

Section 6

Other CEQA Considerations

6.1 IMPACTS FOUND TO BE LESS THAN SIGNIFICANT

Section 15128 of the CEQA Guidelines states:

“The EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and therefore not discussed in detail in the EIR.”

Potential environmental impacts resulting from the project are limited to biological resources and hydrology/water quality. Implementation of the Preferred Project would not result in significant environmental impacts for the remaining CEQA topics. The following provides a brief summary of each topic that is not discussed in detail in this Draft EIR.

Aesthetics

The project would not have a substantial adverse effect on a scenic vista; substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway; substantially degrade the existing visual character or quality of the site and its surroundings; or create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

The 102-acre Aquatic Park comprises three man-made lagoons, associated freshwater, tidal, and brackish water wetlands and adjoining uplands at the foot of the Berkeley hills on the margins of central San Francisco Bay. As described in Section 3, Project Description, the Preferred Project would include modifications to the existing storm drain network and improvements to the inter-lagoon circulatory system and tidal exchange tubes. The Preferred Project would also create a salt/brackish wetland at the Rowing Club site and would remove invasive non-native plants along the shoreline areas of the Aquatic Park lagoons. Once invasive plants have been eradicated, these shoreline areas would be revegetated with high marsh/transition zone native plants. Additionally, restoration work would be completed for the upland areas of Aquatic Park. These project components would primarily occur below ground-surface and would not affect the aesthetic character of project site. Project components involving wetland creation, habitat restoration, and revegetation would improve the visual character of Aquatic Park. No significant land use changes or construction of new structures would occur and the project would not result in impacts any scenic vistas or introduce new sources of light or glare. There are no State scenic highways within the vicinity of the project site.¹ As such, the Preferred Project would have no impact on visual resources.

¹ California Department of Transportation, California Scenic Highway Mapping System. Website: http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm, accessed January 24, 2012.

Agriculture and Forestry Resources

The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; conflict with existing zoning for agricultural use, or a Williamson Act contract; conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)); result in the loss of forest land or conversion of forest land to non-forest use; involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

The project site is in a highly developed, urbanized area and does not involve any changes to land use or construction of new structures. The Farmland Mapping and Monitoring Program (FMMP) designates the site as Urban and Built-Up Land.² The project site is not zoned for agricultural use, forest land, or timberland.³ The Environmental Management Element of the Berkeley General Plan states, “Agriculture in Berkeley is limited to personal and community gardens.”⁴ The project site could not likely support the conditions that would qualify it for forest land or timber land as described under Public Resources Code 12220 and 4256, respectively. Therefore, the Preferred Project would have no impact on agriculture or forestry resources.

Air Quality

The project would not conflict with or obstruct implementation of the applicable air quality plan; violate any air quality standard or contribute substantially to an existing or projected air quality violation; result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors); expose sensitive receptors to substantial pollutant concentrations; or create objectionable odors affecting a substantial number of people.

The Preferred Project would not increase the population in the City or result in new vehicle trips. No land use changes or new major construction are associated with implementation of the Preferred Project. The Bay Area Air Quality Management District (BAAQMD) guidelines were reviewed to determine whether the Preferred Project could result in potentially significant air quality impacts. The Preferred Project is substantially below the BAAQMD screening level size and does not require quantification of criteria air pollutants.⁵ The Preferred Project would not include a new odor source.

² California Department of Conservation Division of Land Resource Protection, Farmland Mapping and Monitoring Program. <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2010/ala10.pdf>. Accessed January 24, 2012.

³ City of Berkeley, City of Berkeley zoning map. <http://www.ci.berkeley.ca.us/ContentDisplay.aspx?id=6474>. Accessed January 24, 2012.

⁴ City of Berkeley, Environmental Management Element. <http://www.ci.berkeley.ca.us/contentdisplay.aspx?id=478>. Accessed January 24, 2012.

⁵ BAAQMD, *BAAQMD CEQA Guidelines*, May 2011. Table 3-1, page 3-3.

Implementation of the Preferred Project would require the use of construction equipment, which would result in the short-term emission of air pollutants from equipment exhaust and dust caused by construction activities. In accordance with the BAAQMD Guidelines, if the project is below the screening size, all basic construction mitigation measures are included during construction, and construction activities would not be inconsistent with certain metrics identified by the Guidelines, then construction-related impacts are less than significant.⁶ The Preferred Project would implement the Basic Construction Mitigation Measures listed below. With implementation of these mitigation measures, the Preferred Project would result in less-than-significant air quality impacts.

- AQ-1* All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- AQ-2* All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- AQ-3* All visible mud or dirt track-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 shall be prohibited.
- AQ-4* All vehicle speeds on unpaved roads shall be limited to 15 mph.
- AQ-5* All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
- AQ-6* Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- AQ-7* All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
- AQ-8* Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Cultural Resources

The project would not cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5; cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5; directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or disturb any human remains, including those interred outside of formal cemeteries.

⁶ BAAQMD, *BAAQMD CEQA Guidelines*, May 2011. Page 3-5.

As identified in the *Historic Property Survey Report for the I-80 Bicycle/Pedestrian Overcrossing Project* (HPSR) prepared by Donaldson Associates, the Aquatic Park property is over 50 years old and, therefore, potentially eligible for listing in the National Register of Historic Resources (NRHR) and California Register of Historic Resources (CRHR).⁷ A cultural resources technical memorandum was prepared in September 2012 to document the existing conditions at Aquatic Park and note any changes that have occurred since the HPSR was completed in 1999.⁸

In determining Aquatic Park's eligibility for listing in the NRHR and CRHR, both integrity and significance were evaluated. The HPSR determined that although Aquatic Park retains the same major components that were part of the park when it was first opened, there have been major changes to the design of the park. These changes includes: alteration of the lagoon from one single body of water to three separate lagoons; addition of structures that were not part of the original design; landscaping that removed a portion of Bolivar Drive on the east side of the park; loss of the Works Progress Administration (WPA) rock retaining wall that once surrounded the lagoon(s); and the addition of recreation activities, including an 18-hole disc golf course. These changes have resulted in the loss of integrity of design, materials, and workmanship.

According to the HPSR, the project site is significant at the local level under NRHR criterion A and CRHR criterion 1 as a part of the WPA work in the Bay Area. Further, the project site may be significant under NRHR criterion C and CRHR criterion 3 as an example of a 1930s aquatic park built by WPA. According to the National Register Criteria for Evaluation, NRHR criterion A identifies sites that are "associated with events that have made a significant contribution to the broad patterns of our history"; and criterion C identifies sites "that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction." CRHR criterion 1 identifies sites that are "associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; and Criterion 3 identifies sites that "embody the distinctive characteristics of a type, period, region, or method of construction, represent the work of an important creative individual, or possess high artistic values." However, due to the loss of integrity associated with the changes to Aquatic Park identified above, the project site is not eligible for listing in the NRHR or CRHR. Further, Aquatic Park has not been designated as a local landmark.

The Preferred Project would not include the demolition or alteration of any buildings or structures nor would the project involve land use changes or construction of new structures. As such, no impacts on the potentially historic architectural resources would occur. In addition, the HPSR concluded that

⁷ Donaldson Associates, *The Historic Property Survey Report for the I-80 Bicycle/Pedestrian Overcrossing Project*, May 13, 1999. Available for review Monday through Friday between the hours of 8:30 am and 4:00 p.m. at the City of Berkeley, Parks Recreation and Waterfront Administration Office, 2180 Milvia Street, 3rd Floor, and the City of Berkeley, Recreation Offices, 1947 Center Street, 1st Floor.

⁸ Denise Bradley, ASLA, "Berkeley Aquatic Park DPR523 Record (1999): Updating Existing Conditions Description," memorandum to Deborah Chernin, City of Berkeley, September 7, 2012, revised September 13, 2012. Available for review Monday through Friday between the hours of 8:30 am and 4:00 p.m. at the City of Berkeley, Parks Recreation and Waterfront Administration Office, 2180 Milvia Street, 3rd Floor, and the City of Berkeley, Recreation Offices, 1947 Center Street, 1st Floor.

because the project site consists of heterogeneous fill placed in a historically submerged bayland area, there are no archaeological or prehistoric cultural resources at the site.⁹ There is also no evidence or previous findings of paleontological or unique geological resources in the project area or formal cemeteries.¹⁰

Therefore, impacts of the Preferred Project would be less than significant.

Geology and Soils

The project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication 42); strong seismic ground shaking; seismic-related ground failure, including liquefaction or landslides. The project would not result in substantial soil erosion or the loss of topsoil; be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; or have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

The project site is not located within an Alquist-Priolo Earthquake Fault zone.¹¹ Because the Preferred Project would not involve placing people at the project site, it would not result in increased exposure to seismic or other geotechnical hazards. The site is located in a developed area of the City that is served by municipal systems. No septic tanks present or proposed.

The topic of soil erosion is discussed in Section 4.3, Hydrology and Water Quality, of this Draft EIR.

Greenhouse Gas Emissions

The project would not generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

As a water quality and habitat improvement project, the Preferred Project would not include components commonly associated with the direct or indirect generation of GHG emissions, which are commonly associated with land use development projects. The Preferred Project would not result in the indirect emission of greenhouse gases associated with solid waste generation, water supply, wastewater generation, energy demand, or traffic. Construction activities would require the operation of equipment that would generate GHG emissions; however, per BAAQMD CEQA Guidelines, there is no threshold

⁹ Donaldson Associates, *The Historic Property Survey Report for the I-80 Bicycle/Pedestrian Overcrossing Project*, May 13, 1999.

¹⁰ City of Berkeley, *West Berkeley Project, Draft Environmental Impact Report*, Chapter 4.C, January 2010.

¹¹ California Department of Conservation, Alquist-Priolo Earthquake Fault Zone Maps, Oakland West Quadrangle, January 1, 1982.

of significance for evaluating construction-related greenhouse gas emissions.¹² As appropriate, the City will ensure that best management practices (BMPs) are implemented to reduce GHG emissions during construction, as applicable. BMPs include, but are not limited to using alternative fueled construction vehicles/equipment, using local building materials of at least 10 percent; and recycling or reusing at least 50 percent of construction waste or demolition materials. Because the Preferred Project would not result in a significant increase in GHG emissions both indirectly or directly, it would also not conflict with adopted GHG reduction plans.

Hazards and Hazardous Materials

The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

One of the primary objectives of the Preferred Project is to improve water quality and habitat at Aquatic Park. There are currently no activities at the site that involve handling or significant use of hazardous materials. Common construction-related hazardous materials including, but not limited to fuel, oil, and solvents would be used on a limited and temporary basis during habitat restoration and infrastructure improvements. The use of these materials is strictly regulated and would be conducted in accordance with applicable laws and regulations, as required in contract specifications. The Preferred Project would not involve operations that would routinely use hazardous materials that could pose a risk of upset or accident involving the release of hazardous materials into the environment.¹³ The Preferred Project would not include new development or modification of existing development that could expose the public to hazards associated with wildfires or airports. The Aquatic Park project site is not included on list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.¹⁴

Land Use and Planning

The project would not physically divide an established community; conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of

¹² BAAQMD, *BAAQMD CEQA Guidelines*, May 2011. Page 8-6.

¹³ Refer to Impact HYD-1 in Section 4.3, Hydrology and Water Quality, for a description how potential contaminants in soil/sediment would be managed.

¹⁴ California Department of Toxic Substances Control, EnviroStor (www.envirostor.dtsc.ca.gov). Search criterion: Aquatic Park.

avoiding or mitigating an environmental effect; or conflict with any applicable habitat conservation plan or natural community conservation plan.

A project would have a significant impact on land use and planning if it would conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project site. Typically, compliance with applicable municipal code stipulations, general plan policies, and resource agency regulations is evaluated to determine the significance of impact. The Preferred Project would not include alteration of existing or construction of new land use development, and the Preferred Project would not modify the existing use of the project site. As such, the potential for conflict with the City's Zoning Code and land use designations contained in the Land Use Element of the City's General Plan would not exist, nor would the Preferred Project divide an established community. The Preferred Project is a response to the San Francisco Regional Water Quality Control Board's (RWQCB) 2004 finding that water temperatures and dissolved oxygen levels in the Aquatic Park lagoons are not supportive of fish populations. The Preferred Project would improve water quality at the project site, thereby improving habitat for aquatic, terrestrial, and avian species, which would support Basin Plan objectives. Therefore, the Preferred Project would not result in any conflicts with land use or planning.

Mineral Resources

The project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state or result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

Activities associated with the Preferred Project would involve limited ground-disturbing construction activities in order to improve water quality and habitat at Aquatic Park. The Preferred Project would not result in major land use changes or development on previously undeveloped land that would affect mineral resources.

Noise

The project would not result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; or a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

The Preferred Project would not result in new development or changes to land use; therefore, it would not include operational noise-generating features such as an increase in traffic conditions or stationary equipment (e.g., HVAC). No permanent increases in ambient noise would occur. The project site is not within a land use plan or within two miles of public airport.

Due to the nature of construction associated with the project (i.e., repair of existing storm drains, wetland creation), noise from construction equipment would be limited to heavy equipment use such as

excavators, graders, and trucks. No pile driving or other vibration-inducing construction activities are expected.

Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise sensitive land uses, or when construction durations last over extended periods of time. Construction noise is regulated by the City's Noise Ordinance (Section 13.40) and the project would be required to comply with the following provisions in the City's municipal code:

Operating or causing the operation of any tools or equipment used in construction, drilling, repair, alteration, or demolition work before 7:00 a.m. on a weekday (or before 9:00 a.m. on a weekend or holiday) or after 7:00 p.m. on a weekday (or after 8:00 p.m. on a weekend or holiday) such that the sound from across a residential or commercial real property line violates Section established acceptable noise levels, except for emergency work of public service utilities or by variance issued by the Environmental Health Division or noise control office.

Where technically and economically feasible, construction activities shall be conducted in such a manner that the maximum sound levels at affected properties will not exceed those listed in Table 13-40-3 of Section 13.40.070 of Municipal Code.

Compliance with the City's Noise Ordinance would ensure that construction-related noise impacts remain less than significant.

Population and Housing

The project would not induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure); displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; or displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

The Preferred Project would not result in new development or changes to permitted land uses. As such, the Preferred Project would not result in any population-based effects, nor would it include construction of new housing or displacement of existing residents. The Preferred Project would have no impact on population and housing.

Public Services

The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services: fire protection; police protection; schools; parks; or other public facilities.

The Preferred Project would not result in new development or changes to permitted land uses and, thus, would not result in growth-inducing effects that could require additional public services such as police, fire, public schools, or public libraries. The Preferred Project would have no impact on public services in the surrounding area.

Recreation

The project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

The project site is one of the largest parks in the City and is used for active recreation such as waterskiing, rowing, kayaking, bicycling, hiking, disc golf, and bird watching. Implementation of the Preferred Project would not substantially increase the use of the project site or other recreation areas in the City because it would not result in new development or additional population. An objective of the project is to improve water quality and habitat at Aquatic Park while maintaining the balance of recreational uses and habitat areas. The infrastructure components of the Preferred Project are intended to help improve tidal exchange by changing how water moves in and out of the lagoon. However, there is a minimal water level the City must maintain for recreational uses, and the Preferred Project would not result in a lowering of that level. Because there would be no decrease in water levels in the lagoons compared to existing conditions that could adversely affect water-based activities such as waterskiing, rowing, and kayaking, no adverse effects on the availability of these recreational uses is expected. Some land-based recreational activities (e.g., bicycling, hiking, bird-watching) may need to be temporarily limited or disrupted during construction to accommodate restoration activities, or some features such as trails may need to be relocated. However, there would be no permanent loss of land-based recreational opportunity locations at the park that would necessitate the need to construct new or replacement facilities elsewhere that could result in adverse environmental effects. Further, the Preferred Project is anticipated to enhance overall recreational opportunities because of water quality and habitat improvements. Therefore, impacts of the Preferred Project would be less than significant.

Transportation/Traffic

The project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit; conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways; result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); result in inadequate emergency access; or conflict with adopted policies, plans, or programs regarding public

transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

The Preferred Project would not include construction of new development, modification of existing development, or changes to land use designations that could affect existing transit and traffic conditions in the project area. The Preferred Project is limited to infrastructure and habitat improvements at the project site and, therefore, would have no impact on transportation or traffic.

Utilities and Service Systems

The project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board; require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. The project would have sufficient water supplies available to serve the project from existing entitlements and resources; be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; and comply with federal, state, and local statutes and regulations related to solid waste.

The Preferred Project would not include new development of any changes to land use designations. No increased population would result and no increased demand on utilities would occur. The Preferred Project would not generate additional solid waste or wastewater, nor would it require additional water or energy supplies over existing conditions.

The Preferred Project would modify the existing storm drain system at Aquatic Park. This is discussed in Section 4.3, Hydrology and Water Quality, of the Draft EIR.

6.2 SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL IMPACTS

Section 21100(b)(2)(A) of the CEQA requires that an EIR identify any significant environmental effects that cannot be avoided if the Preferred Project is implemented. As described in Section 4, Environmental Analysis, most impacts identified for the Preferred Project would either be less than significant or could be mitigated to less-than-significant levels. However, the Preferred Project would result in one significant impact that cannot be mitigated to a less-than-significant level. The Preferred Project would have a significant and unavoidable project and cumulative hydrologic impact related to potential exceedance of storm drain capacity, which could result in off-site flooding.

Due to this significant and unavoidable effect, approval of the Preferred Project would require the adoption of a Statement of Overriding Consideration, indicating that the City of Berkeley is aware of the significant environmental consequences and believes that the benefits of approving the Preferred Project outweigh its unavoidable significant environmental impacts.

6.3 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 21100(b)(2)(B) of CEQA requires that an EIR identify any significant effect on the environment that would be irreversible if the Preferred Project were implemented. Section 15126.2(c) of the CEQA Guidelines identifies irreversible environmental changes as those involving a large commitment of nonrenewable resources or irreversible damage resulting from environmental accidents.

Implementation of the Preferred Project would involve the use of typical construction equipment necessary for excavation and earthwork and site grading of the Aquatic Park lagoons. This equipment would require nonrenewable resources to operate; however, the construction phase of the Preferred Project would be short-term and the amount and rate of consumption of these resources would not result in the unnecessary, inefficient, or wasteful use of resources. Operation of the Preferred Project would result in the consumption of a negligible amount of nonrenewable resources.

Accidents, such as the release of hazardous materials, could trigger irreversible environmental damage. However, as described in Impacts Found to be Less Than Significant, above, the Preferred Project would implement applicable regulations to ensure that impacts related to the exposure or release of hazardous materials are less than significant.

6.4 GROWTH-INDUCING IMPACTS

Section 15126.2(d) of the CEQA Guidelines states that an EIR should discuss "...the ways in which the Preferred Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." Growth can be induced in a number of ways, including through the elimination of obstacles to growth, through the stimulation of economic activity within the region, or through precedent-setting action. CEQA requires a discussion of how a project could foster population, employment, or housing growth in the areas surrounding the project, as well as an analysis of how any such induced growth could tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. This section of the EIR discusses the manner in which the Preferred Project could affect growth in the City of Berkeley and the larger Bay Area.

In accordance with the CEQA Guidelines, Section 15126.2, this discussion of growth inducement is not intended to characterize growth induced by the Preferred Project as necessarily beneficial, detrimental, or of little significance to the environment. The growth inducement discussion is provided for informational purposes so that the public and local decision-makers have an appreciation of the potential long-term growth implications of the Preferred Project.

As discussed in Section 3, Project Description, the Preferred Project is intended to improve water quality and biological habitat in Aquatic Park. The Preferred Project would modify the storm drain connections that currently convey stormwater from the Potter and Strawberry basins into the Aquatic Park lagoons and the Bay. The Preferred Project would improve inter-lagoon circulation and lagoon to Bay tidal exchange. However, the Preferred Project would not include development of new housing or

provision additional jobs to the City. Further, the Preferred Project would not indirectly induce population growth by improving transportation routes or developing infrastructure in areas not previously served by local utilities. Construction would be short term and would not require workers from outside of the City to relocate closer to the project site. Although it is reasonable to assume that the recreation improvements included in the Preferred Project could slightly increase the recreational use of Aquatic Park, such improvements would not induce population growth in the City or surrounding Bay Area. Therefore, implementation of the Preferred Project would not facilitate or contribute to unanticipated growth in the City of Berkeley or the County of Alameda.

6.5 CUMULATIVE IMPACTS

CEQA Guidelines Section 15355 defines cumulative impacts as “... two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” The combination of the Project with other reasonably foreseeable probable future projects in the vicinity or region affected by the Preferred Project, defines the cumulative scenario. Cumulative impacts and the Preferred Project’s contribution to the cumulative impacts are addressed in Sections 4.2 and 4.3 of this Draft EIR. As discussed in Section 4.2, the Preferred Project would not result in any significant cumulative biological resources impacts. The Preferred Project would result in a cumulative hydrology impact related to potential exceedance of storm drain capacity, which could result in off-site flooding.

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