Appendix A -- No. 8

PROPONENT'S ENVIRONMENTAL ASSESSMENT
ENVIRONMENTAL CHECKLIST

Site name: Emeryville ILA D-Node

Prepared for
California Public Utilities Commission

Prepared by
Level 3 Communications, LLC

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ENVIRONMENTAL CHECKLIST

1. Facility Title:
Level 3 Long-Haul Network, Emeryville ILA D-Node

2. Lead Agency Name and Address:
California Public Utilities Commission
Van Ness Avenue, San Francisco, CA 94102
(415) 703-2782

3. Contact Person and Phone Number:
Bill Vander Lyn, Level 3 Communications, LLC
6689 Owens Drive, Suite A, Pleasanton, CA 94588
(925) 398-3040

4. Facility Location:
The proposed project is located at 5000 Hollis Street in the City of Emeryville, Alameda County. The 4.6-acre project site contains an approximately 48,960 square foot industrial structure and is located on the southeast corner of Hollis Street and 53rd Street. It is located east of I-580, and west of SR 123 (San Pablo Avenue) and the City of Oakland. The APN of the project site is: 049-1041-011 (See Figure 1, Regional Map; Figure 2, Vicinity Map; Figure 3, Parcel Map; Figure 4, U.S.G.S. Quad Map; Figure 5, Surrounding Land Use Map; Figure 6, Photo Key Map and referenced photos).

5. Proponent's Name and Address:
Level 3 Communications, LLC ("Level 3")
1450 Infinite Drive, Louisville, CO 80027
(303) 926-3000

6. General Plan Designation: Commercial

7. Zoning: Mixed Use (M-U)

8. Description of Facility:
This checklist evaluates the design, construction, and operation of the Emeryville In-line Amplification Distribution Node Facility (ILA D-node), which would be placed in an existing building outside of existing utility corridors in support of the Long- Haul network. The Long-Haul fiber optic network is connected to local communication systems through D-Nodes. This facility, which is located at 5000 Hollis Street, also provides signal amplification capabilities similar to those of an ILA.

The Emeryville ILA D-Node will occupy approximately 6,000 square feet of floor space within the existing 48,960 square foot building. The building is of concrete tilt-up construction. The node hardware needed to connect the fiber optic network to the local communication systems will be located in this building.

One 400-kilowatt (kW), diesel-powered generator will provide emergency power to the building. The generator will be housed in a truck bay at the 53rd Street corner of the main building. The generator shelter will be assembled at the site and installed on an existing, but enhanced concrete foundation. The size of the generator shelter is dependent on local noise regulations but will be approximately 11 feet wide by 29 feet long by 12 feet tall. This generator will be sufficient to handle the standby power requirements of the D-Node facility. The generator will be mounted on a 1,400-gallon, double-walled, above-ground belly storage tank that is approximately 13 feet long by 8 feet wide by 2 foot 6 inches high. The double-walled storage tank on which the engine/generator set is mounted is designed to support the weight of the engine/generator set and this mounting is a common design for emergency

engine/generators. For engine/generator sets that are operated more frequently, the fuel tank is mounted separate from the engine/generator since greater fuel storage capability is required and the storage tank would be too large to be located beneath the engine/generator (Rice, 1999). Tank system design incorporates a high fuel alarm (local) and a tank rupture alarm (remote).

During operation at 100-percent load, each generator consumes approximately 29 gallons of diesel fuel per hour (gph). At 75% load, fuel consumption rate is approximately 21 gph. During most of the 30 minutes of testing and maintenance run time each week, the generators will run at 50-percent load. However, for the purposes of this "worst-case" calculation, Level 3 conservatively assumes a 75-percent load and 30 hours of run time each year (i.e., 1/2-hour/week times 52 weeks, plus four hours contingency). Therefore, 30 hours per year multiplied by 21 gph equals 630 gallons of diesel fuel consumption per year for testing and maintenance.

Level 3 will equip each generator with a spill tray beneath the filling port and a spill emergency response kit. The kit will consist of a 55-gallon drum containing oil-absorbing booms and pads, tarps, duct tape, and shovels. These materials will be placed near the filling port for immediate access should a release occur. A laminated placard listing the number of an emergency response contractor and appropriate spill-reporting procedures will be contained in the drum and will also be displayed near the filling port. Should a release occur that cannot be managed by Level 3 personnel, a contractor will be called to respond.

In line with its commitment to environmental compliance, Level 3 will train technical staff regarding safety and spill-response procedures that should be implemented during diesel oil deliveries. These written procedures will define the necessary steps for use and disposal of spill containment equipment located at the site. A Level 3 technician will accompany any third party contractor delivering fuel. Because the facilities are kept locked, a Level 3 technician will unlock/lock the security gate during ingress and egress. The technician will advise the contractor as to the location of the filling port(s) for the generator tank(s), describe the site safety requirements, observe the fueling process, and listen for the high fuel alarm. Should a release occur, the Level 3 technician will immediately initiate containment and cleanup procedures.

The D-Node will not be permanently staffed. A driveway providing access from Hollis Street and on-site parking already exist. No additional buildings will be constructed. Control and maintenance functions will occur within the proposed facilities. Fencing around the parking area and grounds will be eight feet tall. Electricity, telephone, sewer, and water hookups required by the facility are in place. Utility lines supporting these capabilities are located on wooden poles along Hollis Street and 53rd Street. Normal electrical power will be provided, consisting of 2000-amp, 480-volt, three-phase service. Water and sewer connections to municipal systems are per local code. Stormwater drainage and fire protection equipment are also per local codes.

Site development would include retrofitting both the exterior and the interior of the existing building. This will involve replacing the roof and removing approximately 5,000 square feet of interior walls. The D-Node equipment will be installed on the existing slab, which is above grade. Approximately 200 cubic yards of solid waste will be generated in the retrofitting process. The slab in the truck bay supporting the generator will be strengthened by pouring additional concrete and thickening the slab. The fiber optic cable, to which the facility will be connected is located in UPRR ROW adjacent to the east side of the building. The connection to the facility from the running line will utilize existing utility corridors including public streets. The connection to the D-Node facility will be installed at a depth of approximately 42 inches either by plowing in the conduit (which does not require a trench) or by digging a trench, laying the conduit, and then back-filling the trench. No public roads will be encroached by the trenching operation.

Current and potential cumulative projects in the vicinity of the proposed Emeryville ILA D-Node site that meet the following criteria are shown in Table 1:

- Projects within two miles of the site. In some cases these projects are in more than one jurisdiction;
- Projects which would be constructed within one year before and one year after the "construction Level 3 facilities, or between March 1999 to March 2003;
- For "current projects," projects that have been approved by the lead agency and have had their environmental document signed, approved, and/or certified; and
- For "potential projects," projects which have been formally submitted to the lead agency and which are defined well enough to discern where they are, what they are (type of land use), and how big they are (acres, dwelling units, square footage, etc.). Although these submitted but not approved projects are considered "speculative" under CEQA, they give an indication of potential future development around the facility site.

9. Surrounding Land Uses and Environmental Setting:

The surrounding area is characterized as mixed use. Directly opposite the project site on the north side of 53rd Street is an industrial use, Rainin Instrument Company. On the northwest corner of the intersection of Hollis and 53rd Street is an office building, the Chiron Life Sciences Center. On the south side of the project site is a commercial use, F. Alaby Incorporated Custom Woodcraft. To the west of the project site, across Hollis Street, is an industrial use, Pacific Gas and Electric Company (PG&E). On the east side of the project site is a small parking area used for a nearby office use. Beyond the parking lot to the east is a multifamily residential development.

10. Other Agencies Whose Approval is Required:

The site is located within the jurisdiction of the City of Emeryville and the Bay Area Air Quality Management District (BAAQMD).

The project site is zoned Mixed Use (M-U). The proposed project would be defined as a "Utility Services" use under the City of Emeryville Zoning Ordinance (9-4.4.230). Section 9-4.36.3(b) of the Zoning Ordinance permits Utility Services in the M-U zoning district subject to a Conditional Use Permit. A Conditional Use Permit is a discretionary process that requires a public hearing before the City's Planning Commission.

The emergency diesel generator will not require a permit from the BAAQMD.

Specific local policies relevant to each of the sixteen environmental impact issue areas are provided in Table 2. When there are no relevant and applicable policies, this fact is stated with an explanation. Sources for the policies are provided at the end of the listing.

PROPONENT'S DETERMINATION

On the basis of this initial assessment, the proposed facility would not have a significant effect on the environment because the Environmental Commitments described below would be incorporated into the design and construction of the facility. A Negative Declaration would apply to this facility.

Environmental Commitments

The proposed facility is an element of the project addressed in an Application for Modification of an existing Certificate of Public Convenience and Necessity (CPCN) (Decision No. 98-03-066). That CPCN was supported by a Mitigated Negative Declaration that included mitigation measures to be implemented in the design, construction, and operation of the previously approved telecommunications facilities within existing utility rights-of-way. Level 3 has incorporated all mitigation measures outlined in the previous Decision into its design of the project addressed in this Proponent's Environmental Assessment (PEA). Therefore, the actions previously imposed as mitigation measures in the CPCN Decision are now Environmental Commitments for the facility addressed herein. In summary, these Environmental Commitments include:

- Measures to mitigate potential impacts to various resources;
- Commitment to obtain all required local, regional, state and federal approvals and permits required for construction and operation of the project;
- Coordination with local and resource management agencies;
- Notifications of adjacent property owners;
- Coordination with other utility projects in the area; and
- Documentation and reporting of compliance.

A complete list of mitigation measures from the previous Negative Declaration is provided in Appendix B of the PEA.

Mitigation Measures

No Mitigation Measures are recommended for the Emeryville ILA D-Node site. All potential impacts can be avoided or reduced to less-than-significant levels through implementation of Level 3's Environmental Commitments.

ENVIRONMENTAL IMPACTS

I. AESTHETICS

Setting

The project site is approximately 4.6 acres in size and contains an 48,960 square foot industrial structure located on the southeast corner of Hollis Street and 53rd Street. The structure is currently partially occupied by Access Electrical Supply. The area surrounding the building is paved, a parking area is located at the north edge of the site, and loading facilities are located at the south edge of the building, with an associated paved area. Surrounding parcels on the north, south, and west are developed with commercial and industrial buildings. A multifamily residential development is located to the east. The project site is visible along Hollis Street for approximately one-quarter mile in each direction from the intersection of Hollis and 53rd streets. Mature trees block direct view of the project site from the east and from the adjacent residences. The exterior visual character of the site is not proposed to change with implementation of the proposed development.

There are no local policies for aesthetics that are applicable to the proposed project or project site. The project site is not visible from nor located in the vicinity of any scenic vistas or State or locally designated scenic highways. The proposed project would undergo local land use review for issuance of a Conditional Use Permit from the City of Emeryville. At the City's discretion, conditions of approval related to visual conditions may be imposed.

Evaluation

a)	Would the project have a substantial adverse effect on a scenic vista?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The project is not located in the vicinity of a scenic vista. The exterior visual character of the site is not proposed to change with implementation of the proposed project.

b)	Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The project is not located in the vicinity of a State scenic highway or other scenic resources. The exterior visual character of the site is not proposed to change with implementation of the proposed project.

c)	Would the project substantially degrade the existing visual character or quality of the site and its surroundings?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The project would be located within the existing industrial building. The exterior visual character of the site is not proposed to change with implementation of the proposed project.

d)	Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

Installation of additional exterior lighting is not included in project design. The exterior visual character of the site is not proposed to change with implementation of the proposed project.

II. AGRICULTURAL RESOURCES

Setting

The project is located in an urbanized area, characterized by industrial and commercial land uses. The site is presently developed with an approximately 48,960 square foot industrial building. The site is not currently in agricultural use, nor has it been used for agriculture recently. The site is not located on Prime Farmland, nor is it under a Williamson Act contract (Pollard 1999). There are no local policies for agricultural resources that apply to the project site.

Evaluation

a)	Would the project 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?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The proposed use would not convert such farmland to non-agricultural use.

b)	Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The project site is not zoned for agricultural use. The site is located in a mixed-use zoning district, as designated by the City of Emeryville. The project site is not covered by a Williamson Act contract.

c)	Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The project site is located in an urbanized area on a developed industrial site. Development of the site would not result in growth-inducing effects or other off-site changes to the environment that would result in the conversion of farmland to non-agricultural use.

III. AIR QUALITY

Throughout California, the fiber optic cable line will be installed along existing utility corridors in support of the Long-Haul network. In the City of Emeryville, an Inline Light Amplification (ILA) station referred to as the Emeryville ILA D-Node facility will be constructed adjacent to a utility corridor in support of the Long-Haul network. To minimize potential environmental impacts, the ILA facility will be constructed within an existing building at a previously developed site. The ILA facility is the subject of this air quality checklist analysis. The ILA facility will tie into the fiber optic line along the ROW.

The Emeryville ILA Site will involve development of a permanent, aboveground facility occupying approximately 4.6 acres. Project activities include limited site preparation for the construction of the generator pad, installation of equipment, automated testing of the emergency generators, and approximately weekly vehicular trips to the site for maintenance and data logging. The site has a building with an area of approximately 48,960 square feet. Site development will be limited to grading of a small area of 320 square feet for the generator pad. The access road and parking area is paved.

Table 3 provides relevant information on construction and operation activities contributing to emissions of pollutants based on the above scenario. Additional technical information used in the air quality analysis is provided in Attachment A. Included in Table 3 are the following construction-related items:

- Estimate of one-way commuting distance (miles) that members of the construction crew will travel to the site and numbers of such trips;
- Equipment (e.g., graders, excavators, and water trucks) that will be used at the construction site. Included are the size and number of units of each type of equipment, and the numbers of hours per day and days that each piece of equipment will operate;
- Material delivery vehicles (e.g., cement and gravel trucks) are represented in terms of number of trips per day, total number of trips, and number of one-way miles traveled; and
- The amount of material (soil) that will be disturbed during onsite trenching operations on the proposed site.

A key assumption implicit in the estimation of fugitive dust and emissions from construction equipment is that only one piece of equipment will operate at any one time. Off-site emissions due to workers commuting to and from the site, equipment delivery, and other on-road vehicles will occur simultaneously (e.g., during the same day) with emissions from on-site construction equipment. Therefore, maximum daily emissions are determined by the summation of emissions from the highest emitting piece of construction equipment and on-road emissions that occur on the same day as that piece of construction equipment is operating.

Operational parameters specified in Table 3 include specification of the 400 kW size of the emergency standby generator, the short 30-minute duration of its weekly test, and parameters for the weekly trip of one vehicle to the site for maintenance and data logging. Normal operation will generate at most one vehicle trip to and from the site on a weekly basis (conservatively estimated as 60 trips/year for emissions estimation). The testing of the emergency generator will be triggered automatically. Operating equipment at the site will be powered by electricity from the utility power grid.

Table 3 shows the emission factors and other parameters used to calculate exhaust and fugitive PM_{10} emissions for mobile equipment (U.S. Environmental Protection Agency, 1996). Construction and operation emission thresholds for NO_x, precursor organic compounds (POC), PM_{10}, SO_x, and CO are listed in Table 3, as provided by the Bay Area Air Quality Management District (BAAQMD). This agency is responsible for management of air emissions in the San Francisco Bay Area Air Basin where the Emeryville ILA site resides. In addition to the Emeryville ILA, one other PEA facility (Fairfield ILA site) is located in the San Francisco Bay Area Air Basin (Basin) and is also under the jurisdiction of the BAAQMD.

Setting

Alameda County is within the San Francisco Bay Air Basin. This Basin has been designated a nonattainment area for state and national one-hour-average ozone standards and for the state particulate matter ("PM_{10}") standard (California Environmental Protection Agency, 1998). The urbanized portion of the Bay Area is designated also as a "maintenance" area for the national CO standard (U.S. Environmental Protection Agency, 1998), which denotes that it had once been designated as a nonattainment area for that standard. The distance of the closest sensitive receptor to the boundary of the site is approximately 130 feet.

The federal Clean Air Act and the California Clean Air Act require plans to be developed for areas designated as nonattainment (with the exception of areas designated as nonattainment for the state PM_{10} standard). Such plans are to include strategies for attaining the standards. Three air quality plans apply to the project vicinity, two related to ozone and one related to the national CO standard. The *Ozone Maintenance Plan* (Bay Area Air Quality Management District (BAAQMD), 1994a), was developed to assure continued attainment of the national ozone standard. This plan is currently being revised in response to U.S. EPA's decision to reinstate the Bay Area's previous nonattainment designation for the national ozone standard. The Bay Area *'97 Clean Air Plan* (Bay Area Air Quality Management District, 1997) was developed to meet planning requirements related to the state ozone standard. The *Carbon Monoxide Maintenance Plan* (Bay Area Air Quality Management District (BAAQMD), 1994b) was developed to assure continued attainment of the national CO standard.

The regional agency responsible for developing these plans is the BAAQMD. BAAQMD is also the agency with permit authority over most types of stationary sources in the Basin. BAAQMD exercises permit authority through its *Rules and Regulations*. Both federal and state ozone plans rely heavily upon stationary source control measures set forth in BAAQMD's *Rules and Regulations*. The overall stationary source control program that is embodied by the BAAQMD *Rules and Regulations* has been developed such that new stationary sources can be allowed to operate in the Bay Area without obstructing the goals of the regional air quality plans. To accomplish this objective, many new stationary sources are required to install Best Available Control Technology (BACT) and to provide offsets at a greater than 1:1 ratio in order to secure a permit to operate from the BAAQMD. Other stationary sources have been deemed too minor to require a permit, BACT, or offsets. For example, BAAQMD Regulation 1, Rule 1-110.2, excludes any internal combustion engine used solely as an emergency standby source of power from all BAAQMD regulations, including the requirement to secure a permit to operate.

In contrast to the ozone plans, the *Carbon Monoxide Maintenance Plan* relies heavily on mobile source control measures, and since, once constructed, the project would generate essentially no mobile source emissions, it would have no effect on continued attainment of the national carbon monoxide standard.

General Conformity requirements (40 CFR Part 93; November 1998) do not apply to this project since it does not involve a federal action such as the use of federal land or the need to acquire a federal permit for the site.

Evaluation

a)	Would the project conflict with or obstruct implementation of the applicable air quality plan?	Potentially Significant Impact ☐	Less than Significant With Mitigation Incorporation ☐	Less than Significant Impact ☒	No Impact ☐

Site construction parameters affecting emissions from mobile sources and the emergency generator, and the resulting emissions are estimated in Table 3. The resulting emissions will comply with all BAAQMD rules and guidelines (discussed further in Section III(b) below). These emissions are, therefore, in compliance with the applicable air quality plan.

Fugitive dust will be generated during the construction phase (Table 3) from trenching, travel of heavy equipment over paved roads at the construction site, and wind erosion. Fugitive dust generation will vary from day to day, depending on the level and type of activity, the silt content of the soil, and the weather. Fugitive dust will be controlled in a manner consistent with the applicable air quality plans by implementing effective dust control measures throughout construction. Long-term fugitive dust emissions associated with facility operation will be negligible. The project will include use of a paved road to provide access directly to the buildings and equipment.

Normal operations at the site would generate approximately one vehicle trip to and from the site on a weekly basis. The equipment at the site would run exclusively on electricity from the utility power grid. A diesel-powered standby engine would be used to generate emergency power. Normal use of the standby engine would include weekly tests of approximately one-half hour in duration. Under Regulation 1, Rule 1-110.2, this engine would not require a BAAQMD permit for its use. This exclusion would apply because the standby engine is not used in connection with any utility voluntary electricity demand reduction program. The BAAQMD will be notified, as required, that the generator will be operated. No further documentation will need to be provided because the aggregate duration for routine maintenance and testing would not exceed 150 hours per year (de Boisblanc, 1999).

Site-Specific Environmental Commitments: Notify the BAAQMD prior to project construction that an emergency standby generator would be located at the project site and state that it would not be used for more than 150 hours per year and will not be used in connection with any utility voluntary electricity demand reduction program.

		Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
b)	Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐

The Emeryville ILA D-Node site is in an area designated as nonattainment for state and national ozone standards and the state PM_{10} standard. Based on monitoring data collected in Alameda County during 1995-1997, maximum ozone concentrations exceeded the national ozone standard (0.12 parts per million for one hour) an average of approximately 2 days per year. These concentrations exceeded the more stringent state standard (0.09 parts per million for one hour) an average of approximately 10 days per year (California Environmental Protection Agency, 1996-1998). The ozone problem in the Alameda County portion of the Basin is primarily due to mobile sources (motor vehicles) and occasionally from transport of pollutants from Sacramento metropolitan area.

Based on the monitoring data from the 1995-1997 period, ambient PM_{10} concentrations in Alameda County did not exceed the national standard of 150 micrograms per cubic meter. The concentrations exceeded the more stringent state 24-hour-average standard of 50 micrograms per cubic meter roughly two percent of the time (California Environmental Protection Agency, 1996-1998). The PM_{10} problem in the Contra Costa County portion of the Basin is primarily due to road dust and farming/construction activities (Bay Area Air Quality Management District, 1996).

For construction-phase impacts, BAAQMD recommends that significance should be based on a consideration of the control measures to be implemented (BAAQMD, 1996). For operational-phase impacts, BAAQMD recommends use of significance criteria of 15 tons per year of POG, NO_x, or PM_{10}. For CO emissions, BAAQMD recommends that localized concentrations should be estimated for projects in which:

- Vehicular emissions of CO would exceed 550 pounds per day;
- Project traffic would affect intersections or roadway links operating at Level of Service (LOS) D, E or F or would cause LOS to decline to D, E, or F; and
- Project traffic would increase traffic volumes on nearby roadways by 10 percent of more.

Estimated carbon monoxide concentrations exceeding the state standard of 9 parts per million averaged over 8 hours or 20 parts per million for 1 hour are also considered a significant impact.

Construction activities would last for about two months. Construction of the project would generate criteria air pollutants from exhaust emissions and fugitive dust (including PM_{10}). Air quality impacts from fugitive dust emissions during construction would be temporary and intermittent.

Over the long-term, the project would result in small amounts of emissions from operation of both stationary and mobile sources. However, mobile source emissions would be negligible since the site would be unmanned. Routine motor vehicle activity would result only from weekly site visits for inspection, maintenance, and data acquisition. Since the project would generate essentially no traffic, vehicular emissions would be far less than the 550 pounds per day screening threshold, the local intersection LOS would not be affected, and the project traffic would not increase vehicle count on nearby roadways by 10 percent. Therefore, the project would not have a significant effect on local carbon monoxide concentrations.

Stationary source emissions would result from operation of the emergency, diesel-powered, standby engine during weekly routine testing and during unforeseen emergency electricity loss. The NOx and CO emissions are exempted, while the POC, PM10, and SOx emissions are not even considered for regulation. Since the BAAQMD has no significance criteria for construction activities, the project would not exceed an air quality standard or contribute substantially to an existing or projected air quality violation.

Site-Specific Environmental Commitments: The Proponent will develop a dust abatement program that will include the following:

- Water all active construction areas at least twice daily;
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard;
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
- Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites; and
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

c)	Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal and state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☒	No Impact ☐

The Emeryville ILA D-Node site is one of two PEA sites under the jurisdiction of the BAAQMD (the other being the Fairfield ILA site). Potential project total construction emissions were analyzed for the possibility of simultaneous construction at both of these sites. The same thresholds apply to assessment of total project emissions as were used to evaluate emissions from individual project sites. These emissions estimates are shown in Table 4. As was also the case for the analysis of emissions from the Emeryville ILA, the key assumption is made that no more than one piece of heavy equipment will operate at any one time at a site. Maximum total daily emissions are, therefore, those associated with use of the most polluting piece of equipment at each of the sites.

Simultaneous construction at both sites will not exceed the annual or daily numerical thresholds (Table 4), as the BAAQMD does not have thresholds of significance for construction emissions. These emissions will be

well below the recommended BAAQMD screening significance threshold for vehicular emissions. Therefore, the potential cumulative impacts of the two sites on air quality in the San Francisco Bay Air Basin will not be significant.

Because project construction, except for trenching and preparation of the generator pad, will take place within the existing building, surrounding uses will be buffered from the effects of project construction (see Figure 7 for the "Conceptual Plot Plan"). This buffer will help minimize the possibility that the project will cause a cumulatively significant short-term PM_{10} impact from simultaneous and unrelated construction projects taking place within the same general area.

Total emissions from testing and maintaining the emergency generators at both PEA sites in the BAAQMD jurisdiction are exempt from offset requirements because the emissions from each generator are exempt. Emissions that are exempt from regulatory requirements are considered to have impacts that are less than significant.

Ozone impacts are the result of the cumulative emissions from all sources in the county and transport from outside. The project's small incremental contribution to the total emissions on the regional ozone and PM_{10} concentrations will not be cumulatively considerable. The emissions from construction operations of the Fairfield ILA would be so small compared to the emissions in the San Francisco Air Basin as to assure that there will be no cumulative considerable net increase of any criteria pollutant. All but the largest individual sources emit ROCs and NO_x in amounts too small to make a measurable effect on ambient ozone concentrations.

d)	Would the project expose sensitive receptors to substantial pollutant concentrations?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

Sensitive receptors are defined as facilities that house children, elderly, and ill members of the population, such as schools, day-care centers, hospitals, retirement homes, hospices, and residences. The nearest neighbors to the ILA site are a number of industrial establishments located adjacent to the site (Figure 8), but which do not qualify as sensitive receptors. The distance of the closest sensitive receptor to the (closest edge of the) site is approximately 130 feet.

Project construction except for trenching and limited grading activities will take place primarily within an existing building; therefore, receptors associated with surrounding uses would be buffered from the effects of project construction (see Figure 7 for the "conceptual plot plan"). This buffer, along with the low levels of construction emissions, would prevent substantial pollutant concentrations from reaching sensitive receptors. Through application of fugitive dust control measures described above, these emissions will be kept below a level of significance.

During construction, site access will be easy and direct. Construction vehicles will not block traffic on Hollis Street or other streets in the area for any significant period of time. Thus, emissions from idling vehicles in the vicinity of the sensitive receptors will be minimal.

The emergency generator will produce operation emissions during testing and power outages. Two factors prevent these emissions from significantly affecting sensitive receptors. First, the generator will not be located in close proximity to sensitive receptors due to the establishment of buffer zones where development will be excluded (see Figure 7 for the "conceptual plot plan"). Second, generator usage will be restricted to approximately 30 minutes per week. These measures will assure that sensitive receptors are not exposed to substantial pollutant concentrations.

e)	Would the project create objectionable odors affecting a substantial number of people?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The only potential odor that may be associated with site construction activities at the site would be diesel engine exhaust. The low level of construction activity would not produce enough exhaust to affect the offsite public. Similarly, testing of the emergency generator at the site for no more than one half hour per week will not produce sufficient exhaust nor odor to be objectionable to a substantial number of people.

IV. BIOLOGICAL RESOURCES

Setting

The site is located in a heavy industrial and business area of Emeryville. The property is limited to warehouse space within a larger building (West Hollis Distribution Center). The structure is less than 50 years old. Realtor, Rusty Snow (510-530-3040) estimates that the building was constructed in the 1970's. The northern end of the building is occupied by Access Electric Supplies, while the southern end is a shipping and receiving dock. The site is surrounding by similar developments. There are landscaped trees in the area, but no native habitat was observed in the vicinity.

Evaluation

a)	Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

A list of sensitive plant and wildlife species likely to occur on the project site or in the project area was compiled prior to and following the site visit. This list was formulated based upon a search of the California Natural Diversity Database (Oakland West Quadrangle, California Department of Fish and Game, September 1999), knowledge of the area, and the onsite assessment. The list of species including the likelihood of occurrence at the site is included in Table 5.

The site is heavily disturbed and does not provide native habitat for any sensitive species. The site is approximately 0.5 miles from the closest aquatic resources and does not, therefore, provide habitat for California brackishwater snail (*Tryonia imitator*), tidewater goby (*Eucyclogobius newberryi*), California black rail (*Laterallus jamaicensis coturniculus*), California clapper rail (*Rallus longirostris obsoletus*), or salt-marsh harvest mouse (*Reithrodontomys raviventris*). The site supports no grassland or vernal pool habitat associated with Santa Cruz tarplant (*Holocarpha macradenia*), alkali milk-vetch (*Astragalus tener* var. *tener*), and Berkeley kangaroo rat (*Dipodomys heermanni berkeleyenis*). The site is not characterized by the coastal scrub and dune habitat associated with San Francisco Bay spineflower (*Chorizanthe cuspidata* var. *cuspidata*), robust spineflower (*Chorizanthe robusta* var. *robusta*), and Kellogg's horkelia (*Horkelia cuneata* ssp. *sericea*). The site does not provide sufficient beach and sand habitat for a California least tern (*Sterna antillarum bowni*) nesting colony.

Because none of these species are expected to be present at the site, the project will have no impact on candidate, sensitive, or special status species.

b)	Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

There is no riparian or any other sensitive habitat onsite or within the site vicinity. The area is characterized by heavy industrial development. Therefore, the project will have no impact upon riparian habitat or other sensitive natural communities.

c)	Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

There is no aquatic habitat onsite or within the immediate site vicinity. The area is characterized by heavy industrial development. The San Francisco Bay is approximately 0.5 miles west of the site. Therefore, the project will not affect protected wetlands.

d)	Would the proposal interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The site and vicinity are characterized by heavy development. It is unlikely that the area is a part of any wildlife corridor. The site contains no aquatic resources for migratory fish species. The site does not support the resources necessary for a wildlife nursery.

e)	Would the proposal conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

There are no trees or other biological resources onsite. The City of Emeryville does not have a tree preservation policy or ordinance (Grace, 1999).

f)	Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

No potential biological resources were identified onsite. The City of Emeryville does not have a Habitat Con-

servation Plan, Natural Community Conservation Plan, or other conservation policies relevant to this property (Grace, 1999).

V. CULTURAL RESOURCES

Setting

The ILA site is located in the City of Emeryville on the east side of San Francisco Bay. The parcel contains a recently built (circa 1970) commercial/warehouse structure and the rest of the parcel is paved.

The ILA site is in territory occupied by the Native American group known to the Spanish and twentieth century ethnographers as the Costanoan. The contemporary descendants of this group are members of the Ohlone Indian Tribe. The Costanoan group occupied the coast of California from San Francisco to Monterey and inland to include the coastal mountains from the southern side of the Carquinez Straits to the eastern side of the Salinas River south of Chalone Creek. Costanoan actually refers to a language family consisting of eight related languages. Each language was spoken by a different ethnic group within a recognized geographical area. The political units within each ethnic group were tribelets. Tribelet population varied from 50 to 500 with the average being about 200 people. Each tribelet had one or more permanent villages and several temporary camps within its territory. Collecting and hunting parties lived in temporary camps when obtaining resources within the tribelet territory away from the village (Levy, 1978).

The Emeryville ILA site is in the area occupied by speakers of the Chochenyo language. It is estimated there were about 2,000 speakers of this language in A.D. 1770. The Chochenyo speakers were divided into at least six tribelets. Emeryville appears to have been in the territory occupied by the San Antonio tribelet (native name not known).

Each tribelet had a chief and the office was inherited patrilineally. In particular, the chief fed visitors, directed ceremonial activities, organized hunting, fishing, and gathering, and directed warfare expeditions. However, except during times of war, the chief did not have coercive powers. The chief and elders council advised the community and attempted to achieve consensus. The most frequent cause of war was infringement of territorial rights. The bow and arrow were used in war. Heads of slain enemies were displayed on pikes in the victors' villages. Trade between the coastal Costanoan groups and the inland Yokuts groups involved the exchange of coastal products, such as mussels, abalone shells, dried abalone meat, and salt for inland products, such as piñon nuts.

Acorns from four species of oak were the most important plant food. Nuts, berries, seeds, and roots were also important. Costanoan groups practiced managed burning of chaparral to encourage sprouting of seed plants and improve browsing for deer and elk.

The most important animals consumed were deer and rabbit. Other animals eaten included elk, antelope, bear, and mountain lion. Whales and sea lions were eaten when found stranded on the beach. Dog, wildcat, skunk, raccoon, and squirrel were also eaten. Waterfowl were captured in nets using decoys. Steelhead, salmon, sturgeon, and lampreys were the most important fish and mussels and abalone were the most important shellfish.

People lived in thatched dome houses with rectangular doorways and a central hearth. Other structures in a village included sweathouses, dance enclosures, and an assembly house. Technology included tule balsa canoes, bows and arrows, and baskets. Chipped stone tools were made from chert obtained locally and obsidian obtained in trade with other groups.

Seven missions were established by the Spanish in Costanoan territory between 1770 and 1797. Due to introduced European diseases and a declining birth rate, the Costanoan population decreased from about

10,000 to 2,000 by 1832. The missions were closed by the Mexican government in the early 1830s. Former mission lands were granted to soldiers and other Mexican citizens for use as cattle ranches. Ranching continued during the American period that began when the Treaty of Guadalupe Hidalgo was signed between Mexico and the United States in 1848. The Gold Rush of 1849 brought large numbers of Anglo-Americans to the area, resulting in the rapid expansion of San Francisco which became the commercial entrepot for the region. Other towns in the bay area, such as Oakland and San Jose, developed rapidly after the arrival of the transcontinental railroad in 1869 (Beck and Haase, 1974). The bay area towns provided commercial, warehousing, financial, and manufacturing services for the agricultural and mining areas further east. The earthquake of 1906 destroyed many nineteenth century buildings, especially in San Francisco, and resulted in a period of reconstruction and expansion of structures and infrastructure in the 1910s and 1920s.

Evaluation

a)	Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The protocols contained in Level 3's *Long Haul Fiber Optics Project Cultural Resources Procedures* (Parsons Brinckerhoff Network Services, 1999), requiring records searches and field survey, where appropriate, were followed as summarized below. A technical report, providing more information on the results of the records search and field surveys has been prepared (Mason, 1999b).

Level 3 archaeologists requested a records search for the proposed Emeryville ILA D-Node site, and the lands within a one-half mile radius, from the California Historical Resources Information System (CHRIS) Northwest Center at Sonoma State University, Rohnert Park. The search had two objectives: (1) to determine whether previous archaeological investigations have been conducted in the project area, and (2) to provide information on known historic sites or culturally sensitive areas on and in the vicinity of the proposed ILA D-Node Facility. The records search was conducted by Information Center staff who also checked the OHP Historic Property Data File for Alameda County, which includes the National Register of Historic Places (listings and eligibility determinations), California Points of Historical Interest, and California Historical Landmarks.

In addition, the Level 3 Team sent a letter dated September 3, 1999 to the Native American Heritage Commission (NAHC) requesting a search of the NAHC Sacred Lands file and identification of a contact person or persons within NAHC for follow-on contact/consultation (Mason, 1999a). The response, dated September 17, 1999, indicated that the NAHC search revealed no site-specific information on Sacred Lands (McNulty, 1999). The letter cautioned that absence of information did not necessarily indicate the absence of cultural resources. A list of Native American contacts that might serve as sources of additional information was also provided. Level 3 has followed up on this response from NAHC by sending letters to NAHC-identified Native American contacts residing in Alameda County, notifying them of the Level 3 project activities and requesting information they might have on sacred lands. Any response indicating the possible presence of Sacred Lands will be followed up with a detailed, site-specific evaluation utilizing the expertise of the relevant Native American contacts. The results of this effort are fully documented, as appropriate, in the supporting technical report (Mason, 1999b).

The results of the CHRIS records search (File No. 99-572, California Historical Resources Information System, Northwest Center, 1999) showed that a portion of the property had been previously surveyed for historic resources. Currently, there is no exposed ground surface on the parcel where a field survey could be undertaken. There are no historic resources that are potentially eligible for the California Register of Historic Resources present on the property. The building is an obviously modern commercial warehouse structure (see Photos A-D) and has no historical associations. The structure on the project parcel is not eligible for the California Register of Historical Resources. It is not associated with significant historic events or important

persons, does not have distinctive architectural characteristics, nor does it have the potential to yield information important in history. In addition, the structure is less than 50 years old.

b)	Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The CHRIS records search from the Northwest Center showed that there are five prehistoric archaeological sites within a one half mile radius of the D-Node facility site. CA-ALA-309, -310, -311, -312, and –313 were shell middens that were destroyed by local development. CA-ALA-310, -311, -312, and –313 were destroyed during the construction of a race track in the 1870s. CA-ALA-309 was excavated by archaeologists from U.C. Berkeley and was then graded. The records search also showed that a portion of the property had been previously surveyed for prehistoric archaeological resources. Currently, there is no exposed ground surface on the parcel where a field survey could be undertaken. The facility will be installed inside the existing building (California Historical Resources Information System, Northwest Center, 1999).

c)	Would the project directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☒	No Impact ☐

No fossil site is recorded in the archives of the University of California Museum of Paleontology (UCMP) as occurring in this rock unit at the project site or elsewhere in the Oakland West 7.5-minute quadrangle. However, at least some previously recorded late Pleistocene continental vertebrate fossil sites in the quadrangle have yielded late Pleistocene land mammal remains (Jefferson, 1991; Savage, 1951) in areas mapped as being underlain by alluvium. Presumably, most if not all of these remains were recovered from the subsurface. Bison remains were recovered in Aquatic Park at UCMP vertebrate fossil site V-4007, immediately adjacent to the northern end of the project site (Jefferson, 1991; Savage, 1951). Although there is a potential for late Pleistocene continental vertebrate fossil remains occurring in the subsurface at the project site, it is unlikely construction-related earth moving would extend to a depth sufficient to encounter remains old enough to be considered fossilized.

Site Specific Commitments: Level 3, as part of the project design, is committed to paleontological monitoring during construction. Monitoring would be initiated where earth moving extended to a depth greater than 4 feet below current grade. Below 4 feet, construction-related earth moving would be monitored by a qualified vertebrate paleontologist to allow for the recovery of larger fossil remains, and rock samples would be processed to allow for the recovery of smaller fossil remains. All recovered fossil remains would be fully treated (prepared, identified by knowledgeable paleontologists, curated, catalogued) and, along with associated specimen data and corresponding geologic and geographic site data, placed in a recognized museum repository. The paleontologist would prepare a final report of findings that includes an inventory of recovered fossil remains. These measures would be in compliance with Society of Vertebrate Paleontology (1995, 1996) guidelines for the management of paleontologic resources and for the museum acceptance of a monitoring program fossil collection.

d)	Would the project disturb any human remains, including those interred outside of formal cemeteries?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The CHRIS records search (California Historical Resources Information System, Northwest Center, 1999)

and field survey provided no evidence of the presence of human remains. If suspected human remains are encountered during construction, operations will stop until the proper official has been notified, the find evaluated, any mitigation recommendations implemented, and Level 3 has been cleared to resume construction in the area of the find. The procedures to be followed are described in detail in the *Level 3 Long-Haul Fiber Optics Project Cultural Resources Procedures* (Parsons Brinckerhoff Network Services, 1999) that has been reviewed and approved by the CPUC.

VI. GEOLOGY AND SOILS

Setting

The project site is not located within an Alquist-Priolo zone (CDMG, 1999). The Emeryville area is noted for high groundshaking from the nearby active fault systems (i.e., displacement occurred within the last 11,000 years). The major active faults in the vicinity of the site are the Hayward, San Andreas, Calaveras, Roger Creek, and Concord-Green Valley faults. The Hayward is closest to the site at approximately 2.7 miles (CDMG, 1994).

The site is not within any landslide, subsidence, liquefaction, or erosion geologic hazards. However, the County of Alameda contains highly expansive soils (CDMG, 1973). The soils in the site vicinity are highly expansive.

Evaluation

a)	Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of 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 Mines and Geology Special Publication 42. ii) Strong seismic-related groundshaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The site would not be permanently staffed, and is not located in an Alquist-Priolo earthquake zone. The site is not subject to ground failure, liquefaction, or landslides. However, the site is located in a seismically active area. The faults in the vicinity of the site are Hayward, San Andreas, Calaveras, Roger Creek, and Concord-Green Valley faults. These faults can produce a maximum credible earthquake magnitude of approximately 7.1, 7.1, 6.8, 7.0, and 6.9, respectively (CDMG, 1996). A 10% probability of peak ground accelerations of 60 to 70% g in 50 years is expected in the site vicinity. This potential seismic hazard will be avoided through design, specifically by compliance with the California Building Code Zone 4 Seismic Standards and applicable local building and seismic codes.

Although Bay Mud underlies about one-third of the City of Emeryville, at the site the Bay Mud is about 0 to 50 meters thick and overlies bedrock. The liquefaction potential is estimated to be very low, between 0.01 to 0.045.

The project would not expose persons to potential substantial adverse effects related to these geologic hazards.

b)	Would the project result in substantial soil erosion or the loss of topsoil?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The site is nearly flat, so soil erosion and loss of topsoil would be minimal. During construction, best management practices to control stormwater runoff would be used to minimize erosion at the site.

c)	Would the project 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?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☒	No Impact ☐

A geotechnical investigation was recently performed at the site to support building design activities. As part of the design building process, design drawings and specifications, which conform to California Building Code and local code standards will be developed. This includes conformance with California Building Code Seismic Zone 4 standards. In addition, the geotechnical investigation confirmed that the soils beneath the existing building (which will be utilized for the new ILA D-Node Site), are well compacted, dense fill soils, to a depth of approximately ten feet. The presence of this 10 foot thick fill "mat", in combination with building design measures that conform with seismic building codes, ensures seismically resistant building design, and minimizes potential impacts from seismic effects, including liquefaction, to a less than significant impact.

d)	Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The area in which the site is located has highly expansive soils. The Proponent will avoid any potential impacts associated with these soils through compliance with structural and design regulations. The project would comply with the Uniform Building Code, and all local design, construction, and safety standards. Thus, no impacts would occur.

e)	Would the project 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?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The facility is serviced by municipal sewer and water. Sanitary wastes will be discharged to the local publically-owned treatment facility.

VII. HAZARDS AND HAZARDOUS MATERIALS

Setting

No indications of potential hazardous materials or storage were found in database searches (Vista Information Solutions, *California Site Assessment,* 1999) and during a site visit. There are several public schools in the vicinity of the site. There are no airports in the vicinity of the site and the site is not located within any airport safety zone.

Evaluation

a)	Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The 1,400-gallon, double-walled, above-ground storage tank containing diesel fuel would be located on site to supply an emergency generator. This tank would comply with all federal, state, and local regulations for fuel storage, including overfill protection, vapor emissions, containment and notification. Fuel deliveries would comply with spill protection and off-loading regulations. Waste generated by equipment maintenance would be disposed of off-site in accordance with all applicable regulations. The generator and storage tank would be located inside an equipment enclosure within a fenced compound to provide security.

b)	Would the project 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?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

Hazardous materials (diesel fuel) would be stored in an above-ground storage tank, with monitoring alarm and leak containment features. The tank would provide hazard containment against reasonably foreseeable upset and accidents. The tank would be located inside an equipment enclosure within a fenced compound to provide security.

c)	Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

Several public schools are located in the project vicinity. However, the facility would not emit or handle hazardous or acutely hazardous materials, substances, or waste, with the exception of diesel fuel, as explained above. The diesel fuel tank would be located inside an equipment enclosure within a fenced compound and access by children would be difficult if not impossible. The equipment enclosure would be a nondescript prefabricated and secured building and would not represent an attractive nuisance.

d)	Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The project would not be located on a site included on a list of hazardous materials sites (Vista Information Solutions, *California Site Assessment,* 1999).

e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The site is not located within an airport land use plan or within two miles of a public airport or public use airport.

f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The site is not located within the vicinity of a private airstrip.

g)	Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

Development of this site would not alter emergency response or emergency evacuation routes. Roadways would not be blocked either during construction or operation.

h)	Would the proposal 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?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The proposed equipment would be located in an urbanized area zoned Mixed Use (M-U). There are no wildland areas in the vicinity of the site. Generators would be equipped with spark arrestors to further reduce the potential for loss, injury, or death involving fires.

VIII. HYDROLOGY AND WATER QUALITY

Setting

The site is not located in a groundwater recharge area or in a 100-year flood zone (Vista Information Solutions, NEPA Checklist, 1999). Temescal Creek, a concrete-lined drainage channel runs across the property. The site is located in the Temescal Lake dam inundation area. The site is not within an area subject to inundation by tsunami, seiche, or mudflow (City of Emeryville General Plan, 1993).

The project site in Emeryville includes a building surrounded by sidewalks and paved parking areas. Construction of the project will not modify drainage of stormwater from the site. However, any stormwater drainage measures that may be included in the ILA D-Node facility will be installed in accordance with County of Alameda codes.

Site-Specific Environmental Commitments: The following actions will be taken to ensure that hydrology/water quality impacts are minimized during construction and operation of the Emeryville ILA D-Node.

As appropriate, Level 3 will implement the following measures to avoid and minimize effects on any nearby aquatic environments. Appendix E identifies the documents and practices in which these measures will be specified.

- Bore under sensitive habitats when practicable;
- Implement erosion control measures during construction;
- Remove cover vegetation as close to the time of construction as practicable;
- Confine construction equipment and associated activities to the construction corridor;
- Prohibit refueling of construction equipment within 100 feet of an aquatic environment;
- Comply with state, federal, and local permits;
- Perform proper sediment control;
- Prepare and implement a spill prevention and response plan;
- Remove all installation debris, construction spoils, and miscellaneous litter for proper offsite disposal; and
- Complete post-construction vegetation monitoring and supplemental revegetation where needed.

A Notification of Intent (NOI) will be submitted to the applicable RWQCB and the State Water Resources Control Board for construction of the Emeryville site under the *General Storm Water Permit to Discharge Storm Water Associated With Construction Activity*. A Storm Water Pollution Prevention Plan (SWPPP) will be prepared and will include the following: 1) Project Description; 2) Best Management Practices (BMPs) for Storm Water Pollution Prevention; 3) Inspection, Maintenance, and Record Keeping; and 4) Training.

Although the area of disturbed ground on the Emeryville site will be less than five acres, and will therefore be less than the minimum size requirement for a SWPPP, the cumulative area of the total ILA, 3R, and Distribution Node sites associated with this project is greater than five acres. Accordingly, an NOI will be submitted, and a SWPPP will be prepared.

Evaluation

a)	Would the project violate any water quality standards or waste discharge requirements?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The proposal would not discharge substances that could contaminate water. Hazardous materials (diesel fuel) would be stored in a 1,400-gallon, double-walled, above-ground storage tank, with monitoring and leak containment features. The tank would provide hazard containment against reasonably foreseeable upset and accidents. Wastes generated by equipment maintenance would be disposed of off-site in accordance with all applicable regulations.

b)	Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The project will not extract groundwater, therefore, groundwater supplies will not be depleted, nor will the project interfere with groundwater recharge.

c)	Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The project would not alter the existing drainage pattern of the site or area because the surface of the trench area will be returned to it's original condition and the facility will be placed inside an existing building.

d)	Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The project would not alter the existing drainage pattern of the site or project area. The facility will be placed inside an existing building.

e)	Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The project would not create or contribute runoff water because the ILA D-Node electronics will be placed inside an existing building.

f)	Would the project otherwise substantially degrade water quality?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

No impacts to water quality are expected as a result of the project. Because the facility will be placed in an existing building within a developed commercial area. The project would not produce contaminated runoff, generate wastewater, nor discharge substances that could contaminate water.

g)	Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The project would not include housing. The project is not located within a 100-year floodplain (Vista Information Solutions, NEPA Checklist, 1999).

h)	Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The project would not include housing. The project is not located within a 100-year floodplain (Vista Information Solutions, NEPA Checklist, 1999).

i)	Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☒	No Impact ☐

The project is located within the area that would be inundated if the dam at Lake Temescal were to fail as a result of significant seismic activity (City of Emeryville General Plan, 1993). City of Emeryville policy acknowledges that there is a very low probability of storm flooding or a flood emergency resulting from seismic activity. According to the General Plan, some warning could be expected prior to any flood hazard; however, the amount of warning time may be minimal. In the case of dam failure, the warning would reach Emeryville no sooner than 15-25 minutes before the water reaches the City.

j)	Would the project expose people or structures to a significant risk of loss, injury or death due to inundation by seiche, tsunami, or mudflow?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The site is not located in an area subject to tsunami, seiche, or mudflow (City of Emeryville General Plan, 1993).

IX. LAND USE PLANNING

Setting

The City's General Plan land use designation for the project site is "Commercial". This land use category consists of office and general commercial activities ranging from small businesses serving local neighborhoods, to regional retail and administrative offices including hospitals, medical office buildings, and related support facilities. Properties north of the project site are designated for Mixed-Use. Properties south of the

site are designated for Commercial use. Properties west of the project site are designated Industrial, and properties east of the project site are designated as Medium Density Residential.

The zoning designation for the project site is Mixed Use (M-U). The purpose of the M-U zoning district is to implement policies contained in the Community Development component of the General Plan, particularly policies prescribed by the Mixed Use land use category. The only permitted use in this zoning district is "Essential Civic Services". All other land use types require approval of a Conditional Use Permit. The proposed project would be defined as a "Utility Service" use under the City of Emeryville Zoning Ordinance (9-4.4.230). Section 9-4.36.3(b) of the Zoning Ordinance permits Utility Services in the M-U zoning district subject to a Conditional Use Permit. A Conditional Use Permit is a discretionary permit, reviewed at a public hearing by the City's Planning Commission.

The proposed project would comply with all applicable local policies for land use and planning and would undergo local review during the required Conditional Use Permit process.

Evaluation

a)	Would the project physically divide an established community?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The proposed project involves the reuse of an existing industrial structure for an ILA Distribution Node facility. The project would not result in physical or visual division of an established community.

b)	Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☒	No Impact ☐

The project site is zoned Mixed Use (M-U). The proposed project would be defined as a "Utility Services" use under the City of Emeryville Zoning Ordinance (9-4.4.230). Section 9-4.36.3(b) of the Zoning Ordinance permits Utility Services in the M-U zoning district subject to a Conditional Use Permit. A Conditional Use Permit is a discretionary process which requires a public hearing before the City's Planning Commission. The proposed use would be reviewed by the City of Emeryville prior to approval of a Conditional Use Permit to determine if the project is a compatible use within the M-U zone. Conditions of operation or special improvements may be required as part of an approved Conditional Use Permit to ensure compatibility with surrounding uses. The project proponent has committed to comply with any City-imposed Conditions of Approval.

c)	Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

No potential biological resources were identified onsite. The City of Emeryville does not have a Habitat Conservation Plan, Natural Community Conservation Plan, or other conservation policies relevant to this property.

X. MINERAL RESOURCES

Setting

The project site is not located in an area designated by the State or the City of Emeryville as a mineral resources zone (Kaufman 1999). There are no local policies for mineral resources that apply to the proposed project or project site.

Evaluation

a)	Would the project 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?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The proposed project will be located within an existing building on a developed industrial site. No impacts to mineral resources of value to the region or the residents of the State would result.

b)	Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan other land use plan?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The proposed project will be located within an existing building on a developed industrial site. The site is not designated as a mineral resources zone or as having locally important mineral resources.

XI. NOISE

Setting

The Emeryville ILA D-Node Site is located in the City of Emeryville in Alameda County adjacent to the ROW. A number of industrial establishments and a multifamily residential development are located adjacent to the site (Figure 8). It is designated as "Commercial" (The City of Emeryville General Plan, 1993) and is -U). The nearest public receptor is located approximately 51 feet to the east (Figure 8).

The site is not located close to an airport and is not within an airport land use plan. There are no private airports near the site. Estimates of daytime and nighttime ambient noise levels (60 and 52 dBA, respectively) were derived from Schomer and Associates (1991) as typical of sites designated as "moderate commercial and industrial areas".

The Emeryville ILA D-Node Site will involve reuse of a permanent, aboveground facility consisting of 48,960 square feet of building and minor construction for the generator. Project activities include building gutting, limited site construction of the generator pad, construction of the ILA pads within the building and installation of equipment, automated testing of the emergency generator, and approximately weekly vehicular trips to the site for maintenance and data logging. Site development will not be required as this site will have the equipment installed within an existing building (except for the emergency generator) and utilize existing parking.

Noise will be generated from both construction and operation of the ILA D-Node facility. Table 3 provides relevant information on construction and operation activities and equipment contributing to noise. Included is the size of each type of heavy construction equipment and the numbers of hours per day that each piece of equipment will operate. Noise from off-site construction activities, associated with personnel vehicles and material delivery and refuse dump trucks, was not included because all vehicles will travel legally on local streets and state highways and will not remain stationary for a significant period of time to create a noise disturbance. As stated in Section III (Air Quality) of site access is generally easy and direct, and traffic will not be blocked on local streets or highways for any significant period of time.

A key assumption implicit in the evaluation of noise impacts is that only one piece of heavy equipment will operate at any one time. Therefore, maximum construction noise level at each site was based on the noisiest piece of construction equipment. This maximum potential noise for normally muffled diesel-powered construction equipment up to 200 horsepower (hp) measured at 50 feet is 84 dBA (U.S. EPA, 1971). The maximum construction noise level at the closest receptor would be 78 dBA estimated by adjusting the 84 dBA using the inverse square of the distance between the site and the receptor 101 feet away. The 101 foot receptor distance was arrived at by adding the minimum generator set back from the property boundary (50 feet) to closest receptor, an adjacent building, with the receptor assumed to be 51 feet away. Detailed methodologies, algorithms, and assumptions associated with the noise analysis are provided as Attachment A.

The City of Emeryville does not restrict construction in non-residential areas, and there is no construction noise threshold. There are recommended noise levels, and, for an "Industrial-Other" land use category, there is a "Normally Acceptable" noise level of 70 Ldn (dBA), a "Conditionally Acceptable" noise level of 80 Ldn (dBA), and a "Normally Unacceptable" noise level of 85 Ldn (dBA) (City of Emeryville General Plan, Chapter 13 Noise Element, 1995).

Operational parameters related to noise include the size/gross hp and period of operation (30 minutes/week) of the emergency standby generator (Table 3). The generator will be automatically tested weekly. The maximum noise level at the closest receptor was estimated by adjusting the noise level for the generator as described above. This results in a level of 69 dBa Ldn using the value of 91 dBA Ldn for the noise level at 50 feet from a 587 hp (400 kW) generator in a standard generator housing.

Evaluation

a)	Would the project 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?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☒	No Impact ☐

The project will not generate noise levels in excess of local standards at the closest receptor as no threshold limit exists for activities during construction. Because the facility will utilize prefabricated structures, the construction period will be brief, up to two months as shown in Table 3.

Based on the close proximity of the nearest public receptor, the generator will be located at least 50 feet from the property. This will result in a noise level of 69 dBa Ldn, which is in compliance with the normally acceptable noise level of 70 dBA Ldn as defined in the City of Emeryville General Plan (The City of Emeryville General Plan, Chapter 13 Noise Element, 1993).

Site Specific Environmental Commitment: Level 3 will comply with the local operation noise ordinance by installing the generator a minimum of 101 feet from the closest receptor and at least 50 feet from the property line.

b)	Would the proposal result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☒	No Impact ☐

Project construction would not generate excessive groundborne noise or vibration. The low level groundborne vibration and noise generated during construction will be short term in nature, and generally will not extend more than a few feet from the active work area. Since the nearest public receptor and sensitive receptor is 101 feet distant, there will be a less than significant impact from groundborne vibrations or noise during construction.

The 400 kW generator is the only potential source of excessive groundborne noise or vibration from site operations. The generator will be mounted on spring isolators which will effectively reduce groundborne vibration by more than 95 percent (Ace Mountings Company, 1999). Additionally, the vibration reduces structure-borne noise by interrupting noise transmission paths caused by "sounding-board" effect. Hence, groundborne noise and vibration are reduced to a level of insignificance. The 101-foot distance to the nearest receptor provides additional assurances that no excessive groundborne noise or vibration will be detected.

c)	Would the proposal result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

Construction noise will be temporary, lasting less than two months. Therefore, there will be no permanent increases in ambient noise levels in the vicinity of the site. Noise levels during the approximately 30 minutes each week to test the generator, and during power outages, will be temporary and below the regulatory limit.

d)	Would the proposal result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☒	No Impact ☐

Temporary increases in ambient noise levels will occur during the up to two months of construction, and will comply with the local construction noise ordinance. Weekly testing for a period of approximately 30 minutes and during power outages and for maintenance activities will generate operational noise. This intermittent noise will not be a substantial increase in ambient noise levels because the increased distance from the boundary with the nearest industrial facility will create a buffer area around the generator (Figure 7) and the location and enclosure of the generator will comply with noise regulations.

e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The site is not located within an airport land use plan nor is within two miles of a public airport.

f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The site is not located within two miles of a private airstrip.

XII. POPULATION AND HOUSING

Setting

The project site is located in the City of Emeryville, with a projected population of 6,000 by year 2000 (The City of Emeryville General Plan 1993). The project site is developed with one industrial building and is located in a developed mixed use area. The nearest housing is located approximately 130 feet east of the project site. There are no local policies for population and housing that apply to the project site.

Evaluation

a)	Would the project 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)?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☒	No Impact ☐

The proposed project would not directly or indirectly induce population growth. The project would consist of the reuse of an existing industrial building for a ILA D-Node facility that would not be permanently staffed. No new housing or extension of major infrastructure would result.

b)	Would the project displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

No displacement of existing housing units would result from implementation of the proposed project. The project would involve the reuse of an existing industrial building in a mixed-use area.

c)	Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The project would consist of the reuse of an existing industrial building and would not displace any people.

XIII. PUBLIC SERVICES

Setting

The project is located within the City of Emeryville. The City of Emeryville provides fire and police protection. Fire and police stations are located within one mile of the project site at 2449 Powell Street in the Eastshore State Park. The closest hospital is the Oakland Children's Hospital at 747 52nd Street within 1.1 miles of the project site. The closest general service hospital is the Kaiser Foundation Hospital at 280 W. Macarthur Boulevard approximately 1.8 miles from the project site. Several municipal parks and public schools are located in the project vicinity.

There are no local policies for public services that apply to the proposed project or project site.

Evaluation

a)	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any or the public services: Fire protection? Police protection? Schools? Parks? Other public facilities?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The project site is located in a developed mixed-use area on a developed site. The project will not result in the need for new or physically altered government facilities nor affect response time or other performance objectives.

XIV. RECREATION

Setting

Several parks are located in the vicinity of the project site. Golden Gate Park is approximately 0.7 mile to the northeast of the project site at the intersection of Pablo Avenue and 61st Street. Christie Park is approximately 0.7 mile to the northwest of the project site on Christie Avenue. Eastshore State Park is located within one mile of the project site and encompasses approximately 0.9 miles of coastline within the

Emeryville City limits.

Evaluation

a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The proposed project involves the reuse of an existing industrial building for a ILA D-Node facility. The proposed project does not involve residential uses and would not cause a direct increase in the population of the City of Emeryville. No increase in the demand for, or use of, existing parks or recreational facilities would result from implementation of the proposed project.

b)	Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The proposed project involves the reuse of an existing industrial building for a ILA D-Node facility. The proposed project would not include recreational facilities nor require the construction or expansion of recreational facilities that might have an adverse effect on the environment.

XV. TRANSPORTATION/TRAFFIC

Setting

The project site is located on the southeast corner of Hollis Street and 53rd Street. Hollis Street is designated as an Arterial Street in the Emeryville General Plan. 53rd Street is designated as a Collector Street.

The General Plan defines Arterial Streets as follows:

> City arterial streets are intended to provide most of the City's required internal traffic capacity, carry the heaviest traffic volumes, and provide the most direct routes between internal and external places.

The General Plan defines Collector Streets as follows:

> This type of street would provide arterial access to residential neighborhoods and other development areas, but protect those areas from heavier through-traffic.

The following policies found in the City of Emeryville General Plan Circulation Element may apply to the proposed project:

- Policy 2: The City has established and will administer a program imposing developer fees to mitigate the impacts of development projects on the circulation system;
- Policy 3: The City will require development projects, where appropriate, to assist in the financing of parking, street, pedestrian, and bicycle way improvements; and
- Policy 5: Arterial streets designated on the Circulation Plan should be designed to carry traffic between arterial streets and local streets.

The proposed project would comply with all applicable policies for transportation and traffic and will undergo City review for compliance during the Conditional Use Permit process.

Evaluation

a)	Would the project cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

During construction at the site, construction workers will be commuting to the site for approximately two months. The average number of commuting workers is expected to be seven. The workers will commute during off-peak traffic hours (usually 6 a.m. and 3 p.m.) and park on the site. Occasionally, trucks will deliver equipment and materials to the site and haul construction debris from the site to recycling centers or landfills. These truck trips will be infrequent and off-peak from area traffic flows. The offsite impacts from construction are therefore expected to be less than significant. During operation of the site, one service person would visit the site approximately weekly. The project would therefore not result in a permanent increase in traffic load or daily trips because the project site would not be occupied on a daily basis.

b)	Would the project exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	Potentially Significant Impact ☐	Less than Significant w ith Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The intersection of Hollis Street and 53rd Street is not encompassed by the County's Congestion Management Plan. The proposed project would not be permanently staffed and would, therefore, not cause a substantial increase in traffic in relation to the existing traffic load and capacity of the street system.

c)	Would the project 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?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The project would not affect air traffic patterns.

d)	Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The proposed project is the reuse of an existing industrial building as a ILA D-Node facility. Access to the site would be via existing driveways. No changes to the site design are proposed. The current design has no hazardous design features.

e)	Would the project result in inadequate emergency access?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The proposed project would consist of the reuse of an existing industrial site for a ILA D-Node facility. The project would not affect emergency access routes.

f)	Would the project result in inadequate parking capacity?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The project site has off-street parking areas at the north and south sides of the building. The project will not be permanently staffed and personnel will park on the site during weekly maintenance visits.

g)	Would the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The Emeryville General Plan contains objectives and policies regarding pedestrian and bicycle corridors as discussed above (see setting). The proposed project will not conflict with any such objectives or policies.

XVI. UTILITIES AND SERVICE SYSTEMS

Setting

The project site is developed within an industrial building and is located in a developed mixed-use area. All utilities and service systems are available on-site. Gas and electric service is provided by Pacific Gas and Electric Company (PGE). Water and sewage treatment services are supplied by East Bay Municipal Utility District (EBMUD). Alameda County Waste Management provides solid waste collection services. Davis Street transfer station routes solid waste to the Altamont Landfill located at 10840 Altamont Pass Road in Livermore.

Evaluation

a)	Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

Wastewater will not be generated during operation since the facility will not be permanently staffed.

b)	Would the project 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?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The facility will not be permanently staffed and will therefore not generate any wastewater. The project would not therefore require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities.

c)	Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The project would involve the reuse of an existing industrial building on a developed industrial site. The project would not increase the burden on existing stormwater drainage facilities.

d)	Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The facility will not be permanently staffed and will therefore not require a water supply.

e)	Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The facility will not be permanently staffed and will therefore not produce any wastewater.

f)	Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☒	No Impact ☐

The project site is served by the Altamont Landfill located in Livermore, California. The permitted daily capacity of the Altamont Landfill is 11,150 tons per day and the average daily intake is 6,000 tons per day. The project would involve the reuse of an existing industrial building as a ILA D-Node with up to three full-time employees. The project would not generate a substantial amount of solid waste on a daily basis. Approximately 200 cubic yards (130 tons) of solid waste may result from the modification of the interior of the building. Solid waste generated on-site could easily be accommodated in the designated landfill.

g)	Would the project comply with federal, state, and local statutes and regulations related to solid waste?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The project will involve the reuse of an existing industrial building as an ILA Distribution Node facility. The project would generate a minimal amount of solid waste on a daily basis. Approximately 200 cubic yards (130 tons) of solid waste will result from the modification of the interior of the building. The project would comply with federal, state, and local statues and regulations related to solid waste.

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Tables

Figures

Photo Plates

Photo A View of North Face of Building from Across 53rd Street
Photo B View of West Face of Building from Across Hollis Street
Photo C On-Site View of South Face of Building
Photo D View of East Face of Building from Adjacent Industrial Parking Lot

Attachment

Attachment A Methodologies, Algorithms, and Assumptions Used in the Air and Noise Analysis.