueling and maintenance of vehicles and other equipment, and staging areas, shall be located at least 20 meters from Codornices Creek. Prior to the onset of work, the project proponent will prepare a plan to allow a prompt and effective response to any accidental spills into the creek (see Mitigation Measure BIO-1b, below). All workers shall be informed of the importance of preventing spills and the appropriate measures to take should a spill occur. In the event of a spill, NOAA Fisheries will be notified.	

Table II-1 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
BIO-1 *Continued*		BIO-1b: Best management practices (BMPs) shall be implemented during all construction activities to prevent erosion and sedimentation into the stream and to prevent the spill of contaminants around the stream. These BMPs shall be described in a Stormwater Pollution Prevention Plan (SWPPP) that shall be prepared in compliance with Regional Water Quality Control Board requirements. The SWPPP shall include the following major components, at a minimum: • A comprehensive erosion and sediment control plan, depicting areas to remain undisturbed, and providing specifications for revegetation of disturbed areas. • A list of potential pollutants from building materials, chemicals, and maintenance practices used during construction, and the specific control measures to be implemented to minimize release and transport of these constituents in runoff. • Specifications and designs for the appropriate BMPs for controlling drainage and treating runoff in the construction phase. • A program for monitoring all control measures that includes schedules for inspection and maintenance, and identifies the party responsible for monitoring. • A site map that locates all water quality control measures and restricted areas to be left undisturbed.	
		BIO-1c: Post-construction BMPs shall be prepared for the project prior to initiating construction. The BMPs shall address long-term operation and management of the project to avoid water quality degradation and other potential adverse impacts to Codornices Creek. In particular, structural and management BMPs shall be implemented to ensure adequate treatment of storm water and irrigation runoff to a level needed to maintain habitat for steelhead in compliance with stream "beneficial uses" under the RWQCB Region 2 Basin Plan (RWQCB 2007).	

Table II-1 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
BIO-2: The proposed project could impact the foraging or nesting habitat for bird species of special concern.	S	BIO-2: In order to avoid impacts to raptors and other migratory nesting birds, pre-construction surveys shall be conducted by a qualified biologist during the months of March through August, no more than 30 thirty days prior to the start of grading or vegetation removal. Pre-construction surveys are not required if construction activities are restricted to the non-nesting season (September through February). At a minimum, the surveys shall encompass all areas within 100 feet of the grading or vegetation removal work. If active nests are found on the project site, a qualified biologist shall establish an adequate buffer zone around the nests within which construction is prohibited until the biologist has determined that the young birds have fledged.	LTS
BIO-3: The construction of the proposed project could impact western pond turtles that may be present in Codornices Creek.	S	BIO-3: Prior to the start of creek de-watering (if necessary) and outfall installation, Codornices Creek shall be surveyed by a qualified biologist for the presence of western pond turtles. If present, the western pond turtle individuals shall be relocated to suitable habitat upstream or downstream of the project site to avoid killing or injuring such individuals.	LTS
BIO-4: The construction of the proposed project could impact Monarch butterfly winter colonies.	S	BIO-4: Prior to the initiation of any work that will affect eucalyptus, pine, and cypress groves on the project site during the period between September and March, pre-construction surveys by a qualified biologist shall be conducted in the tree groves. If Monarch butterflies are found to be utilizing any of the trees as a winter colony site, construction in the vicinity of those trees shall be avoided and the removal of trees around the colony shall be avoided or postponed until after the butterflies have left for the breeding season. The width of the protected buffer zones around the winter colony trees shall be determined on a case-by-case basis by the biologist, based on guidelines for maintaining suitable microclimatic conditions in the tree canopy, as per *Conservation and Management Guidelines for Preserving the Monarch Butterfly Migration and Overwintering Habitat in California* (The Monarch Project, January 1993).	LTS

Table II-1 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
F. Hydrology and Water Quality			
HYDRO-1: Construction-phase activities could result in degradation of water quality in Codornices Creek, Village Creek and the San Francisco Bay by reducing the quality of stormwater runoff.	S	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 project applicant shall prepare a SWPPP designed to reduce potential impacts to surface water quality through the construction period of the project. The SWPPP must be maintained on-site and made available to City inspectors and/or Water Board staff upon request. The SWPPP shall include specific and detailed BMPs designed to mitigate construction-related pollutants. At a minimum, BMPs 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. An important component of the stormwater quality protection effort is the knowledge of the site supervisors and workers. To educate on-site personnel and maintain awareness of the importance of stormwater quality protection, site supervisors shall conduct regular tailgate meetings to discuss pollution prevention. The frequency of the meetings and required personnel attendance list, along with summary of topics of discussion, shall be specified in the SWPPP. The SWPPP shall specify a monitoring program, which must include both dry and wet weather inspections, to be implemented by the construction site supervisor. In addition, in accordance with State Water Resources Control Board Resolution No. 2001-046, monitoring would be required during the construction period for pollutants that may be present in the runoff that are "not visually detectable in runoff." Water Board and/or City personnel, who may make unannounced site inspections, are empowered to levy considerable fines if it is determined that the SWPPP has not been properly prepared and implemented.	

Table II-1 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
HYDRO-1 *Continued*		BMPs designed to reduce erosion of exposed soil 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 rainy season as disturbed soil can be exposed to rainfall and storm runoff. If grading must be conducted during the rainy season, the primary BMPs selected shall focus on erosion control, that is, 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 during both dry and wet conditions.	LTS
HYDRO-2: Dewatering effluent may contain contaminants and if not properly managed could cause impacts to construction workers and the environment.	S	HYDRO-2: The construction-period SWPPP shall include provisions for the proper management of construction-period dewatering effluent. At minimum, all dewatering effluent shall be contained prior to discharge to allow the sediment to settle out, and filtered, if necessary, to ensure that only clear water is discharged to the storm or sanitary sewer system, as appropriate. In areas of suspected groundwater contamination (i.e., underlain by fill or near sites where chemical releases are known or suspected to have occurred), groundwater shall be analyzed by a State-certified laboratory for the suspected pollutants prior to discharge. Based on the results of the analytical testing, the project applicant shall acquire the appropriate permit(s) prior to discharge of the effluent. Discharge of the dewatering effluent would require a site-specific permit from the Water Board or may be permitted under the Construction General Permit (for discharge to the storm sewer system or to San Francisco Bay) and/or East Bay Municipal Utility District (EBMUD) (for discharge to the sanitary sewer system).	LTS

Table II-1 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
HYDRO-3: Operation-phase activities of the site could result in hydrology and water quality impacts through a reduction in infiltration, increases in runoff volume, duration, or velocity, and degradation the quality of stormwater runoff.	S	HYDRO-3: The project applicant and 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), as amended 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. Stormwater discharges shall not cause an increase in the erosion potential of the receiving stream over the pre-project (existing) conditions. Increases in runoff flow and volume shall be managed so that post-project runoff shall not exceed estimated pre-project rates and durations, where such increased flow and/or volume is likely to cause increased potential for erosion of creek beds and banks, silt pollutant generation, or other adverse impacts to beneficial uses due to increased erosive force. Such management shall be through implementation of the hydromodification requirements of Provision C.3.F of Order No. 2003-0021 as amended. 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, rain gardens, grassy swales, pervious pavements) are preferred over active filtering or treatment systems. An operations and maintenance plan shall be developed and implemented to inspect and maintain BMPs in perpetuity. If paved surfaces within garages and covered parking areas are washed with water, this water shall not be directed to the storm drainage system. This wash water effluent shall either be directed to the sanitary sewer or contained and transported off-site for proper disposal. 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* 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 approval of the grading plan.	LTS

Table II-1 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
HYDRO-4: The project as proposed, including landscaping, paving, and walkways, may conflict with implementation of the existing Lower Codornices Creek Improvement Plan (LCCIP) and associated Memorandum of Agreement.	S	HYDRO-4: The project applicant and City of Albany shall ensure that the site and structure design of the proposed project, including final landscape and drainage plans, do not interfere with the implementation of the LCCIP, as currently designed.	LTS
HYDRO-5: The proposed project may place housing, structures, or site improvements within the 100-year special flood hazard area as mapped by FEMA, or other flood hazard delineation map, and may impede or redirect flood flows or expose people or structures to a significant risk of flood related loss.	S	HYDRO-5: The project applicant shall retain a qualified engineering or surveying professional to prepare a determination, including appropriate site plan sheet, of the precise location of the 100-year special flood hazard area boundaries for creeks in the vicinity of the project site. Based on this determination, if the project encroaches into the floodplain, consistent with the City of Albany Flood Damage Prevention Regulations, the applicant shall obtain a flood zone permit. The applicant shall comply with all requirements of the flood zone permit as imposed by the City. These recommendations and requirements are to be implemented in the planning and construction of the proposed project, so as to assure that the project will not impede or redirect flood flows, or present a significant risk of flood-related loss to people or structures.	LTS
IMPACTS AND MITIGATION MEASURES IDENTIFIED IN INITIAL STUDY/ENVIRONMENTAL CHECKLIST			
I. Aesthetics			
Initial Study Impact AES-1: The proposed project could include nighttime lighting that could spillover onto adjacent properties or building materials that could produce daytime glare.		AES-1a: Prior to issuance of a building permit for any component of the project, the project applicant shall submit a lighting plan for City review and approval. The plan shall include provisions to ensure that outdoor lighting is designed so that potential glare or light spillover to surrounding properties, or the adjacent creeks, are minimized through appropriate site design and shielding of light standards. The City will review the final site plans to ensure that all lighting is directed downward and away from surrounding properties. AES-1b: The applicant shall incorporate into the project glass surfaces that are non-mirrored or include non-reflective films, coatings and shading devices to reduce glare. The architectural detail regarding glass shall be reviewed and approved by the City during the design review process.	

Table II-1 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
V. Cultural Resources			
Initial Study Impact CULT-1: The proposed project could uncover archaeological resources during construction.		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 shall notify the City. 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 DPR 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).	
Initial Study Impact CULT-2: The proposed project could uncover paleontological resources during construction.		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.	

Table II-1 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
CULT-2 *Continued*		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 would document methods and findings of the mitigation and be submitted to the City of Albany and the University of California, Berkeley and a suitable paleontological repository.	
Initial Study Impact CULT-3: The proposed project could uncover human remains during construction.		CULT-3: If human remains are encountered, 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, the University of California, Berkeley and the Northwest Information Center.	

Table II-1 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
VI. Geology and Soils			
Initial Study Impact GEO-1: The proposed project would be located in an area having the potential for strong ground shaking.		GEO-1: Prior to issuance of a final grading permit, the project applicant shall submit a site specific geotechnical report prepared by a qualified and licensed geotechnical engineer. This report shall address differential fill thickness, total and differential settlement within building pads, soil stability, potential seismic ground shaking, liquefaction, potentially expansive soils, and shall provide specific building foundation recommendations to reduce the risk associated with geologic/soils hazards. This report shall be reviewed and approved by the City of Albany.	
Initial Study Impact GEO-2: Runoff from the project site could cause erosion.		GEO-2: Implement Mitigation Measure HYDRO-1	
VII. Hazards and Hazardous Materials			
Initial Study Impact HAZ-1: Hazardous materials, associated with former uses and structures, may exist on the project site.		HAZ-1: Prior to the City's issuance of a building permit for the proposed project, the University shall provide the City with written confirmation from a qualified hazardous materials professional (e.g., professional engineer, professional geologist, registered environmental assessor) that all known hazardous materials, including but not limited to lead-based paint, asbestos containing materials, and lead-contaminated soil within the project site have been remediated or removed from the project site as part of the building demolition process. Additionally, the University shall provide written confirmation that the site is safe for unrestricted use.	
Initial Study Impact HAZ-2: Radioactive materials were used adjacent to the project site.		HAZ-2: Prior to the City's issuance of a building permit for the proposed project, the University shall provide the City with written confirmation from the California Department of Public Health that the Gill Tract has been removed from the University's Radioactive Materials License and that the site is safe for unrestricted use.	
XVI. Utilities and Service Systems			
Initial Study Impact UTIL-1: Existing water flows may be inadequate to meet fire flow requirements for the project site.		UTIL-1: When detailed site plans for the proposed project are submitted, staff from the Albany Fire Department and EBMUD shall review and approve plans to ensure the provision of adequate water fire flows. Should water infrastructure upgrades or installation be necessary to meet the requirements, the City and EBMUD shall require and approve infrastructure improvements by the applicant prior to issuance of a grading permit. An occupancy permit for the proposed project shall not be issued until the City of Albany has confirmed adequate fire flow is available.	

Table II-1 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
Initial Study Impact UTIL-2: Existing sewer pipes may allow for groundwater infiltration.		UTIL-2: The project applicant shall replace and/or rehabilitate existing sewer pipes within the project site to decrease groundwater infiltration.	

Source: LSA Associates, Inc., 2009.