II. SUMMARY

A. PROJECT UNDER REVIEW

In compliance with the California Environmental Quality Act (CEQA), this Draft Environmental Impact Report (DEIR) describes the potential environmental impacts of the Sherwin-Williams Development Project (project) proposed for an approximately 10.05-acre site located in the City of Emeryville.

This Draft EIR is designed to inform City decision-makers, responsible agencies, and the general public of the proposed project and the potential environmental impacts of project approval and implementation. This Draft EIR will be used by the City and the public in their review of the proposed project and associated approvals, including those described in Chapter III, Project Description. This Draft EIR also examines alternatives to the proposed project and recommends mitigation measures to reduce or avoid potentially significant physical impacts.

The approximately 10.05 project site consists of one city-owned parcel (APN: 049-1041-26-16) and one parcel owned by Sherwin-Williams Company (APN 049-1041-26-15). The project site bound by Horton Street to the east, Sherwin Avenue to the south, and Union Pacific Railroad (UPRR) tracks to the west. The Novartis Research Center and Grifols Diagnostics borders the site to the north. A mix of land uses surrounds the project site including: residential and commercial to the east and south; research facilities to the north; and retail and residential adjacent to the UPRR tracks to the west.

The proposed project would divide the site into six new parcels, roadways, and a park area. The project applicant is proposing two potential mixed-use development options: Option A and Option B. Option A integrates the City-owned parcel directly into the development and places the location of the park more centrally within the project. Option B assumes that the City parcel remains as a separate open space adjacent to the development. Both options have similar development programs. Both options retain and reuse the Sherwin-Williams Building 1-31 and develop five new structures ranging up to 100 feet in height. At buildout, the project would include a total of 649,000 square feet of residential space (540 units) and 94,600 square feet of commercial space. The project would also include park and open space, including a children's playground and adult fitness space, and a central green within the Hubbard Circle.

B. SUMMARY OF IMPACTS AND MITIGATION MEASURES

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

1. Potential Areas of Controversy

Comments on the Notice of Preparation (NOP), and comments raised during the scoping period, included the following issue areas: land use and planning; population and housing; transportation and circulation; air quality; greenhouse gas emissions; noise; geology, soils and seismicity; hydrology and water quality; hazards and hazardous materials; cultural resources; public services; utilities and service systems; and visual resources. The NOP, comments received in response to the NOP, and a summary of the comments received at the scoping session held on January 27, 2015, 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." 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:

- Transportation and circulation
- Air quality;
- Noise;
- Geology, soils and seismicity;
- Hydrology and water quality;
- Hazards and hazardous materials;
- Cultural resources

3. Significant and Unavoidable Impacts

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

- The addition of project traffic to Horton Street north of 53rd Street, a designated bicycle boulevard, under Cumulative Conditions could increase traffic volumes by more than 2 percent on a roadway where volumes already exceed the volume threshold for a bicycle boulevard. This impact would occur with either Option A or Option B.
- At the San Pablo Avenue/40th Street intersection (#27), vehicle queues for some movements are projected to exceed the available storage in the Cumulative with Project Condition. For the southbound left-turn movement, the addition of project traffic to multiple movements at the intersection results in an increase of the southbound left-turn vehicle queue by more than 50 feet. This impact would occur with either Option A or Option B.
- Ground-disturbing activities associated with project construction could unearth Native American human remains.

4. Alternatives to the Project

The following alternatives were evaluated within the EIR:

- The **Existing Base Zoning/General Plan Development alternative** assumes that the project site would be developed as allowed under the current General Plan and zoning designations. This alternative would develop the project site with 270 dwelling units, 8,000 square feet of retail, 74,000 square feet of office, and 551 parking spaces. The layout of land uses, pathways, and roadways under the Existing Base Zoning/General Plan Development alternative would be the same as under proposed Option B, with the park site located adjacent to the railroad tracks.
- The **Reduced Density alternative** includes three variants, all of which would develop the project site with 378 dwelling units, 12,000 square feet of retail, 5,500 square feet of office, 48,300 square feet of commercial (office and retail) use, and 707 parking spaces. All three variants would extend Hubbard Street north through a portion of the project site and add a new segment of 46th Street to connect Horton Street with the proposed Hubbard Street extension. The three variants differ from each other in their internal circulation patterns.
- The **Lennar alternative** would develop the project site with 532 dwelling units, 8,000 square feet of retail/ground floor commercial use, 74,000 square feet of office, and 963 parking spaces. Both variants would include a new segment of 46th Street that would extend from Horton Street to an extension of Hubbard Street.
- A discussion of the **No Project alternative** is required per CEQA Section 15126.6. This alternative assumes that the site would ultimately not remain vacant (i.e., a "no development alternative") if the proposed project were not approved, and that a different project generally consistent with City policies and regulations would ultimately be proposed and approved.

5. Cumulative Impacts

Implementation of the proposed project would result in the following cumulative impacts.

- The addition of project traffic to Horton Street north of 53rd Street, a designated bicycle boulevard, under Cumulative Conditions could increase traffic volumes by more than 2 percent on a roadway where volumes already exceed the volume threshold for a bicycle boulevard. This impact would occur with either Option A or Option B.
- The addition of project traffic to Horton Street between 53rd and 45th streets, a designated bicycle boulevard, under Near-Term and Cumulative Conditions could increase traffic volumes by more than 2 percent on a roadway where volumes already exceed the volume threshold for a bicycle boulevard. This impact would occur with either Option A or Option B.

- The addition of project traffic to Horton Street south of Sherwin Avenue, a designated bicycle boulevard, under Near-Term and Cumulative Conditions could increase traffic volumes by more than 2 percent on a roadway where volumes already exceed the volume threshold for a bicycle boulevard. This impact would occur with either Option A or Option B.
- Implementation of Mitigation Measure TRANS-1a would result in operations of the Hollis Street at 45th Street (intersection #16) to degrade with vehicles and transit vehicles experiencing significant levels of delay in the Near-Term and Cumulative Condition. Peak hour traffic signal warrants would also be met. The addition of traffic from either project Option A or Option B would further degrade operations. Based on the significance criteria, this would result in a significant secondary impact.
- Implementation of Mitigation Measure TRANS-1a would result in vehicle queues at the Hollis Street at 40th Street intersection (intersection #25) to extend beyond the available storage for the southbound and eastbound left-turn movements in the Cumulative Condition, and the addition of traffic from either project Option A or Option B would exacerbate the vehicle queue spillback. Based on the significance criteria, this would result in a significant secondary impact.
- The addition of project traffic to 45th Street, west of San Pablo Avenue, a designated bicycle boulevard, under Near-Term and Cumulative Conditions could increase traffic volumes by more than 2 percent on a roadway where volumes already exceed the volume threshold for a bicycle boulevard. This impact would occur with either Option A or Option B.
- The addition of project traffic to 53rd Street, west of San Pablo Avenue, a designated bicycle boulevard, under Near-Term and Cumulative Conditions could increase traffic volumes by more than 2 percent on a roadway where volumes already exceed the volume threshold for a bicycle boulevard. This impact would occur with either Option A or Option B.
- The Hollis Street/45th Street intersection (#16) is projected to operate at LOS F during the weekday PM peak hour in the Near-Term and Cumulative Condition and peak hour signal warrants would be satisfied. The addition of project traffic would exacerbate this deficiency, resulting in a significant impact in the Cumulative Condition. The addition of diverted traffic from Mitigation Measure TRANS-1 would also increase vehicle delay and queue spillback at the on Hollis Street/45th Street intersection (#16), and the changed area travel patterns would increase conflicts for bicyclists and pedestrians on the 45th Street bicycle boulevard (analysis segments E, F, and G).
- At the San Pablo Avenue/40th Street intersection (#27), vehicle queues for some movements are projected to exceed the available storage in the Cumulative with Project Condition. For the southbound left-turn movement, the addition of project traffic to multiple movements at the intersection results in an increase of the southbound left-turn vehicle queue by more than 50 feet. This impact would occur with either Option A or Option B.

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 IV. 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
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.

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
A. LAND USE			
There are no impacts to land use.			
B. POPULATION AND HOUSING			
There are no impacts to population and housing.			
C. TRANSPORTATION AND CIRCULATION			
TRANS-1: The addition of project traffic to Horton Street north of 53rd Street (analysis segment A), a designated bicycle boulevard, could increase traffic volumes by more than 2 percent contributing to an exceedance of the volume threshold for a bicycle boulevard. This impact would occur with either Option A or Option B and is considered a significant impact.	S	TRANS-1: The project applicant shall undertake the following measures to reduce the level of traffic on Horton Street north of 53rd Street (analysis segment A): • Pay the Transportation Impact Fee; • Work with the City so that the final project design does not preclude the installation of desired traffic calming measures along the Horton Street corridor, as identified by the City; and • Pay for the installation of permanent Level 4 traffic calming measures and traffic restriction (diversion) measures on Horton Street (Level 5) per the Sherwin Williams - Horton Street Turn Restriction Assessment Memorandum (see Appendix B) that would result in the reduction of existing with project daily volumes to a level below 3,000 vehicles per day.	LTS
TRANS-1b: The addition of project traffic to Horton Street between 45th and 53rd streets (analysis segment B), a designated bicycle boulevard, could increase traffic volumes by more than 2 percent contributing to an exceedance of the volume threshold for a bicycle boulevard. This impact would occur with either Option A or Option B and is considered a significant impact.	S	TRANS-1b: Implement TRANS-1a to reduce the level of traffic on Horton Street between 45th and 53rd streets (analysis segment B).	LTS
TRANS-1c: The addition of project traffic to Horton Street south of Sherwin Avenue, a designated bicycle boulevard (analysis segment C), could increase traffic volumes by more than 2 percent contributing to an exceedance of the volume threshold for a bicycle boulevard. This impact would occur with either Option A or Option B and is considered a significant impact.	S	TRANS-1c: Implement TRANS-1a to reduce the level of traffic on Horton Street south of Sherwin Avenue (analysis segment C).	LTS

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
TRANS-1d: Implementation of Mitigation Measure TRANS-1a would result in operations of the Hollis Street at 45th Street intersection (#16) to degrade with vehicles and transit vehicles experiencing significant levels of delay. Peak hour traffic signal warrants would also be met. The addition of traffic from either project Option A or Option B would further degrade operations. Based on the significance criteria, this would result in a significant secondary impact.	S	TRANS-1d: The applicant shall pay for the installation of a traffic signal at the Hollis Street/45th Street (#16) intersection, with necessary improvements for transit, bicycle and pedestrian infrastructure at the intersection, including directional curb ramps, bicycle detection, and transit priority; and a hard wired signal interconnect to the traffic signal at Park Avenue and Hollis Street.	LTS
TRANS-2: The addition of project traffic to 45th Street, west of San Pablo Avenue (analysis segment F), a designated bicycle boulevard, could increase traffic volumes by more than 2 percent, contributing to an exceedance of the volume threshold for a bicycle boulevard. This impact would occur with either Option A or Option B and is a significant impact.	S	TRANS-2: The project applicant shall undertake the following measures: • Pay the Transportation Impact Fee; • Work with City Staff to identify additional bicycle boulevard treatments that could be installed along the 45th Street corridor, including horizontal and vertical speed control; and • Pay for the installation of a traffic signal at the Hollis Street/45th Street (#16) intersection, with necessary improvements for transit, bicycle and pedestrian infrastructure at the intersection, including directional curb ramps, bicycle detection, and transit priority; and a hard-wired signal interconnect to the traffic signal at Park Avenue and Hollis Street (same as TRANS-1d).	LTS
TRANS-3: The addition of project traffic to 53rd Street, west of San Pablo Avenue, (analysis segment H), a designated bicycle boulevard, could increase traffic volumes by more than 2 percent contributing to an exceedance of the volume threshold for a bicycle boulevard. This impact would occur with either Option A or Option B and is considered a significant impact.	S	TRANS-3: The project applicant shall undertake the following measures: • Pay the Transportation Impact Fee; and • Work with City Staff to identify additional Level 4 bicycle boulevard treatments that could be installed along the 53rd Street corridor beyond those being installed as part of the ECCL project.	LTS

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
TRANS-4a: The addition of project traffic to Horton Street north of 53rd Street (analysis segment A), a designated bicycle boulevard, under Near-Term and Cumulative Conditions could increase traffic volumes by more than 2 percent on a roadway where volumes already exceed the volume threshold for a bicycle boulevard. This impact would occur with either Option A or Option B and is considered a significant impact.	S	TRANS-4: Implement Mitigation Measure TRANS-1 to reduce the level of traffic on Horton Street north of 53rd Street (analysis segment A). Implementation of this measure would reduce the impact to Horton Street north of 53rd Street to a less-than-significant level in the Near-Term Condition. In the Cumulative Condition, the impact to Horton Street north of 53rd Street would remain significant and unavoidable.	LTS in the Near-Term Condition; SU in the Cumulative Condition
TRANS-4b: The addition of project traffic to Horton Street between 53rd and 45th streets (analysis segment B), a designated bicycle boulevard, under Near-Term and Cumulative Conditions could increase traffic volumes by more than 2 percent on a roadway where volumes already exceed the volume threshold for a bicycle boulevard. This impact would occur with either Option A or Option B and is considered a significant impact.	S	TRANS-4b: Implement Mitigation Measure TRANS-1a to reduce the level of traffic on Horton Street between 45th and 53rd streets (analysis segment B). Implementation of this measure would reduce the traffic volume on Horton Street between 45th Street and 53rd Street to a level considered acceptable for a bicycle boulevard for the Near-Term Condition and the Cumulative Condition.	LTS
TRANS-4c: The addition of project traffic to Horton Street south of Sherwin Avenue (analysis segment C), a designated bicycle boulevard, under Near-Term and Cumulative Conditions could increase traffic volumes by more than 2 percent on a roadway where volumes already exceed the volume threshold for a bicycle boulevard. This impact would occur with either Option A or Option B and is considered a significant impact.	S	TRANS-4c: Implement Mitigation Measure TRANS-1a to reduce the level of traffic on Horton Street south of Sherwin Avenue (analysis segment C). Implementation of this measure would reduce the traffic volume on Horton Street south of Sherwin Avenue to a level considered acceptable for a bicycle boulevard for the Near-Term Condition and for the Cumulative Condition.	LTS
TRANS-4d: Implementation of Mitigation Measure TRANS-1a would result in operations of the Hollis Street at 45th Street intersection (#16) to degrade with vehicles and transit vehicles experiencing significant levels of delay in both the Near-Term and Cumulative Conditions. Peak hour traffic signal warrants would also be met. The addition of traffic from either project Option A or Option B would further degrade operations. Based on the significance criteria, this would result in a significant secondary impact.	S	TRANS-4d: Implement Mitigation Measure TRANS-1d.	LTS

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
TRANS-4e: Implementation of Mitigation Measure TRANS-1a would result in vehicle queues at the Hollis Street at 40th Street intersection (#25) to extend beyond the available storage for the southbound and eastbound left-turn movements in the Cumulative Condition, and the addition of traffic from either project Option A or Option B would exacerbate the vehicle queue spillback. Based on the significance criteria, this would result in a significant secondary impact.	S	TRANS-4e: Along with implementation of TRANS-1a, the applicant shall coordinate with the City to extend the eastbound left-turn pocket on 40th Street at Hollis Street to provide at least 200 feet of vehicle storage and adjust the traffic signal timings to accommodate changed travel patterns in the Cumulative Condition.	LTS
TRANS-5: The addition of project traffic to 45th Street, west of San Pablo Avenue (analysis segment F), a designated bicycle boulevard, under Near-Term and Cumulative Conditions could increase traffic volumes by more than 2 percent on a roadway where volumes already exceed the volume threshold for a bicycle boulevard. This impact would occur with either Option A or Option B and is considered a significant impact.	S	TRANS-5: Implement Mitigation Measure TRANS-2 to reduce this impact to 45th Street, west of San Pablo Avenue, in the Near-Term and Cumulative Conditions to a less-than-significant level.	LTS
TRANS-6: The addition of project traffic to 53rd Street, west of San Pablo Avenue (analysis segment H), a designated bicycle boulevard, under Near-Term and Cumulative Conditions could increase traffic volumes by more than 2 percent on a roadway where volumes already exceed the volume threshold for a bicycle boulevard. This impact would occur with either Option A or Option B and is considered a significant impact.	S	TRANS-6: Implement Mitigation Measure TRANS-3 to reduce this impact to 53rd Street, west of San Pablo Avenue, under Near-Term and Cumulative with Project Conditions to a less-than-significant level.	LTS

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
TRANS-7: The Hollis Street/45th Street intersection (#16) is projected to operate at LOS F during the weekday PM peak hour in the Near-Term and Cumulative Conditions and peak hour signal warrants would be satisfied. The addition of project traffic would exacerbate this deficiency, resulting in a significant impact in the Near-Term and Cumulative Condition. The addition of diverted traffic from Mitigation Measure TRANS-1 would also increase vehicle delay and queue spillback at the on Hollis Street/45th Street intersection (#16), and the changed area travel patterns would increase conflicts for bicyclists and pedestrians on the 45th Street bicycle boulevard (analysis segments E, F, and G).	S	TRANS-7: The project applicant shall install a traffic signal at the Hollis Street/45th Street intersection (#16), including hard-wired signal interconnect to the traffic signal at Park Avenue and Hollis Street, and necessary improvements for transit, bicycle and pedestrian infrastructure at the intersection, including directional curb ramps, bicycle detection, and transit priority (included as part of Mitigation Measures TRANS-1d and TRANS-2). Installation of a traffic signal would reduce this impact to a less-than-significant level and with incorporation of pedestrian, bicycle and transit improvements, would not result in secondary impacts to other travel modes.	LTS
TRANS-8: At the San Pablo Avenue/40th Street intersection (#27), vehicle queues for some movements are projected to exceed the available storage in the Cumulative with Project Condition. For the southbound left-turn movement, the addition of project traffic to multiple movements at the intersection results in an increase of the southbound left-turn vehicle queue by more than 50 feet. As this queue is projected to exceed the available capacity prior to the addition of project traffic, this is considered a significant impact.	S	TRANS-8: The City of Emeryville does not have plans to increase the vehicular capacity of the San Pablo Avenue/40th Street intersection (#27). Extending the southbound left-turn pocket vehicle storage was reviewed, but an extension of the southbound left-turn pocket would require the removal or relocation of an existing mid-block pedestrian crossing, which is not recommended. To reduce the impact, there are transit, pedestrian, and bicycle improvements planned in the area that would provide increased travel options through the area, also the project would contribute their fair share to these improvements through the payment of the Transportation Impact Fee, and the City undergoes a regular process of updating traffic signal timings to accommodate changing travel patterns and minimize vehicle queue spillback. However, there is no assurance that the impact would be mitigated to a less-than-significant level. Therefore, this impact is considered significant and unavoidable.	SU

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
TRANS-9: Construction activities associated with the proposed project will have temporary adverse impacts on vehicular, bicycle, and pedestrian circulation and access.	S	TRANS-9: Although construction impacts are expected to be temporary, development of a construction management plan would reduce the potential for construction vehicle conflicts with other roadway users. The plan should include: • Project staging plan to maximize on-site storage of materials and equipment; • A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak hours; lane closure schedule and process; signs, cones, and other warning devices for drivers; and designation of construction access routes; • Permitted construction hours; • Location of construction staging; • Identification of parking areas for construction employees, site visitors, and inspectors, including on-site locations and along the project frontage on Sherwin Avenue and Horton Street; • Provisions for street sweeping to remove construction related debris on public streets; and • Provisions for pavement maintenance where increased heavy vehicle traffic has the potential to degrade the pavement.	LTS

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
D. AIR QUALITY			
AIR-1: Construction of the proposed project would generate air pollutant emissions that could violate air quality standards.	S	AIR-1: Consistent with guidance from the BAAQMD, the following actions shall be required in relevant construction contracts and specifications for the project: • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph). • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. • Construction equipment idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 2 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • The project applicant shall post a publicly visible sign with the telephone number and person to contact at the City of Emeryville regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.	LTS

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
AIR-1 *Continued*		• All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or a moisture probe. • All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph. • Vegetative ground cover (e.g., fast-germinating native grass seed) or other plants that offer dust mitigation measures shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established. • The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. To the extent feasible, activities shall be phased to reduce the amount of disturbed surfaces at any one time. • All trucks and equipment, including their tires, shall be washed off prior to leaving the site. • Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than 1 percent. • The project contractor shall use low volatile organic compound (i.e., ROG) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings). • All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM. • All contractors shall use equipment that meets California ARB's most recent certification standard for off-road heavy duty diesel engines.	

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
AIR-2: Operation of the proposed project would expose future residents of the project site to toxic air contaminants.	S	AIR-2a: To reduce health risk levels for future residents of the project site, the project applicant shall provide an air ventilation system with filtration that can remove particulate matter from indoor air to a level sufficient to achieve compliance with the BAAQMD threshold. To reduce health risk levels for future residents of the project site, the control efficiency must result in a reduction of 60 percent of particulates of 2.5 microns or less, such as Minimum Efficiency Reporting Value (MERV)-11 filters or other indoor air filtration systems, which would reduce the maximum single source carcino-genic health risk level for future residents to 8.4 (which would be below the BAAQMD's significance criteria of 10). The ventilation system shall be certified to the satisfaction of the City to achieve the stated performance effectiveness from indoor areas. AIR-2b: The project applicant shall disclose to potential occupants of the project that the proximity of the project site to the freeway, railroad tracks, and industrial sources of air pollution could result in increased long-term health risks. The disclosure shall indicate the specifications for the installed air filtration system. The property manager shall be required to maintain particulate filters to ensure proper operation of HVAC equipment.	LTS
E. GREENHOUSE GAS EMISSIONS			
There are no impacts to greenhouse gas emissions.			
F. NOISE			
NOI-1: Implementation of the proposed project could result in the exposure of future residences of the project site to excessive noise levels.	S	NOI-1: All residential units shall be designed and equipped with an alternate form of ventilation, such as mechanical ventilation or air conditioning to allow windows and doors to remain closed. Interior noise would be reduced to meet the standard of 45 dBA CNEL when all windows and doors are closed.	LTS

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
NOI-2: Implementation of the project could result in a substantial increase in stationary noise levels, due to delivery and loading/unloading activities, experienced at off-site sensitive land uses in the project vicinity compared to levels that would exist without the project.	S	NOI-2: The final project design shall incorporate standard industrial noise control measures for any project stationary noise sources to meet the City of Emeryville Municipal Code standards of 55 dBA during the night and 65 dBA during the day. Such measures may include enclosing equipment in sound-attenuating structures, using buildings to shield these noise sources from sensitive receptors, or mounting equipment on resilient pads to reduce both groundborne and airborne vibration noises. The project sponsor shall ensure that operational noise from stationary sources do not exceed the thresholds set forth in the City of Emeryville Municipal Code for the surrounding residential land uses. The project sponsor shall use standard design features/approaches, including installation of relatively quiet models of mechanical equipment, installation of exhaust silencers, orientation of shielding to protect sensitive land uses, and installation within enclosures when necessary to reduce stationary, or fixed source, noise levels to below the established threshold when measures at the property line of the nearest affected sensitive receptor. Loading and unloading activities shall be restricted to the hours of 7:00 a.m. to 9:00 p.m. on weekdays and 8:00 a.m. to 9:00 p.m. on weekends.	LTS
NOI-3: Noise from construction activities could result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.	S	NOI-3: The project contractor shall implement the following measures: • General construction noise on private and public projects shall be limited to weekdays from 7:00 a.m. to 6:00 p.m. The loudest activities shall be limited to weekdays from 8:00 a.m. to 5:00 p.m., as stated in the City's Municipal Code. • The applicant shall designate a construction liaison that would be responsible for responding to any local complaints about construction noise. The liaison would determine the cause of the noise complaints (e.g., starting too early, bad muffler) and institute reasonable measures to correct the problem. The applicant shall conspicuously post a telephone number for the liaison at the construction site.	LTS

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
NOI-3 *Continued*		• The project contractor shall, to the extent feasible, place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site. • 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 all project construction. • Construction activities shall be prohibited on holidays. • It the project applicant requests construction hours outside the Municipal Code's designated hours, the project applicant shall provide a Construction Noise Reduction Plan to meet a maximum permissible noise level of 55 dBA at the project boundary. • Whenever feasible, the project contractor shall encourage implementation of the following strategies throughout all phases of construction: o Use smaller or quieter equipment; o Use electric equipment in lieu of gasoline or diesel powered equipment; o Turn off all idling equipment when anticipated to not be in use for more than 5 minutes; o Minimize drop height when loading excavated materials onto trucks; o Minimize drop height when unloading or moving materials on-site; and o Sequence noisy activities to coincide with noisiest ambient hours (i.e., 8:00 a.m. to 9:00 a.m. or 4:00 p.m. to 6:00 p.m.).	

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
G. GEOLOGY, SOILS, AND SEISMICITY			
GEO-1: Implementation of the proposed project could expose people or structures to strong seismic shaking and related seismically induced hazards, including liquefaction.	S	GEO-1: The project site is located within a mapped seismic hazard zone (under the Seismic Hazard Zone Mapping Act), and the following specific criteria for project approval shall apply: (a) The potential for the nature and severity of the seismic hazards, including liquefaction potential, at the site have been fully evaluated in a site-specific geotechnical report and appropriate mitigation measures have been proposed. (b) The geotechnical report(s) for the project shall be prepared by a registered civil engineer or certified engineering geologist who has competence in the field of seismic hazard evaluation and mitigation. The geotechnical report shall contain site-specific evaluations of the seismic hazards affecting the project site, and shall identify portions of the project site containing seismic hazards. The report shall also identify any known off-site seismic hazards that could adversely affect the site in the event of an earthquake. The contents of the geotechnical report shall include, but shall not be limited to, the following: o Project description and a description of the geologic and geotechnical conditions at the site; o Evaluation of site-specific seismic hazards based on geological and geotechnical conditions, in accordance with current standards of practice. o Recommendations for appropriate mitigation measures. o Name of report preparer(s), and signature(s) of a certified engineering geologist and/or registered civil engineer, having competence in the field of seismic hazard evaluation and mitigation.	LTS

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
GEO-1 *Continued*		(c) Prior to approving the project, the City shall independently conduct a review of the geotechnical reports to determine the adequacy of the hazard evaluation and proposed mitigation measures. Such reviews shall be conducted by a certified engineering geologist or registered civil engineer, having competence in the field of seismic hazard evaluation and mitigation. Analysis presented in the geotechnical report shall conform with the California Geological Survey (formerly known as the California Division of Mines and Geology) recommendations presented in the Guidelines for Evaluating Seismic Hazards in California. All mitigation measures, design criteria, and specifications set forth in the geotechnical and soils report shall be implemented as a condition of project approval. (d) Prior to approval of an occupancy permit for the redeveloped Building 1- 31, a design-level seismic upgrade report shall be prepared, submitted to the City for review and approval, and the upgrade recommendations shall be implemented. Prior to approving the design-level report, the City shall independently review the seismic upgrade report to determine the adequacy of the hazards evaluation and proposed mitigation measures. Such reviews shall be conducted by a structural engineer or registered civil engineer who has competence in the field of seismic hazard evaluation and mitigation.	
GEO-2: Construction of structures in areas of unstable geologic units, including expansive soils could expose people, structures, or utilities to damage. (S)	S	GEO-2a: Prior to issuance of a grading permit, a final site-specific geotechnical report that evaluates the project site and the proposed grading plan for potential impacts associated with differential settlement shall be prepared and submitted to the City Department of Public Works for approval. The report shall include specific recommendations for mitigation of potential settlements associated with native soil/fill boundaries and areas of differential fill thickness. Recommendations for specific foundation designs which minimize the potential for damage related to settlement shall be presented in the report.	LTS

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
GEO-2 *Continued*		GEO-2b: For areas with expansive soils with moderate to high shrink-swell potential, recommendations for proposed building foundations and improvements shall take into account the following conditions: foundation design may include drilled pier and grade beams, deepened footings (extending below expansive soil), or post-tensioned slabs. Alternatively, expansive soil shall be removed and replaced with compacted non-expansive soil prior to foundation construction. The final geotechnical report for the project shall require that subgrade soils for pavements consist of moisture-conditioned, lime-treated, or non-expansive soil, and that surface (including roof drainage) and subsurface water be directed away from foundation elements to minimize variations in soil moisture. GEO-2c: All excavation and shoring activities shall be conducted under the supervision of a certified engineering geologist and/or registered civil engineer who has competence in the field of soils and shoring systems.	
H. HYDROLOGY AND WATER QUALITY			
HYD-1: Construction or operation of the proposed project could violate water quality standards or waste discharge requirements.	S	HYD-1a: Consistent with the requirements of the statewide Construction General Permit, the project applicant shall prepare and implement a SWPPP designed to reduce potential adverse impacts to surface water quality during the project construction period. The SWPPP shall be designed to address the following objectives: 1. All pollutants and their sources, including sources of sediment associated with construction, construction site erosion and all other activities associated with construction activity are controlled; 2. Where not otherwise required to be under a Regional Water Board permit, all non-stormwater discharges are identified and either eliminated, controlled, or treated; and 3. BMPs are effective and result in the reduction or elimination of pollutants in stormwater discharges and authorized non-stormwater discharges from construction activity to the BAT/BCT standard.	LTS

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
HYD-1 *Continued*		The SWPPP shall be prepared by a Qualified SWPPP Developer. The SWPPP shall include the minimum BMPs required for this type of project (based on final determination of the project's Risk Level status, to be determined as part of the Notice of Intent for coverage under the Construction General Permit); these include: BMPs for erosion and sediment control, site management and housekeeping, waste management, management of non-storm-water discharges, runon and runoff controls, and BMP inspection/ maintenance/repair activities. BMP implementation shall be consistent with the BMP requirements in the most recent version of the California Stormwater Quality Association Stormwater Best Management Handbook-Construction. The SWPPP shall include a construction site monitoring program that identifies requirements for dry weather visual observations of pollutants at all discharge locations, and as appropriate (depending on the project Risk Level), sampling of the site effluent and receiving waters. A Qualified SWPPP Practitioner (QSP) shall be responsible for implementing the BMPs at the site. The QSP shall also be responsible for performing all required monitoring and BMP inspection, maintenance, and repair activities.	
		HYD-1b: The project applicant shall comply with the applicable requirements of Provision C.3 of the MRP. Responsibilities include, but are not limited to, designing BMPs into project features and operations to reduce potential impacts to surface water quality associated with operation of the project. These features shall be included in a design-level stormwater control plan (SCP). The SCP will serve as the overall stormwater quality management document that will describe measures to mitigate potential water quality impacts associated with the operation of the proposed project. At a minimum, the SCP for the project shall include:	

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
HYD-1 *Continued*		1. An inventory and accounting of existing and proposed impervious areas. 2. LID design details incorporated into the project. LID features, include minimizing disturbed areas and impervious cover and then infiltrating, storing, detaining, evapotranspiring, and/or biotreating stormwater runoff and are required by the MRP. Practices used to adhere to these LID principles include measures such as rain barrels and cisterns, green roofs, permeable pavement, preserving undeveloped open space, and biotreatment through rain gardens, bioretention units, bioswales, and planter/tree boxes. 3. Measures to address potential stormwater contaminants. These may include measures to cover or control potential sources of stormwater pollutants at the project site. 4. All stormwater runoff from impervious surfaces shall be treated with Bay-Friendly Landscaping. All stormwater treatment landscaping shall be maintained using a Bay-Friendly Landscaping company or staff.	
HYD-2: Implementation of the proposed project could create or contribute runoff water which could exceed the capacity of existing or planned stormwater drainage systems.	S	HYD-2: As a condition of approval of the final grading and drainage plans for the project, it must be demonstrated through detailed hydraulic analysis that implementation of the proposed drainage plans will: 1. Not increase peak runoff rates from any subareas, and/or that there is no increase in combined peak runoff volumes from subareas draining to the same downstream conveyance component (i.e., reductions in one subarea can offset increases in another subarea, if they drain to the same downstream conveyance), or that the downstream conveyance has adequate capacity to handle the proposed increase. The final drainage plan for the project shall document runoff rates for the final design and shall be prepared by a licensed professional engineer.	LTS

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
HYD-2 *Continued*		2. Include drainage components that are designed in compliance with City of Emeryville standards. The grading and drainage plans shall be reviewed for compliance with these requirements by the City of Emeryville Department of Public Works. Any improvements deemed necessary by the City, will be part of the conditions of approval.	
I. HAZARDS AND HAZARDOUS MATERIALS			
HAZ-1: The proposed project could result in accidents during construction involving release of hazardous materials into the environment.	S	HAZ-1: A Spill Response Plan, including emergency preparedness and response procedures, shall be developed by the contractor(s) to establish the procedures to be followed in the event of an accidental spill or other hazardous materials emergency during project site preparation and development activities. These procedures shall include evacuation procedures, notification procedures, spill containment procedures, and required personal protective equipment, as appropriate, in responding to the emergency. In addition, an accurate up-to-date inventor of hazardous materials, including Material Safety Data Sheets, shall be maintained on-site to assist emergency response personnel in the event of a hazardous materials incident. The contractor(s) shall submit the Spill Response Plan to the City for approval prior to demolition or development activities. Compliance with these mitigation measures may occur in coordination with compliance with the Stormwater Pollution Prevention Plan and Best Management Practices required for the proposed project (See Mitigation Measures HYD-1 and HYD-2 for additional detail). Implementation of this mitigation measure would reduce this potential impact to a less-than-significant level.	LTS

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
HAZ-2: The proposed project could result in exposure of the public or the environment to hazardous materials present in soils, groundwater, and/or building materials as a result of historical land uses at the project site or in the project vicinity.	S	HAZ-2a: As a condition of approval for construction permits for the Sherwin-Williams parcel, an evaluation of soil gas conditions and indoor air quality shall be performed on the Sherwin-Williams parcel and Department of Toxic Substances Control (DTSC) review and approval for construction shall be obtained. DTSC may require further investigation and/or implementation of engineering controls to address the potential for vapor intrusion to indoor air, such recommendations shall be implemented prior to occupancy of the proposed structures.	LTS
		HAZ-2b: As a condition of approval for construction permits for residential housing on the Successor Agency parcel (under development Option A), an evaluation of soil gas conditions and indoor air quality shall be performed on the Successor Agency parcel and DTSC review and approval for construction shall be obtained. DTSC may require further investigation and/or implementation of engineering controls to address the potential for vapor intrusion to indoor air; such recommendations shall be implemented prior to occupancy of the proposed structures.	
		HAZ-2c: As a condition of approval for construction permits for the Successor Agency parcel, a LUC for the Successor Agency parcel shall be prepared and approved by DTSC. The land use covenant shall define restrictions and requirements intended to prevent potential exposure of construction workers, the public, and the environment to hazardous materials which are present in the subsurface of the Successor Agency parcel. At the discretion of the DTSC, these restriction and requirements may include, but not be limited to:	

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
HAZ-2 *Continued*		• Prohibiting any use of groundwater for any purpose other than groundwater monitoring. • Requiring preparation of a Soil Management Plan (SMP) and DTSC approval prior to performing any activities that will disturb soil on the property or import soil to the property. • Prohibiting activities including any drilling, extraction of groundwater, installation of preferential pathways (e.g., utility trenches), or other construction or development activities without written approval from DTSC. • Prior to construction or other development of the property, the owner shall submit an evaluation of soil gas conditions and indoor air quality and obtain DTSC approval, and DTSC may require further investigation and/or implementation of engineering controls to address the potential for vapor intrusion to indoor air. • Allowing access to the property for DTSC personnel for the purpose of performing inspections, monitoring, and other activities. • Preparing annual inspection reports and submitting them to DTSC to document that the restriction and requirements of the LUC are being followed, and describes the actions to be taken if violations of the LUC are identified.	

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
J. CULTURAL RESOURCES			
CULT-1: Renovation and reuse of Building 1-31 has the potential to result in material impairment to a historical resource under CEQA.	S	CULT-1: Any renovation or alteration of Building 1-31 shall be conducted in accordance with the Secretary of the Interior's Standards for Rehabilitation (Standards) and undertaken with the assistance of a historic preservation architect meeting the Secretary of the Interior's Professional Qualifications Standards. The City shall confirm that the architectural firm responsible for overseeing the renovation of Building 1-31 has retained a qualified historic preservation architect. Renovation plans of Building 1-31 shall be reviewed by the preservation architect to ensure compliance with the Standards and to make changes to the plans to ensure compliance, as appropriate. The historic preservation architect shall regularly evaluate the ongoing renovation to ensure it continues to satisfy the Standards. The historic preservation architect shall submit status reports to the City Planning Department describing the renovation's compliance with the Standards and recommended measures to ensure compliance if corrective measures are necessary. These reports shall be submitted to the City according to a schedule agreed upon prior to commencement of the renovation. The City shall be responsible for ensuring that the recommendations of the preservation architect are implemented as a condition for project approval.	LTS
CULT-2: Ground-disturbing activities associated with project construction could adversely affect archaeological resources.	S	CULT-2: Archaeological monitoring shall be conducted for construction-related ground disturbance. Project ground disturbance shall cease within 25 feet of an archaeological discovery or discovery of human remains. The archaeological deposit shall be evaluated in accordance with an Archaeological Monitoring and Evaluation Plan (AMEP) prepared and implemented for the project. The purpose of the AMEP is to ensure that significant archaeological deposits discovered during construction are identified, evaluated, and appropriately treated through the use of a pre-established research design and field evaluation strategy, consistent with the requirements of CEQA Guidelines §15126.4 (b)(3)(C). The AMEP shall be approved by the	LTS

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
CULT-2 *Continued*		City well in advance of construction, and its implementation shall be made a condition of the issuance of a grading or building permit for the project. The AMEP shall be prepared by professionals who meet or exceed the Secretary of the Interior's Professional Qualifications Standards in archeology. The AMEP shall include a construction monitoring component and an evaluation component. The monitoring component of the AMEP shall describe the specific methods and procedures for archaeological monitoring, including the frequency of such monitoring and notification procedures in the event archaeological deposits are identified. The evaluation component of the AMEP would guide fieldwork if archaeological resources or human remains are identified during monitoring. The purpose of this component is to establish the procedures and methods to evaluate the significance of discoveries made during archaeological monitoring, as well as the recovery and analysis of significant discoveries. The treatment of human remains during the evaluation process shall be addressed, including the respectful treatment of such remains in consultation with appropriate descendant communities.	
CULT-3: Ground-disturbing activities associated with project construction could adversely affect paleontological resources.	S	CULT-3: Should paleontological resources be encountered during project subsurface construction activities, all ground-disturbing activities within 25 feet shall be stopped and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. If found to be significant, and project activities cannot avoid the paleontological resources, adverse effects to paleontological resources shall be mitigated. Mitigation may include monitoring, recording the fossil locality, data recovery and analysis, a final report, and accessioning the fossil material and technical report to a paleontological repository. Public educational outreach may also be appropriate. Upon completion of the assessment, a report documenting methods, findings, and recommendations shall be prepared and submitted to the City for review, and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology.	LTS

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
CULT-3 *Continued*		The applicant shall inform its contractor(s) of the sensitivity of the project area for paleontological resources and shall include the following directive in the appropriate contract documents. The City shall verify that the following directive is included in the appropriate contract documents: "The subsurface of the construction site may be sensitive for paleontological resources. If paleontological resources are encountered during project subsurface construction, all ground-disturbing activities within 25 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Project personnel shall not collect or move any paleontological materials. Paleontological resources include fossil plants and animals, and such trace fossil evidence of past life as animal tracks."	
CULT-4: Ground-disturbing activities associated with project construction could unearth Native American human remains.	S	CULT-4: The treatment of human remains and of associated or unassociated funerary objects discovered during project ground disturbance shall comply with applicable State laws. This shall include immediate notification of the County Coroner, and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Public Resources Code Section 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d)). The agreement shall take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.	SU

Table II-1: Summary of Impacts and Mitigation Measures from the EIR

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
K. PUBLIC SERVICES AND RECREATION			
There are no impacts to public services and recreation.			
L. UTILITIES AND SERVICE SYSTEMS			
There are no impacts to utilities and service systems.			
M. VISUAL RESOURCES			
There are no impacts to visual resources.			

Source: LSA Associates, Inc., 2015.