

VI. CEQA-REQUIRED ASSESSMENT CONCLUSIONS

As required by CEQA, this chapter discusses the following types of impacts that could result from implementation of the proposed project: growth-inducing impacts; significant irreversible changes; cumulative impacts; effects found not to be significant; and unavoidable significant effects.

A. GROWTH INDUCEMENT

A project is considered growth-inducing if it would directly or indirectly foster substantial economic or population growth or the construction of additional housing.¹ Examples of projects likely to have *significant* growth-inducing impacts include extensions or expansions of infrastructure systems beyond what is needed to serve project-specific demand, or development of new residential subdivisions or industrial parks in areas that are currently only sparsely developed or are undeveloped. Typically, redevelopment projects on infill sites that are surrounded by existing urban uses are not considered growth-inducing because redevelopment by itself usually does not facilitate development intensification on adjacent sites.

Implementation of the proposed project would result in direct population growth that is not substantial in the context of population growth projected to occur in the cities of Emeryville and Oakland in the foreseeable future. According to ABAG's *Projections 2007*, Oakland's 2005 population is estimated at 410,600 residents and is projected to grow to 464,700 by 2020.² The City of Emeryville population was estimated at 8,400 in 2005 and is estimated to grow to 11,900 residents by 2020.³ According to the 2000 census, the City of Emeryville has an average household size of 1.71 people, while the City of Oakland has an average household size of 2.6 people. As such, the 101 units planned for the site would add somewhere between 173 to 263 residents to the area, well within the growth projected for Oakland and Emeryville. A population increase of 173 to 263 persons is not considered substantially growth-inducing.

Indirect population growth associated with the proposed project could occur in association with job creation. The economic stimulus generated by construction of the proposed project could result in the creation of new construction-related jobs. However, the jobs created during both the construction and operation phases of the project would not be substantial in the context of job growth in Oakland and Emeryville in the next 10 years. The 1,000 square foot retail space would likely generate one to three full-time jobs. Although some of the employees generated by the proposed project may decide to live in Oakland or Emeryville, the migration of these employees into either city would not result in a substantial population increase.

¹ *CEQA Guidelines*, 2006. § 15126.2(d).

² Emeryville, City of, 2005. Emeryville General Plan Update: Opportunities and Challenges. Chapter 5, "Population, Demographics, & Economics." <http://www.ci.emeryville.ca.us/planning/pdf/05POPULATION.pdf>

³ *Ibid.*

In addition, the proposed project would occur on an infill site in an existing urbanized neighborhood in Oakland and Emeryville. It would not result in the extension of utilities or roads into undeveloped areas, and would not directly or indirectly lead to the development of any greenfield sites in the region. In addition, the provision of additional infill housing in Oakland and Emeryville would allow more people to live in an existing urbanized area and could reduce development pressures on farmland and open space in the greater Bay Area. Therefore, the population growth that would occur as a result of project implementation would be largely beneficial and would not be considered substantial or adverse.

B. SIGNIFICANT IRREVERSIBLE CHANGES

An EIR must identify any significant irreversible environmental changes that could result from implementation of a proposed project. These may include current or future uses of non-renewable resources, and secondary or growth-inducing impacts that commit future generations to similar uses. CEQA dictates that irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.⁴ The *CEQA Guidelines* describe three distinct categories of significant irreversible changes: 1) changes in land use that would commit future generations; 2) irreversible changes from environmental actions; and 3) consumption of non-renewable resources.

1. Changes In Land Use Which Would Commit Future Generations

The proposed project would allow for the development of approximately 1.12 acres of land within an infill site at the Emeryville/Oakland border. The project site is surrounded by urban development on all sides and is designated for housing and commercial development in Oakland and Emeryville (with a conditional use permit). Therefore, the proposed project would not commit future generations to a significant change in land use.

2. Irreversible Changes From Environmental Accidents

No significant irreversible environmental damage, such as what could occur as a result of an accidental spill or explosion of hazardous materials, is anticipated due to implementation of the proposed project. The proposed project would comply with all applicable federal, State and local hazardous materials regulations, which would reduce the possibility that hazardous substances within the project site (e.g., building materials containing lead and asbestos) would cause significant environmental damage.

3. Consumption of Nonrenewable Resources

Consumption of nonrenewable resources includes conversion of agricultural lands, loss of access to mining reserves, and use of non-renewable energy sources. The project site is located within an urbanized, developed neighborhood on the border of Emeryville and Oakland. Surrounding land uses include residential, retail, and industrial uses. No agricultural lands would be converted to non-agricultural uses. In addition, the project site does not contain known mineral resources. Construction of the proposed project would require the use of energy, including energy produced from non-renewable resources. Energy consumption would also occur during the operational phase of the proposed project due to the use of automobiles and appliances. However, the project applicant is

⁴ *CEQA Guidelines*, 2003. § 15126.2(c).

considering use of solar panels, which would generate electricity for the site, thereby reducing fuel and energy consumption. In addition, the project proposes moderately-sized residences and a retail use that would not be expected to consume substantial amounts of energy. Therefore, the proposed project would not substantially deplete non-renewable fuel supplies.

C. CUMULATIVE IMPACTS

CEQA defines cumulative impacts as “two or more individual effects, which, when considered together, are considerable, or which can compound or increase other environmental impacts.” Section 15130 of the *CEQA Guidelines* requires that an EIR evaluate potential environmental impacts that are individually limited but cumulatively considerable. These impacts can result from the proposed project alone, or together with other projects. The *CEQA Guidelines* state: “The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.”⁵

1. Methodology

When evaluating cumulative impacts, CEQA envisions the use of either a list of past, present, and probable future projects, including projects outside the control of the lead agency, or a summary of projections in an adopted planning document, or some reasonable combination of the two approaches. This cumulative analysis uses a list of past, present, pending, approved, and reasonably foreseeable future projects in the project site vicinity⁶ for site specific topics and sub-topics as well as a projections-related approach for transportation and circulation. This blended approach is consistent with *CEQA Guidelines* section 15130(b). The past, present, and future projects considered as part of the cumulative analysis include numerous redevelopment projects in Oakland and Emeryville, many of which contain a mixture of uses and are located in close proximity to transit. These redevelopment projects are similar in character to the proposed project, and affect similar environmental resources. The projections approach more effectively addresses potential cumulative impacts to the local and regional transportation system, the noise environment, and air basin.

2. Cumulative Effects of the Proposed Project

The following analysis examines the cumulative effects of the proposed project. Potential cumulative effects are summarized below for each of the topics that are analyzed in Chapter IV of the EIR.

a. Land Use and Planning Policy. Implementation of the cumulative projects, in combination with the proposed project, would result in the redevelopment of numerous infill sites throughout Emeryville and Oakland. Infill projects in a setting like that of Emeryville and Oakland generally represent environmentally-sound development in that such projects capitalize on existing transit

⁵ *CEQA Guidelines*, 2006. § 15355.

⁶ Emeryville, City of, 2007. City of Emeryville Planning and Building Department: Status of Major Development Projects – City of Emeryville. Website: www.ci.emeryville.ca.us/planning. August.

Oakland, City of, 2007. City of Oakland Community and Economic Development Agency: Active Major Development Projects; Sept-Oct. 2007. Website: www.oaklandnet.com/government/ceda. October.

systems and infrastructure, and minimize impacts on sensitive resources, such as wetlands and farmlands, which are frequently degraded with greenfield site development. Anticipated development in Emeryville and Oakland is expected to intensify the uses of underutilized parcels, provide greater neighborhood cohesion, and accommodate an increasing population. Because the proposed project would result in a net benefit to the community integrity and vitality of Emeryville and Oakland, it is expected to result in beneficial land use impacts in the cumulative condition.

b. Transportation and Circulation. Please refer to Section IV.D., Transportation and Circulation for a detailed description of the cumulative analysis methodology and cumulative transportation-related impacts. The cumulative impacts analysis found that two intersections would operate at unacceptable levels of service in the cumulative condition, both without and with the small increase in traffic caused by the proposed project. The intersection of San Pablo Avenue and 40th Street would operate at LOS E during the PM peak hour. This intersection is located in Emeryville, and the significance threshold is a 4-second increase in total intersection average vehicle delay due to project-generated traffic. Since the average vehicle delay with the addition of project traffic would only be 2.5 seconds, the project would not make a significant contribution to the cumulative impact. In addition, the cumulative impacts analysis found that the intersection of San Pablo Avenue and 36th Street would operate at LOS F during the AM peak hour. This intersection, which is located in Oakland, would operate at LOS F with or without the addition of project-generated traffic. The threshold for significance is an increase in the total intersection average vehicle delay by 2 or more seconds; or an increase in average delay for any of the critical movements by 4 seconds or more. Since the average vehicle delay at this intersection would increase by only 0.2 seconds due to project-generated traffic, and no critical movement delays would increase by 4 seconds or more, no significant cumulative impact was identified.

c. Cultural and Paleontological Resources. Construction activities associated with the proposed project could result in significant impacts to unidentified archaeological and paleontological resources, and human remains. However, the proposed project would be subject to measures that protect previously identified archaeological and paleontological resources. Other foreseeable projects in both Emeryville and Oakland would be subject to similar measures. Therefore, the proposed project, in conjunction with the other projects, would not result in a significant cumulative impact to archaeological and paleontological resources.

The existing building on the site is locally significant, based on the City of Emeryville's Municipal Code, and is considered a property of "secondary importance" under the City of Oakland Historic Preservation Element. Although the building is not listed on a local register, it is considered a historic resource pursuant to CEQA (because its National Register of Historic Places Status Code on a Department of Parks and Recreation 523 form is "5S," meaning that the structure is not eligible for the National Register, but is of local interest). Therefore, demolition of the building would directly affect a significant historic resource, and would contribute to the cumulative loss of historic buildings in Oakland and Emeryville. Implementation of Mitigation Measure CULT-1 would reduce the significance of this cumulative impact, but not to a less-than-significant level. Therefore, the impact is **significant and unavoidable**. The proposed project is not located in a historical district; therefore, the demolition of the Standard Beverages Limited building would not result in a significant cumulative impact to a historical district.

D. EFFECTS FOUND NOT TO BE SIGNIFICANT

Based on correspondence with City staff, visits to the project site, and preparation of an Initial Study (Appendix B), the proposed project is not expected to result in significant impacts related to the following topics, which are not further evaluated in the EIR. Each topic is paraphrased below; please see Appendix B for detailed evaluation of each.

1. Aesthetic Resources

The proposed project would change the visual character of the surrounding Emeryville and Oakland neighborhoods. Although a building deemed significant by the Emeryville Municipal Code would be removed, the redevelopment of the infill site would be beneficial to the visual character of the surrounding community. The redevelopment of the surface parking area would help to create a more appealing urban environment and the addition of the café and outdoor patio would enhance the pedestrian environment of the streets around the project site. In addition, the proposed project would not compromise scenic views.

2. Population and Housing

Implementation of the proposed project would result in a direct population growth of between 173 to 263 residents. The population increase is consistent with population projections for Emeryville and Oakland and would not be considered unanticipated growth.

3. Agricultural Resources

The site is located within a developed area within Emeryville and Oakland and is not classified by the State Department of California Department of Conservation as farmland. No agricultural uses or farmland are present within or adjacent to the site.

4. Air Quality

Air pollutant emissions associated with the proposed project would occur over the short term in association with construction activities such as demolition, excavation and vehicle/equipment use. However, the project would be subject to Standard Conditions of Approval, which would ensure that the project would have a less-than-significant effect on air quality during the construction period. Long-term emissions would result from vehicle trips associated with residential and retail use of the project site. The increase in long-term vehicular emissions generated by the proposed project would be well below the BAAQMD emission threshold for significant regional emissions. Therefore, project operations would have a less-than-significant impact on local and regional air quality.

5. Biological Resources

The project is located within a developed area, the majority of which is covered with impervious surfaces. Wildlife and plants present on the site have adapted to urban conditions and would not be adversely affected by implementation of the proposed project. No protected animal or plant species are known to inhabit the site.

6. Mineral Resources

No known mineral resources are located within or near the project site. Mineral extraction activities have not taken place within or around the project site during recent history.

7. Hazards

Construction activities at the proposed site, including demolition activities, could increase the potential for the exposure of persons to hazardous materials, including contaminated soil, hazardous construction materials, and lead and asbestos. However, the remediation of existing hazardous materials is highly regulated by local, State, and federal laws. Compliance with these regulations would reduce any hazardous-materials related impacts to a less-than-significant level.

8. Noise.

Compliance with Standard Conditions of Approval would ensure that occupants of the project site would not be exposed to unacceptable noise levels. The proposed project would not create a perceptible change in traffic noise in the vicinity of the project site. No substantial long-term increase in traffic-related noise is expected as a result of the project implementation.

9. Geology, Soils, and Seismicity

Like all projects in the Bay Area, the proposed project could expose persons to seismic hazards. However, compliance with applicable Building Code requirements and Standard Conditions of Approval would reduce seismic risks to a less-than-significant level.

10. Hydrology and Water Quality

The project would be constructed on an urbanized site and would not substantially increase impervious surface coverage or result in flood hazards within the project site. In addition, the proposed project would not place structures in flood hazard zones or existing waterways.

11. Public Utilities and Services

The project would use existing water lines; proposed landscaping would not require extensive irrigation. The site would be constructed on a predominantly impervious site and would not result in a substantial increase in stormwater runoff that would overburden the existing stormwater system. In addition, the proposed project would be adequately served by existing public services, such as police and fire protection, schools, and parks, and would not require the construction of new facilities.

12. Global Climate Change

This section discusses the potential effects of the project on global climate change, and concludes that, in light of the lack of statutes, regulations, guidelines, or case law decisions requiring analysis of global climate change, and the lack of sufficient scientific basis to ascertain the effects of an individual project on global climate patterns, the potential impact of the project is speculative. There is a general scientific consensus that global climate change is occurring, caused in whole or in part by increased emissions of greenhouse gases (GHGs) that keep the Earth's surface warm by trapping heat in the Earth's atmosphere, in much the same way as glass in a greenhouse. While many studies show evidence of warming over the last century, and predict future global warming, the causes of such warming and its potential effects are far less certain.

According to the International Clearinghouse for Sustainable Development, potential effects of global climate change in Alameda County may include:

- Warmer weather associated with increased heat waves;
- Warmer weather with an increase in annual rainfall of 20 percent to 30 percent, resulting in increase flooding;
- Rising sea levels that will threaten coastal infrastructure, ecosystems, and water supplies;
- Decrease in the Sierra Nevada Mountains snow pack, with associated effects on the availability of fresh water and tourism; and
- Increase in insect-borne diseases.

In its “natural” condition, the greenhouse effect is responsible for maintaining a habitable climate on Earth, but human activity has increased concentrations of these gases in the atmosphere, thereby contributing to an increase in global temperatures. Carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), ozone (O₃), and water vapor (H₂O) are the principal GHGs, and when concentrations of these gases exceed the natural concentrations in the atmosphere, the greenhouse effect may be enhanced. Without these GHGs, Earth’s temperature would be too cold for life to exist. CO₂, CH₄, and N₂O occur naturally as well as through human activity. Of these gases, CO₂ and CH₄ are emitted in the greatest quantities from human activities. Emissions of CO₂ are largely by-products of fossil fuel combustion, whereas CH₄ results from off-gassing associated with agricultural practices and landfills. Man-made GHGs – with much greater heat-absorption potential than CO₂ – include fluorinated gases such as hydrofluorocarbons (HFCs), perfluorocarbons (PFC), and sulfur hexafluoride (SF₆) which are byproducts of certain industrial processes.

In 2005, it was estimated that the emission of CO₂ equivalents (CO₂e) from all major sources totaled 2,200,000 tons, nearly half of which are transportation-related. From the year 2005, emissions are forecast to increase by 12 percent by 2010 (to 2,500,000 tons of CO₂e), and 19.5 percent (to 2,700,000 tons of CO₂e) by 2020, assuming “business as usual” into the future.

On June 1, 2005, Governor Arnold Schwarzenegger signed Executive Order (EO) S-3-05, establishing statewide GHG emission reduction targets. This EO provides that by 2010, emissions shall be reduced to 2000 levels; by 2020, emissions shall be reduced to 1990 levels; and by 2050, emissions shall be reduced to 80 percent of 1990 levels. On August 31, 2006, the California legislature passed Assembly Bill 32 (AB 32 – signed into law on September 27, 2006), which commits California to reduce GHG emissions to 1990 levels and establishes a multi-year regulatory process under the jurisdiction of the California Air Resources Board (CARB) to establish regulations to achieve these goals. By January 1, 2008, CARB is also required to adopt a statewide GHG emissions limit equivalent to the statewide GHG emissions levels in 1990, which must be achieved by 2020. By January 1, 2011, CARB is required to adopt rules and regulations, which shall become operative on January 1, 2012, to achieve the maximum technologically feasible and cost-effective GHG emission reductions.

On May 1, 2007, the Emeryville City Council passed a resolution establishing a greenhouse gas emissions goal to reduce Emeryville-wide emissions (including municipal emissions) by 25 percent below 2004 levels by 2020.

The construction and occupation of mixed-use developments, such as the proposed project, cause GHG emissions. GHG emissions occur in connection with many activities associated with

development, including the use of construction equipment and building materials, vegetation clearing, natural gas usage, electrical usage (since electricity generation by conventional means is a major contributor to GHG emissions), water use (which relies on the use of electricity for pumping), and transportation. However, it is important to acknowledge that new development does not necessarily create entirely new operational GHG emissions, since most of the persons who will visit or occupy the new development will come from other locations where they were already causing such GHG emissions. Further, it has not been demonstrated that even new GHG emissions caused by a local development project can affect global climate change, or that a project's net increase in GHG emissions, if any, when coupled with other activities in the region, would be cumulatively considerable.

As of preparation of this EIR, there are no statutes, regulations, guidelines, or case law decisions requiring analysis of climate change within a CEQA document. Under AB 32, the CARB (the sole agency in charge of regulating sources of emissions of GHG in California) has been tasked with adopting regulations for reduction of GHG emissions. As of the date of this analysis, no air district in California (including BAAQMD) is known to have identified a significance threshold for GHG emissions or a methodology for analyzing air quality impacts related to GHG emissions. In particular, there is no emission rate criterion for the purpose of identifying a significant contribution to global climate change in CEQA documents.

The *CEQA Guidelines* do not contain any provisions that specifically set forth requirements for analysis of global climate change impacts. As stated in Section 15064(b) of the *CEQA Guidelines*, "The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data." Additionally, *CEQA Guidelines* Section 15145 states, "If, after thorough investigation, a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact."

Moreover, Governor Schwarzenegger signed SB 97 (Chapter 185, Statutes 2007) into law on August 24, 2007. The legislation provides partial guidance on how greenhouse gases should be addressed in certain CEQA documents.

SB 97 requires the Governor's Office of Planning and Research (OPR) to prepare guidelines for the mitigation of GHG emissions, including, but not limited to, effects associated with transportation or energy consumption. OPR must prepare these guidelines and transmit them to the Resources Agency by July 1, 2009. The Resources Agency must then certify and adopt the guidelines by January 1, 2010. OPR and the Resources Agency are required to periodically review the guidelines to incorporate new information or criteria adopted by ARB pursuant to the Global Warming Solutions Act, scheduled for 2012.

The second part of SB 97 codifies safe harbor for highways and flood control projects. It provides that the failure of a CEQA document for a project funded by Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 or the Disaster Preparedness and Flood Prevention Bond Act of 2006 to adequately analyze the effects of GHG emission otherwise required to be reduced pursuant to the regulations adopted under the Global Warming Solutions Act (which are not slated for adoption until January 1, 2012), does not create a cause of action for a violation of CEQA. This portion of SB 97 has a sunset date of January 1, 2010.

The bill does not address the obligation to analyze GHGs in projects not protected by the safe harbor provision. One possible interpretation is that there is no duty until the guidelines are adopted, because *CEQA Guidelines* Section 15007 subdivision (b), provides that guideline amendments apply prospectively only.

The City of Oakland and the City of Emeryville have determined, based upon the discussion above and the factors discussed previously and summarized below, that the project's impact on global climate change is speculative, and cannot be evaluated at this time because of:

- Uncertainties regarding human activities and climate change and the potential human activities that may reverse global warming trends.
- Lack of guidance for analysis of climate change issues in CEQA documents.
- Lack of methodology for evaluating GHGs, specifically determining the incremental increase in GHG emissions for an individual project, the impacts of a particular development project on global climate change, and the significance of any such impacts under CEQA.
- Lack of methodology for determining whether GHG emissions from an individual project are significant.
- Lack of scientific basis to accurately project future climate trends, much less the likely adverse environmental impacts resulting from those trends in any specific location.

For all of the reasons summarized above, and pursuant to Section 15145 of the *CEQA Guidelines*, until such time as a sufficient scientific basis exists to 1) ascertain the incremental impact of an individual project on climate change; and to 2) accurately project future climate trends associated with that increment of change; and 3) guidance is provided by regulatory agencies on the control of GHG emissions and thresholds of significance, the significance of an individual project's contribution to global GHG emissions is too speculative to be determined. Therefore, further analysis and application of current emissions scenarios, climate models, and climate change projections to the proposed project is also speculative.

While the preceding discussion outlines the speculative nature of determining the significance of an individual project's contribution to global GHG emissions at this time, the City of Oakland and the City of Emeryville have provided a discussion of the proposed project below, for consideration by decision makers. Discussed below are the project-related activities that could contribute to the generation of increased GHG emissions, and project design features that would avoid or minimize those emissions.

The approach employed is that, in lieu of an adopted significance threshold for GHG emissions, or a methodology for analyzing air quality impacts related to GHG emissions, the effects of a proposed project may be evaluated based not upon the quantity of emission, but rather on whether practicable available control measures are implemented, similar to construction-related dust emissions within the San Francisco Bay air basin. Arguably, if a project implements reduction strategies identified in AB32, the Governor's Executive Order S-3-05, or other strategies to help toward reducing GHGs to the level proposed by the Governor and targeted by local agencies, it could reasonably follow that the project would not result in a significant contribution to the cumulative impact of global climate change. Alternatively, a project could reduce a potential cumulative contribution to GHG emissions

through energy efficiency features, density and locale (e.g., compact development near transit and activity nodes of work or shopping).

Since the project site is located in an area that would not be likely to be subject to coastal or other flooding resulting from climate change during the economic life of the project, the potential effects of climate change on the proposed project are not discussed in this EIR. Although it is possible to generally estimate a project's contribution to CO₂ into the atmosphere, it is a matter of speculation whether that project increases existing levels of GHGs globally or in the State of California. Moreover, even if it is assumed that a project does create an incremental increase in those emissions, it is typically not possible to determine whether or how an individual project's relatively small incremental contribution might translate into physical effects on the environment, given the considerations discussed above.

The amount of increased GHG emissions that may be generated by the proposed project would not, by itself, influence global climate change. It cannot currently be determined if the proposed project would provide an incremental contribution to the cumulative increase in GHG emissions.

As previously noted, there are no published thresholds of significance, and no regulatory guidance available that evaluate climate change and GHG emissions in conjunction with individual development projects. In addition, the scientific and technical literature indicates that there is not yet a methodology for reflecting the impact of individual land use decisions in climate change models. Until such time that sufficient scientific basis exists to accurately project future climate trends and guidance is provided by regulatory agencies on the control of GHG emissions and thresholds of significance, the significance of the proposed project's contribution to global GHG emissions, pursuant to CEQA, cannot be judged, but is expected to be less than significant. As discussed above, the construction and operation of the proposed project would generate GHG emissions, with the majority of energy consumption (and associated generation of GHG) occurring during operation. Typically, more than 80 percent of total energy consumption takes place during the use of the buildings, and less than 20 percent is consumed during construction.

Overall, the following activities associated with a typical mixed-use development could contribute to the generation of GHG emissions:

- Removal of Vegetation – The net removal of vegetation for construction results in a loss of carbon sequestration in plants. Alternately, planting of additional vegetation would result in additional carbon sequestration and a lower carbon footprint.
- Construction Activities – Construction equipment typically uses fossil fuels to operate. The combustion of fossil fuels creates GHGs such as carbon dioxide, methane, and nitrous oxide. Furthermore, methane is emitted during the fueling of heavy equipment.
- Gas, Electricity and Water Use – Gas use results in the emissions of two GHGs: methane (the major component of natural gas) and carbon dioxide from the combustion of natural gas (as before a flame on a stove is sparked), and from small amounts of methane that are uncombusted in a natural gas flame. Electricity use can result in GHG production if the electricity is generated by combusting fossil fuel. California's water conveyance system is energy-intensive, with electricity used to pump and treat water.

- Motor Vehicle Use – Transportation associated with the proposed project would result in GHG emissions from the combustion of fossil fuels in daily automobile and truck trips.

While the proposed project and all development including similar land uses would generate GHG emissions as described above, the ongoing implementation of policies addressing green design, sustainability, and transit-oriented development in Oakland and Emeryville would collectively reduce the levels of GHG emissions and contributions to global climate change attributable to activities throughout Oakland and Emeryville.

While no significant GHG emissions-related impacts have been identified, and no mitigation is required, project characteristics and design features that have been included in the project to reduce the amount of GHG emissions generated during construction and operation are provided below:

- Walkability –The neighborhood surrounding the project site, including the San Pablo Avenue commercial district, is densely populated and well served by services and retail outlets, many of which are accessible by pedestrian travel. As such, the project would reduce transportation-related GHG emissions compared to emissions from the same level of development elsewhere in areas that are less walkable.
- Energy Efficiency – The proposed project would be required to comply with all applicable local, state, and federal regulations associated with the generation of GHG emissions and energy conservation. In particular, construction of the proposed project would be required to meet California Energy Efficiency Standards for Residential and Nonresidential Buildings, and the requirements of pertinent green design policies of Oakland and Emeryville, helping to reduce future energy demand as well as the project’s contribution to regional GHG emissions.
- Construction Waste – The proposed project will be required to comply with the City of Oakland’s Construction and Waste Reduction Ordinance and submit a Construction and Demolition Waste Reduction Plan for review and approval. As a result, construction-related truck traffic, which primarily relies on diesel fueled engines, would be reduced since demolition debris that would otherwise be hauled off-site would be reused on-site. In addition, reuse of concrete, asphalt, and other debris will reduce the amount of material introduced to area landfills.
- Inner Bay Location Near Transit – The project’s location near the 72 Rapid AC Transit line, Emery-Go-Round routes, and other transit would reduce transportation-related GHG emissions compared to emissions from development with the same amount of population and employment growth in the outer Bay Area. Because transit service is generally less available in most areas of the outlying areas than in Oakland and Emeryville, development in those locations would likely result in increased peak-hour vehicle trips of relatively long distances, and often in single-occupant vehicles, compared to development at the project site. Development on the project site would include a greater number of potential residents and visitors that could potentially utilize alternative modes of travel.

Although no significant impacts related to GHG emissions have been identified, and no mitigation is required, the project’s GHG emissions generated during construction and operation would be minimized by virtue of the site’s location, existing neighborhood characteristics, and design features that have been included in the project. In addition, emissions would also be reduced since the project is subject to all the regulatory requirements, mitigation measures, and standard conditions in this EIR

and attached Initial Study that would reduce GHG emissions of the project. These include, for example, adherence to best management construction practices and equipment use.

E. SIGNIFICANT UNAVOIDABLE IMPACTS

The proposed project would result in no significant and unavoidable impacts.