1005 Parker Street
Berkeley, CA 94710
(510) 644 9764
capitalprojects@berkeley.net

NOTICE OF PREPARATION
DRAFT ENVIRONMENTAL IMPACT REPORT

Berkeley High School Tennis and Parking Structure

Date: September 26, 2022

To: State Clearinghouse
Governor's Office of Planning and Research
Alameda County Clerk
Responsible and Trustee Agencies
Interested Individuals and Organizations

John Calise
Executive Director of Facilities
Berkeley Unified School District
1005 Parker Street
Berkeley, CA 94710
capitalprojects@berkeley.net

From: John Calise

The Berkeley Unified School District (District) will be the Lead Agency and will prepare an Environmental Impact Report (EIR) for the Berkeley High School Tennis and Parking Structure (proposed project). The District is requesting written comments from responsible and trustee agencies regarding the scope and content of the environmental document. The public is also invited to submit written comments regarding the scope of the EIR and issues that should be addressed as the document is prepared.

A Scoping Meeting will be conducted through Zoom on **Thursday, September 28, 2022, and Thursday, October 20, 2022** from 6:00 p.m. - 7:30 p.m. Please use the following links provided:

September 28 meeting link: https://berkeley-net.zoom.us/j/84008552971?pwd=cHdwS3VXV3R2RG5FYXhIVXJXWFU5UT09

Passcode: 556066

October 20 meeting link: https://berkeley-net.zoom.us/j/85447374337?pwd=Z0tPLzlVUFozUFlLUVo0OXg4QXhKUT09

Passcode: 970665

Additionally, the District is accepting written responses within the California Environmental Quality Act (CEQA)-mandated 30-day comment period that begins on **September 26, 2022** and ends **no later than 5:00 p.m. on October 26, 2022.** Public agencies should indicate a contact person in their response to this Notice of Preparation.

Responses should be directed to: capitalprojects@berkeley.net

Project Location: The proposed project site is located at 2000 Bancroft Way, east of Milvia Street, between Bancroft Way and Durant Avenue in Berkeley, Alameda County, California (Assessor's Parcel Number [APN] 55-1894-7-2). Located on the project site is an existing 40,000 square foot parking lot that currently provides 120 stalls of compact parking and 2 ADA accessible stalls. The project site is zoned for Commercial-Downtown Mixed Use (C-DMU) Buffer, which indicates that it is on the edge of the downtown Berkeley commercial core. The site is surrounded to the north and south by this designation as well. Properties to the east exhibit C-DMU Corridor zoning as they lie on Shattuck Avenue and are closer to the C-DMU Core zoning. Berkeley High School is directly west of the project site and is zoned as Multi-Family Residential (R3).[1][2]

Project Background Information: The overarching goal of the proposed project is to reduce capacity and overcrowding on parking facilities in the downtown Berkeley area. The District has developed the following preliminary project objectives to aid decision-makers in their review of the project, consideration of project alternatives and associated environmental impacts.

- Achieve objectives to construct additional parking consistent with the intent of the Berkeley High School South of Bancroft Master Plan that was adopted in January 2007.
- Improve and expand District parking facilities to meet need at Berkeley High and help relieve existing parking supply in adjoining residential neighborhoods from overcrowding.
- Provide efficient, accessible, safe, and secure parking areas for BUSD faculty and staff.
- Provide a high-quality tennis facility to serve the Berkeley High physical education and athletics programs that meets contemporary standards of education.
- Reduce operational difficulties and complex coordination issues with respect to the scheduling of practices and tennis matches for the District's athletic program.

Project Description: The proposed Project would be comprised of one, four-story structure, with three floors of lighted parking and lighted rooftop tennis courts. Ground floor parking would include 77 stalls, the second story would include 80 stalls, and the third story would include 82 stalls of parking for a total of 239 parking stalls. Ramps allowing travel between the stories would be located on the north central side of the structure. The height of each story would be 11 feet, and the structure would be 47 feet in height at its tallest point. A two-way vehicular entrance to the structure would be located on the south side of the structure on Durant Avenue. The lobby entrance for pedestrian access would be located on the northwest side of the building at the intersection of Milvia Street and Bancroft Way and would feature a kiosk for payment and elevators. The rooftop tennis courts would feature four tennis courts, and two restrooms would be located on the rooftop as part of the tennis court facilities. The project would include landscaping, fencing, and storage areas. It would not require the expansion of utilities, or waste or maintenance spaces.

Potential Environmental Effects: The EIR will evaluate the project for potential impacts on the environment and determine the potential environmental consequences of future change. The proposed project could potentially affect the following environmental factors, each of which will be addressed in

[1] National Center for Education Statistics. Search for Public Schools. https://nces.ed.gov/ccd/schoolsearch/school_detail.asp?Search=1&DistrictID=0604740&ID=060474000432, accessed July 20, 2022.

[2] Official Zoning Map of the City of Berkeley, California. 1999.

the EIR: Aesthetics; Air Quality; Greenhouse Gas Emissions; Cultural Resources; Geology and Soils; Noise; Recreation; Transportation; Tribal Cultural Resources; Utilities and Service Systems; Energy.

Environmental Effects Not Likely to Require Further Analysis: As discussed in the attached Initial Study, The proposed project is not anticipated to result in significant environmental effects in the following areas: Agricultural Resources; Biological Resources; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; Mineral Resources; Public Services; Population and Housing; and Wildfire are not anticipated to be analyzed in the EIR.

Berkeley High School Tennis and Parking Structure

Berkeley Unified School District

INITIAL STUDY

September 26, 2022

Berkeley PUBLIC SCHOOLS

1. Project Description

The proposed project consists of the construction, operation, and maintenance of a parking structure and tennis courts. The new structure is planned to accommodate approximately 239 parking stalls, and four tennis courts. The project would supplement the current provision of 120 parking spaces on the existing surface parking lot with an additional 119 spaces for Berkeley High School staff in order to manage parking demand and reduce BHS parking pressure on the local community. The project would also provide convenient, accessible tennis courts for the BHS Tennis program, and the public. Currently, the Berkeley High School Tennis teams do not have courts on site or within walking distance of the campus.

PROJECT SITE LOCATION AND CHARACTERISTICS

Regional Location and Access

The project site is located in the City of Berkeley in Alameda County, California (Figures 1 and 2.) The City of Berkeley is surrounded by the City of Albany, El Cerrito and Richmond to the north, Tilden Regional Park and unincorporated Alameda County to the east, San Francisco Bay to the west, and the City of Oakland and Emeryville to the south.

Regional access to the site is primarily via east-west running Interstate 580 (I-580), located about 2 miles south of the site, and north-south Interstate 80 (I-880) located about 2 miles west of the site. The Downtown Berkeley BART Station is located about one-quarter mile northeast of the project site.

Local Setting

The proposed project site is located at 2000 Bancroft Way, east of Milvia Street, between Bancroft Way and Durant Avenue in Berkeley, Alameda County, California (Assessor's Parcel Number [APN] 55-1894-7-2). The 35,600 square foot parking lot currently provides 120 stalls of compact parking and 2 ADA accessible stalls. The project site is zoned for Commercial-Downtown Mixed Use (C-DMU) Buffer, which indicates that it is on the edge of the downtown Berkeley commercial core. The site is surrounded to the north and south by this designation as well. Properties to the east exhibit C-DMU Corridor zoning as they lie on Shattuck Avenue and are closer to the C-DMU Core zoning. Berkeley High School is directly west of the project site and is zoned as Multi-family Residential (R3)[1].

Existing Site Conditions

The proposed project site currently serves as an approximately 35,600 square foot parking lot holds 120 stalls of compact parking and 2 ADA accessible stalls. It is surrounded by chain-link fencing and has access points onto Bancroft Way and Durant Avenue. The project is surrounded by sidewalks and street parking on the north, west and south, and abuts a residential apartment building to the east. The site is owned by Berkeley Unified School District.

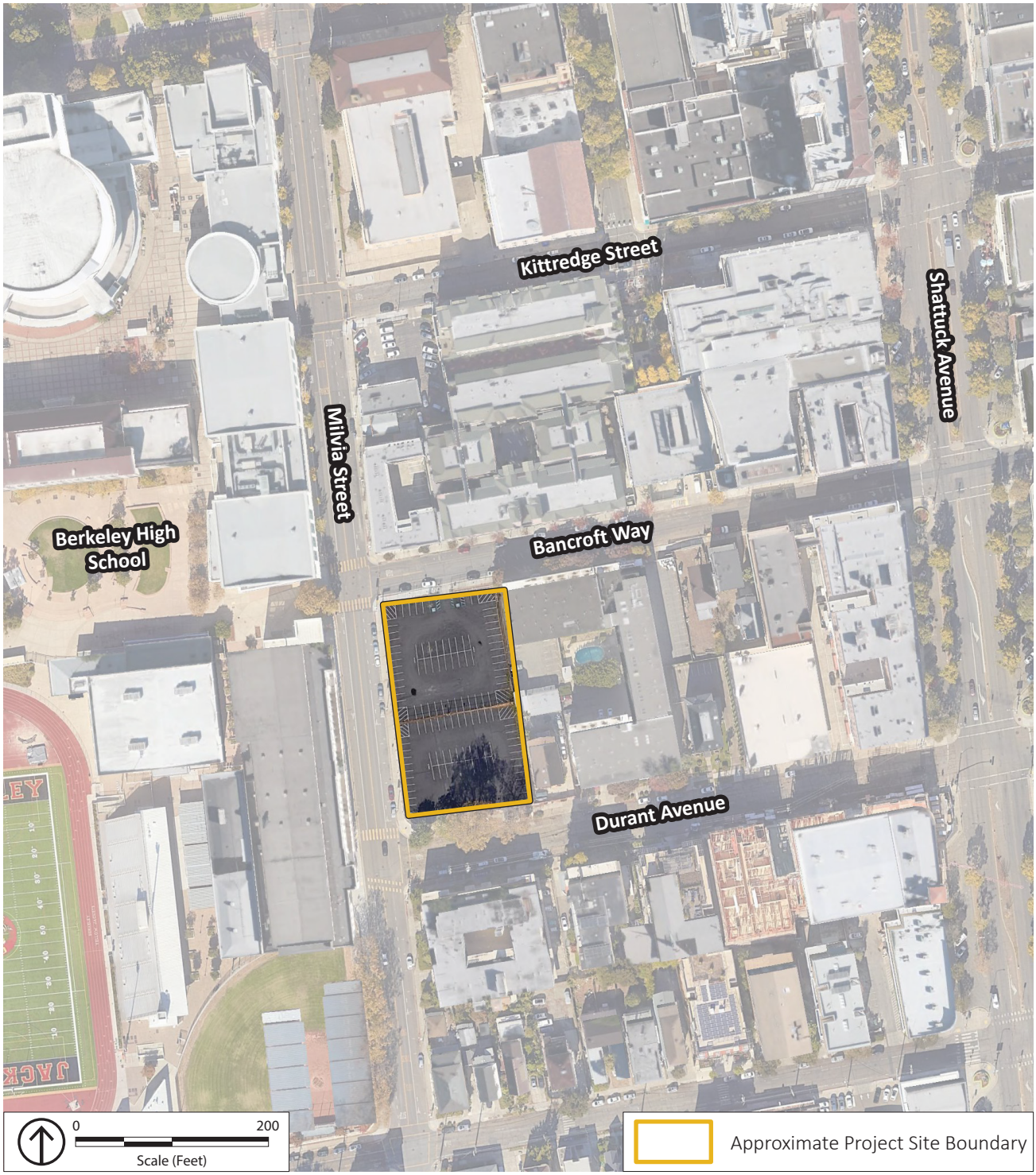
[1] Official Zoning Map of the City of Berkeley, California. 1999.

PROJECT SITE LOCATION

Source: © Google Earth, 2022. PlaceWorks, 2022.

Figure 1
Regional Location

PROJECT SITE LOCATION



Source: © Google Earth, 2022. PlaceWorks, 2022.

Figure 2
Local Vicinity

GENERAL PLAN LAND USE AND ZONING

General Plan

The Berkeley General Plans designated the project site land use as C-DMU. This designation promotes implementation of the vision and goals of the Downtown Area Plan (adopted 2012), which include: Environmental Sustainability, Land Use, Access, Historic Preservation and Urban Design, Streets and Open Space, Housing and Community Health and Services, and Economic Development. The Berkeley Downtown Area Plan identifies the project site as a Potential Development Opportunity Site that currently exhibits a low level of improvement[2].

Zoning

The proposed project site is zoned for Commercial-Downtown Mixed Use (C-DMU) Buffer, which indicates that it is on the edge of the downtown Berkeley commercial core. The purpose of the C-DMU district is to implement the vision and goals of the Downtown Area Plan (adopted 2012), which include: Environmental Sustainability, Land Use, Access, Historic Preservation and Urban Design, Streets and Open Space, Housing and Community Health and Services, and Economic Development[3]. The site is directly surrounded by this designation to the north and south as well. Properties to the east of the project site exhibit C-DMU Corridor zoning as they lie on Shattuck Avenue and are closer to the C-DMU Core zoning. Berkeley High School, which had an enrollment of 3,257 students in 2020-2021 school year, is directly west of the project site and is zoned as Multi-family Residential (R33).

Municipal Code Exemption

Government Code Section 53094 authorizes the board of a local school district, by two-thirds vote, to render city ordinances inapplicable to the proposed use of certain property for educational purposes. On July 31, 2022 the Board of Trustees of the Berkeley Unified School District took action to exempt the proposed parking/tennis facility from City of Berkeley zoning ordinances and regulations. The City was formally notified of this action on July 31, 2022.

Notwithstanding the fact that the District is not bound by local zoning requirements and ordinances, this Draft EIR discloses all potentially relevant local plans, policies, and ordinances and discusses the project's consistency with those requirements for informational purposes, consistent with CEQA's purpose.

PROJECT PURPOSE AND NEED

The proposed project is intended to provide additional on-site parking for staff to reduce parking pressure on adjoining residential neighborhoods, and to provide on-site tennis courts for student athletes.

Project Objectives

The overarching goal of the proposed project is to reduce capacity and overcrowding on parking facilities in the downtown Berkeley area, and the residential neighborhoods west of the Berkeley High School

[2] Downtown Area Plan. 2012. City of Berkeley. https://berkeleyca.gov/your-government/our-work/adopted-plans/downtown-area-plan. Accessed July 20, 2022.

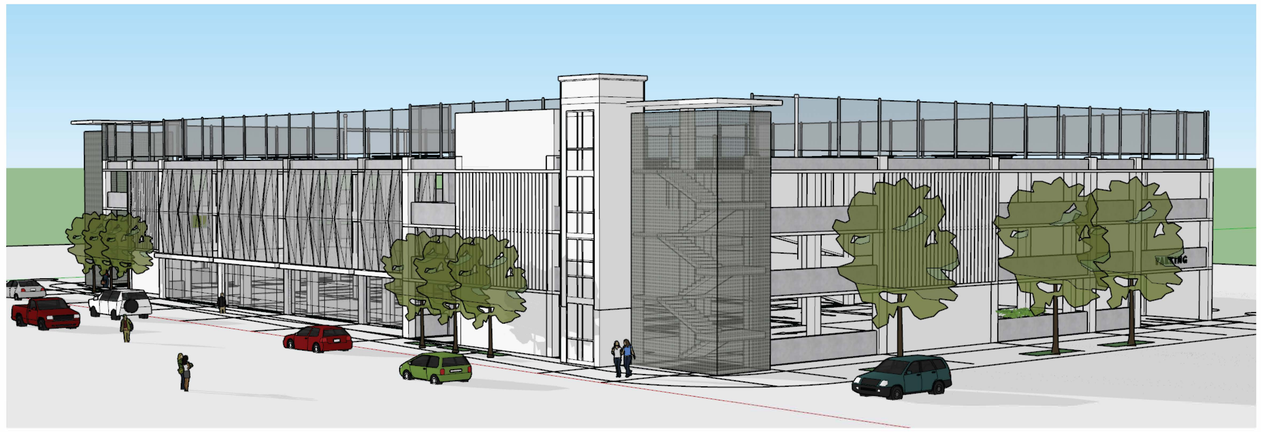
[3] City of Berkeley, Municipal Code, 23.204.130 C-DMU Downtown Mixed-Use District.

Campus. The District has developed the following project objectives to aid decision-makers in their review of the project, consideration of project alternatives and associated environmental impacts.

- Help relieve existing parking supply in adjoining residential neighborhoods from overcrowding.
- Provide efficient, accessible, and secure parking areas for BUSD faculty and staff.
- Build and maintain a high-quality tennis facility to serve the Berkeley High athletics program.

Site Plan

As shown in Figures 3-7, The proposed project would be comprised of one, four-story structure, with three floors of parking and a rooftop tennis court. Ground floor parking would include 77 stalls, the second story would include 80 stalls, and the third story would include 82 stalls of parking for a total of 239 parking stalls. Ramps allowing travel between the stories would be located on the north central side of the structure. The height of each story would be 11 feet. A two-way vehicular entrance to the structure would be located on the south side of the structure on Durant Avenue. The lobby entrance for pedestrian access would be located on the northwest side of the building at the intersection of Milvia Street and Bancroft Way and would feature a kiosk for payment and elevators. The rooftop tennis courts would feature four tennis courts and no bleachers. Figure 3 presents a massing concept and conceptual sections of the proposed project.



CONCEPTUAL SECTION

SCALE : 1" = 16'-0"

APPROXIMATELY 239 STALLS

Architects • Engineers • Parking Planners

WATRY DESIGN, INC.

San Jose, California
Irvine, California
Dallas, Texas

watrydesign.com

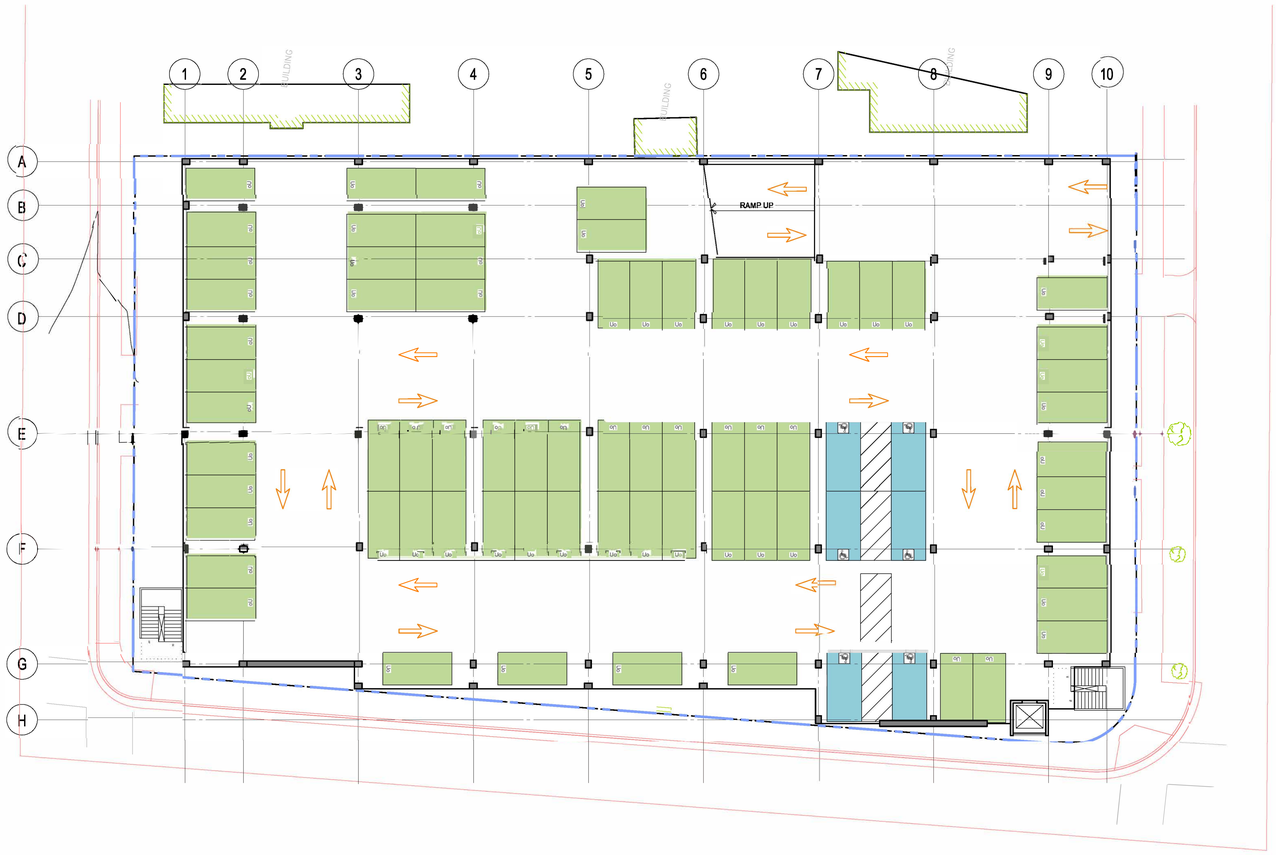
BERKELEY H.S. TENNIS COURTS
& PARKING STRUCTURE
BERKELEY, CALIFORNIA

CONCEPT DESIGN

JOB NO :	20-087
DATE :	8.10.22
DESIGN :	Morales
DRAWN :	.
CHK. BY :	.
FILE :	.

SHEET

Figure 3



GROUND LEVEL PARKING PLAN

SCALE : 1" = 16'-0"

77 Stalls
34,000 SF

Architects • Engineers • Parking Planners

WATRY DESIGN, INC.

San Jose, California
Irvine, California
Dallas, Texas

watrydesign.com

BERKELEY H.S. TENNIS COURTS
& PARKING STRUCTURE
BERKELEY, CALIFORNIA

CONCEPT DESIGN

JOB NO :	20-087
DATE :	8.10.22
DESIGN :	Morales
DRAWN :	.
CHK. BY :	.
FILE :	.

SHEET

Figure 4

LEVEL 2 PARKING PLAN

SCALE : 1" = 16'-0"

80 Stalls

Architects • Engineers • Parking Planners

WATRY DESIGN, INC.

San Jose, California
Irvine, California
Dallas, Texas

watrydesign.com

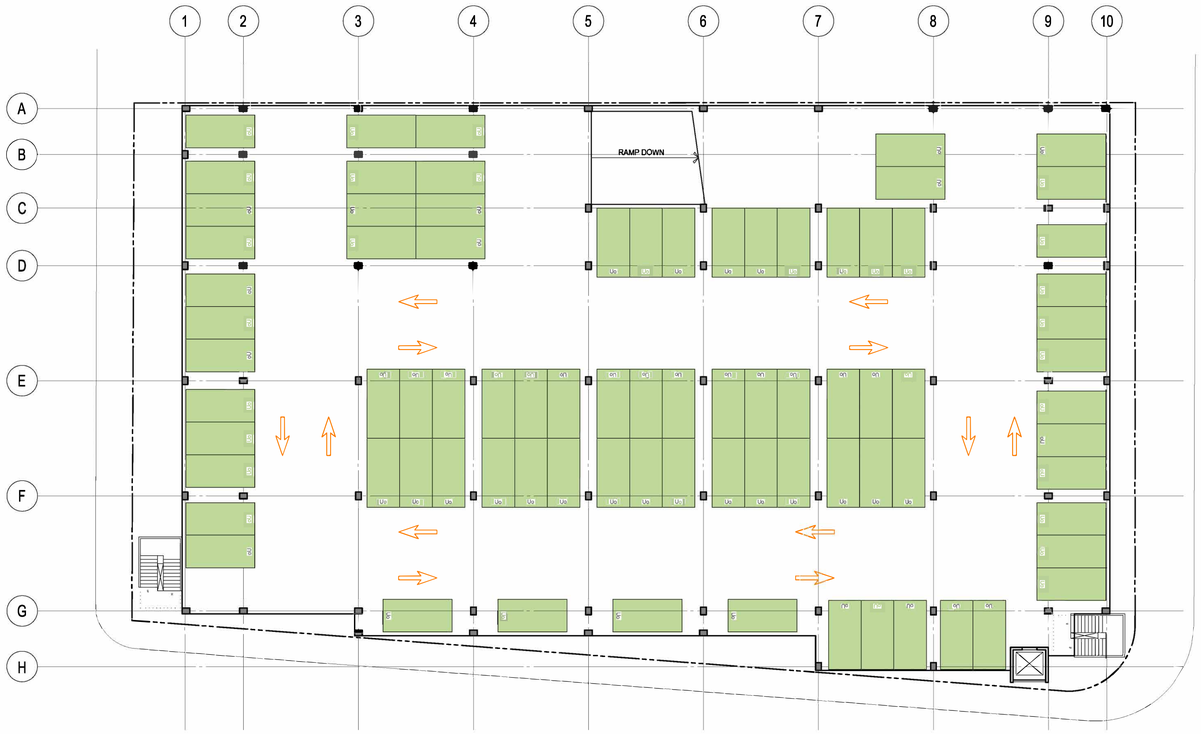
BERKELEY H.S. TENNIS COURTS & PARKING STRUCTURE
BERKELEY, CALIFORNIA

CONCEPT DESIGN

JOB NO :	20-087
DATE :	8.10.22
DESIGN :	Morales
DRAWN :	.
CHK. BY :	.
FILE :	.

SHEET

Figure 5



LEVEL 3 PLAN

SCALE : 1" = 16'-0"

82 STALLS

Architects • Engineers • Parking Planners

WATRY DESIGN, INC.

San Jose, California
Irvine, California
Dallas, Texas

watrydesign.com

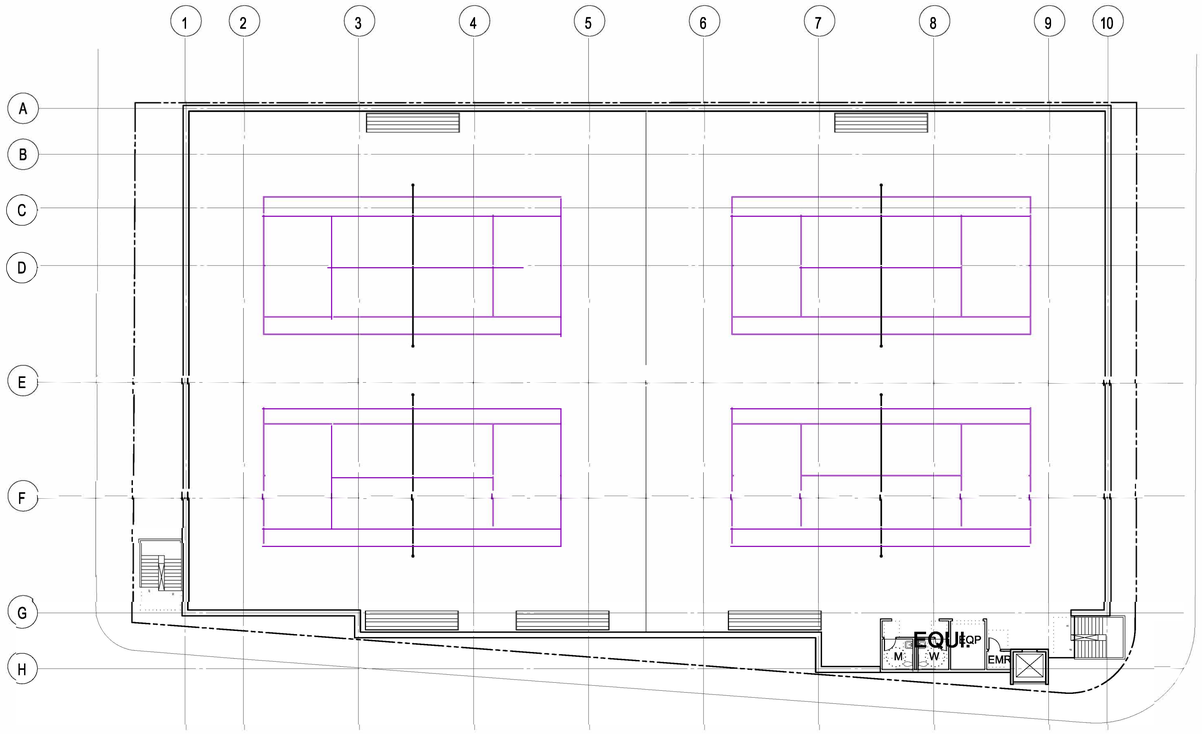
BERKELEY H.S. TENNIS COURTS
& PARKING STRUCTURE
BERKELEY, CALIFORNIA

CONCEPT DESIGN

JOB NO :	20-087
DATE :	8.10.22
DESIGN :	Morales
DRAWN :	.
CHK. BY :	.
FILE :	.

SHEET

Figure 6



COURT LEVEL PLAN ALT. 1

SCALE : 1" = 16'-0"

Architects • Engineers • Parking Planners

WATRY DESIGN, INC.

San Jose, California
Irvine, California
Dallas, Texas

watrydesign.com

BERKELEY H.S. TENNIS COURTS & PARKING STRUCTURE
BERKELEY, CALIFORNIA

CONCEPT DESIGN

JOB NO	:	20-087
DATE	:	8.10.22
DESIGN	:	Morales
DRAWN	:	.
CHK. BY	:	.
FILE	:	.

SHEET

Figure 7

Landscaping

The proposed landscape plan is shown in Figure 3-17 below. The parking structure would be landscaped primarily with drought resistant shrubs and accent trees along Milvia Street. In addition, a series of bioretention areas would be installed in or near new hardscaped areas to control stormwater runoff.

Lighting

Project lighting would be typical for human-scale orientation and safety. The project would include interior and exterior lighting and lighting controls for the lobby entrance and tennis courts. Exterior lighting fixtures for the building would utilize LED lamp sources and be designed in accordance with Title 24, architectural design criteria, and the recommendations of The Illuminating Engineering Society (IES) of North America.[4][5] All exterior lighting shall be programmed per Title 24 requirements, with exterior lights over 30 watts provided with additional motion sensing controls to reduce overall light output.

Parking areas will be illuminated with pole mounted full cutoff LED area lights with IES optical patterns appropriate for the area, as well as shielding to mitigate light trespass. Tennis court lighting would be shielded downward to avoid glare.

[4] California Energy Commission. Building Energy Efficiency Standards – Title 24. 2019. Available online at https://www. https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards. Accessed July 20, 2022.

[5] Illuminating Engineering Society. 2019. Available online at https://www.ies.org/. Accessed July 20, 2022.

2.INITIAL STUDY

DISCUSSION OF ENVIRONMENTAL EVALUATION

This Initial Study Checklist was prepared to identify thresholds within the CEQA Checklist topics that will not be affected by the proposed project. For these topics, the impact conclusion boxes are checked. The remaining thresholds within the CEQA Checklist topics will be addressed in the project Environmental Impact Report (EIR). The checklist boxes for these topics are blank, pending analysis and conclusions in the EIR.

I. AESTHETICS

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Have a substantial adverse effect on a scenic vista?	❒	❒	❒	■
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	❒	❒	❒	■
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	❒	❒	❒	■
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	■	❒	❒	❒

DISCUSSION

a) Scenic vistas are from public viewpoints, and at 3 stories, the building is in keeping with the surrounding development and would not block scenic vistas. Therefore, there would be *no impact* on scenic vistas.

b) The project site is currently a parking lot and holds no scenic resources, nor does the project site feature any trees, rock outcroppings, or historic buildings within a State scenic highway. Therefore, there would be *no impact* on scenic resources.

c) The Project site is in an urbanized area. Therefore, there would be *no impact* on non-urbanized areas.

d) There is a possibility that the proposed Project could create a new source of substantial light or glare that would adversely affect day or nighttime views in the area. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project draft EIR.

MITIGATION MEASURES

Any necessary mitigation measures will be included in the project EIR.

II. AGRICULTURE AND FORESTRY RESOURCES

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) 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?	❒	❒	❒	■
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	❒	❒	❒	■
c) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	❒	❒	❒	■
d) Result in the loss of forest land or conversion of forest land to non-forest use?	❒	❒	❒	■
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	❒	❒	❒	■

DISCUSSION

a) The project site is located within a highly urbanized area within the City of Berkeley. It is not classified as Prime Farmland, Unique Farmland or Farmland of Statewide Importance.[6] Therefore, there would be *no impact*.

b) The proposed project site is within the Commercial Downtown General (C-3-G) zoning district. There are no agricultural, forest or timberland use zones within the City of Berkeley. Additionally, the proposed project is not under a Williamson Act contract.[7] Therefore, there would be *no impact*.

d) Neither the project site nor the immediately surrounding areas are zoned for forest land, timberland, or timber production, as the project site is located within a previously developed urban site. Therefore, there would be *no impact*.

e) Public Resources Code Section 12220(g) defines forest land as "land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water

[6] California Department of Conservation, 2021, California Important Farmland Finder, https://maps.conservation.ca.gov/DLRP/CIFF/, accessed August 8, 2022.

[7] California Department of Conservation, 2021, California Important Farmland Finder, https://maps.conservation.ca.gov/DLRP/CIFF/, accessed August 8, 2022.

quality, recreation, and other public benefits."[8] Public Resources Code Section 4526 defines timberland as "land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees."[9] Government Code Section 51104(g) defines timberland zoned Timberland Production as "an area which has been zoned pursuant to Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses."[10] Based on the Berkeley zoning map, there are no lands within the EIR Study Area containing land that can support forestland, timberland, or Timberland Production Zone.[11] Consequently, there would be *no impacts* with regard to forestry resource and this issue will not be discussed in the EIR.

The proposed project would not involve changes to the existing environment that would result in the conversion of farmland to non-agricultural uses or forest land to non-forest use. Therefore, there would be *no impact*.

MITIGATION MEASURES

None required.

[8] Public Resources Code, Division 10.5, California Forest Legacy Program Act of 2007, Chapter 1, General Provisions, Article 3, Definitions, Section 12220(g).

[9] Public Resources Code, Division 4, Forests, Forestry, and Range and Forage Lands, Part 2, Protection of Forest, Range, and Forage Lands, Chapter 8, Z'berg-Nejedly Forest Practice Act of 1973, Article 2, Definitions, Section 4526.

[10] Government Code, Title 5, Local Agencies, Divisions 1, Cities and Counties, Part 1, Powers and Duties Common to Cities and Counties, Chapter 6.7, Timberland, Article 1, General Provisions, Section 51104(g).

[11] City of Berkeley, 1999, Official Zoning Map City of Berkeley. https://berkeley.municipal.codes/BMC/OfficialZoningMap, accessed August 5, 2022

III. AIR QUALITY

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	■	❒	❒	❒
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under applicable federal or State ambient air quality standard?	■	❒	❒	❒
c) Expose sensitive receptors to substantial pollutant concentrations?	■	❒	❒	❒
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	■	❒	❒	❒

DISCUSSION

a) There is a possibility that the proposed Project could conflict with or obstruct implementation of the applicable air quality plan. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project draft EIR. This threshold will be assessed within the full project EIR.

b) There is a possibility that the proposed Project could result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under applicable federal or State ambient air quality standard. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

c) There is a possibility that the proposed Project could expose sensitive receptors to substantial pollutant concentrations. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

d) There is a possibility that the proposed Project could result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

MITIGATION MEASURES

Any necessary mitigation measures will be included in the project EIR.

IV. BIOLOGICAL RESOURCES

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) 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 plan, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	❒	❒	❒	■
b) 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 Wildlife or U.S. Fish and Wildlife Service?	❒	❒	❒	■
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	❒	❒	❒	■
d) 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?	❒	❒	❒	■
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	❒	❒	❒	■
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?	❒	❒	❒	■

DISCUSSION

a), b), c), d) The project site is urbanized and previously developed, with no landscaping or vegetation on-site. The entirety of the site is paved and currently serves as a parking lot. The City of Berkeley Downtown Area Plan shows the project site as outside of any identified vegetation, habitat area, or wetland area.[12] Additionally, the project site is also outside of areas with known occurrences of sensitive species and habitat as identified in the General Plan.[13] Therefore, there would be *no impact* to candidate, sensitive, or special species in local or regional plan policies or regulations; riparian habitat or other sensitive natural community; or state or protected wetlands. Moreover, on July 31, 2022, the Board of Trustees ("Board") of the Berkeley Unified School District ("District") exempted the proposed project and the project site from local zoning ordinances and regulations, including otherwise applicable General Plans, pursuant to Government Code section 53094 pursuant to Resolution No. 21-029. (See also discussion under Section XI. Land Use and Planning).

[12] City of Berkeley, 2014., Downtown Area Plan. https://berkeleyca.gov/your-government/our-work/adopted-plans/downtown-area-plan, accessed August 10, 2022.

[13] City of Berkeley, 2002. Berkeley General Plan, https://berkeleyca.gov/your-government/our-work/adopted-plans/general-plan, accessed August 10, 2022.

e) The city of Berkeley includes regulations in The Berkeley Municipal Code Chapter 6.52 identifies that no removal or excessive pruning of Coast Live Oak trees is allowed. The project site is located within a highly urbanized area within the City of Berkeley and is entirely covered by hardscaping. The proposed project's design would not include any tree removal or pruning and, therefore, there would be *no impact*. Moreover, on July 31, 2022, the District's Board exempted the proposed project and the project site from local zoning ordinances and regulations pursuant to Government Code section 53094 pursuant to Resolution No.21-029.

f) The project site is not located within a Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, there would be *no impacts* to any local, regional, or state habitat conservation plans.

MITIGATION MEASURES

None required.

V. CULTURAL RESOURCES

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	■	❒	❒	❒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	■	❒	❒	❒
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	■	❒	❒	❒

DISCUSSION

a) There is a possibility that the proposed Project could cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

b) There is a possibility that the proposed Project could cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

c) There is a possibility that the proposed Project could disturb any human remains, including those interred outside of dedicated cemeteries. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

MITIGATION MEASURES

Any necessary mitigation measures will be included in the project EIR.

VI. ENERGY

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	■	❒	❒	❒
b) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?	■	❒	❒	❒

DISCUSSION

a) There is a possibility that the proposed Project could result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

b) There is a possibility that the proposed Project could conflict with or obstruct a State or local plan for renewable energy or energy efficiency. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

MITIGATION MEASURES

Any necessary mitigation measures will be included in the project EIR.

VII. GEOLOGY AND SOILS

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	■	❒	❒	❒
ii) Strong seismic ground shaking?	■	❒	❒	❒
iii) Seismic-related ground failure, including liquefaction?	■	❒	❒	❒
iv) Landslides?	■	❒	❒	❒
b) Result in substantial soil erosion or the loss of topsoil?	❒	❒	❒	■
c) 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?	❒	❒	❒	■
d) Be located on expansive soil, as defined by Table 18-1-B of the Uniform Building Code (1994),creating substantial direct or indirect risks to life or property?	■	❒	❒	❒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	❒	❒	❒	■
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	■	❒	❒	❒

DISCUSSION

a) There is a possibility that the proposed Project could directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving earthquake faults, seismic shaking, liquefaction or landslides. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

b) The Project site is flat and does not currently experience erosion. Construction and operation of the facility would be subject to the National Pollutant Discharge Elimination System requirements including controlling on site water runoff. Therefore, the project would have *no impact* on soil erosion or loss of topsoil.

c) The project site is located on relatively flat ground with stable soil. Therefore, there would be *no impact* regarding on-or-off site landslides, lateral spreading, subsidence, liquefaction, or collapse.

d) There is a possibility that the proposed Project could be located on expansive soil, as defined by Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or

property. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

e) The project would not require the use of any septic tanks or alternative wastewater disposal systems. Therefore, there would be *no impact* regarding soil capacity to hold septic tanks.

f) There is a possibility that the proposed Project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

MITIGATION MEASURES

Any necessary mitigation measures will be included in the project EIR.

VIII. GREENHOUSE GAS EMISSIONS

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	■	❒	❒	❒
b) Conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	■	❒	❒	❒

DISCUSSION

a) There is a possibility that the proposed Project could generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

b) There is a possibility that the proposed Project could conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

MITIGATION MEASURES

Any necessary mitigation measures will be included in the project EIR.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	❒	❒	■	❒
b) 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?	❒	❒	■	❒
c) Emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	❒	❒	■	❒
d) Be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?	❒	❒	■	❒
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, result in a safety hazard or excessive noise for people residing or working in the project area?	❒	❒	❒	■
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	❒	❒	■	❒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	❒	❒	❒	■

DISCUSSION

a) The proposed project would not involve the routine transport of hazardous waste, thus, no impacts to the public or the environment would occur. Potential impacts during construction of the proposed project could include potential spills associated with the use of fuels and lubricants in construction equipment. These potential impacts would be short-term in nature and would be reduced to less-than-significant levels through compliance with applicable local, State, and federal regulations, as well as the use of standard equipment operating practices by experienced, trained personnel. Additionally, during the operation phase of the proposed project, common cleaning substances, facility maintenance products, and similar items could be used on the project site. These potentially hazardous materials, however, would not be of a type or occur in sufficient quantities to pose a significant hazard to public health and safety or the environment. Compliance with the applicable laws, regulations, and conditions of approval, would minimize hazards associated with the routine transport, use, or disposal of hazardous materials to the maximum extent practicable. Therefore, impacts would be *less than significant*.

b) As discussed in Criterion (a) of this section, the operation phase of the proposed project could involve the use of common cleaning substances and facility maintenance products; however, these potentially

hazardous substances would not be of a type or occur in sufficient quantities on-site to pose a significant hazard to public health and safety or the environment. The use of these materials would be subject to existing federal and State regulations. Compliance with these regulations would ensure that the risk of accidents and spills are minimized to the maximum extent practicable. Therefore, impacts related to accidental release of hazardous materials would be *less than significant*.

c) The project will not emit hazardous substances during construction or operation of the project site. Any use of hazardous materials would be limited to what is necessary for routine maintenance and cleaning. Therefore, the impact would be *less than significant*.

d) Based on information gathered from a review of the applicable regulatory databases, including EnviroStor and the GeoTracker, to identify known or suspected sources of contamination, it was determined that the project site does not contain any known hazardous materials spills or storage sites.[14,15][16] Therefore, the impact would be *less than significant*.

e) The project site is not located within 2 miles of a public airport or public use airport. The closest airport to the project site is Oakland International Airport, located 8.5 miles west of the project site in the City of Oakland. Therefore, there would be *no impact*.

f) The City of Berkeley Emergency Operations Plan nor the City of Berkeley Local Hazard Mitigation Plan identify Milvia Street, Durant Avenue and Bancroft Way as evacuation routes in the case of emergency[17]. The Berkeley High School Safety Plan provides guidance for students and staff during emergencies and does not identify the streets surrounding the project site as part of the evacuation plan. The project does not propose the creation or augmentation of any transportation routes. Therefore, the impact to implementation or adoption of local emergency response and evacuation plans would be *less than significant*.

g) The project site is not located within a Very High Fire Hazard Severity Zone[18]. Therefore, there would be *no impact* regarding wildfire exposure.

MITIGATION MEASURES

No mitigation required.

[14] Department of Toxic Substances Control, 2021, EnviroStor, https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=map, accessed August 5, 2022.

[15] California State Water Resources Control Board, 2021, GeoTracker, https://geotracker.waterboards.ca.gov/map/, accessed August 5, 2022.

[16] Ninyo & Moore, 2022. Environmental Assessment Report Berkeley High School 1980 Alston Way

[17] City of Berkeley, Emergency Access and Evacuation Network, https://berkeleyca.gov/sites/default/files/documents/Berkeley-Emergency-Access-Evacuation-Routes-06-2011.pdf, accessed July 25, 2022.

[18] Cal Fire, 2022. Very High Fire Hazard Severity Zone in LRA, City of Berkeley. https://osfm.fire.ca.gov/media/5604/berkeley.pdf, accessed on August 22, 2022.

X. HYDROLOGY AND WATER QUALITY

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	❒	❒	■	❒
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	❒	❒	■	❒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) Result in substantial erosion or siltation on- or off-site;?	❒	❒	❒	■
ii) 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; or?	❒	❒	❒	■
iii) Impede or redirect flood flows?	❒	❒	❒	■
iv) Impede 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; or	❒	❒	❒	■
d) In a flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	❒	❒	❒	■
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	❒	❒	❒	■

DISCUSSION

a) Clearing, grading, excavation, and construction activities associated with the proposed project have the potential to impact water quality through soil erosion and increasing the amount of silt and debris carried in runoff. Additionally, the use of construction materials, such as fuels, solvents, and paints may present a risk to surface water quality. Finally, the refueling and parking of construction vehicles and other equipment on-site during construction may result in oil, grease, or related pollutant leaks and spills that may discharge into the storm drain system.

The California State Water Resources Control Board (SWRCB) has adopted a statewide Construction General Permit (Order No. 2009-0009-DWQ, as amended by 2010-0014 DWQ and 2012-0006-DWQ) for stormwater discharges associated with construction activities. These regulations prohibit the discharge of stormwater from construction projects that include one acre or more of soil disturbance.

Construction activities subject to this permit include clearing, grading, and other disturbance to the ground, such as stockpiling or excavation, that results in soil disturbance of at least one acre of total land area. Individual developers are required to submit Permit Registration Documents (PRDs) to the SWRCB for coverage under the National Pollution Discharge Elimination System (NPDES) permit prior to the start of construction. The PRDs include a Notice of Intent (NOI), risk assessment, site map, Stormwater Pollution Prevention Plan (SWPPP), annual fee, and a signed certification statement. The PRDs are submitted electronically to the SWRCB via the Stormwater Multiple Application and Report Tracking System (SMARTS) website.

The NPDES Construction General Permit (CGP) requires all dischargers to (1) develop and implement a SWPPP, which specifies best management practices (BMPs) to be used during construction of the project; (2) eliminate or reduce non-storm water discharge to stormwater conveyance systems; and (3) develop and implement a monitoring program of all specified BMPs. The two major objectives of the SWPPP are to (1) help identify the sources of sediment and other pollutants that affect the water quality of stormwater discharges and (2) to describe and ensure the implementation of BMPs to reduce or eliminate sediment and other pollutants in stormwater as well as non-storm water discharges.

The District is required to provide proof of filing of the PRDs with the SWRCB, which include preparation of SWPPP. As a result, the project would result in a *less than significant impact* on water quality.

b) The proposed project would connect to the public water main and direct additions or withdrawals of groundwater are not proposed by the project. Furthermore, given the location in a highly developed area, with minimal open space, the project site is not in a designated groundwater recharge area and the proposed project does not propose or require facilities or operations that would otherwise adversely affect designated recharge areas.

Groundwater was encountered at depths of 14 feet below site grade, however, historical data indicates groundwater has been as shallow as 8 feet within the project site vicinity.[19] If dewatering is required during construction, this activity would require obtaining a Waste Discharge Requirement permit from San Francisco Bay Regional Water Quality Control Board. Limits on the quantity of groundwater withdrawal and the temporary nature of construction dewatering would ensure that substantial lowering of the groundwater table would not occur.

Therefore, the potential for the project to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin is *less than significant*.

c) The proposed project is evaluated below with respect to erosion and siltation, drainage and run-off, and flood flows:

[19] Ninyo & Moore, 2022. Geotechnical Evaluation and Geologic Hazards Assessment for Berkely High School Multi-Level Parking Structure 2000 Bancroft Way

Erosion, Siltation, Drainage and Runoff

The project would involve site improvements that require grading, excavation, and soil exposure during construction, with the potential for erosion or siltation to occur. If not controlled, the transport of these materials to local waterways could temporarily increase suspended sediment concentrations and release pollutants attached to sediment particles. To minimize this impact, the project would be required to comply with the requirements in the State's General Construction Permit, including preparation of an NOI and SWPPP prior to the start of construction activities (see Impact HYD-1, above). The SWPPP would describe the BMPs to be implemented during the project's construction activities. The implementation of the BMPs during the construction phase would include the following measures to minimize erosion and siltation:

- Install on-site sediment basins to prevent off-site migration of erodible materials
- Implement dust control measures, such as silt fences and regular watering of open areas
- Stabilize construction entrances/exits
- Install storm drain inlet protection measures
- Install sediment control measures around the site, including silt fences or gravel bag barriers.

For the operational phase, the San Francisco Bay RWQCB MS4 permit mandates the preparation of a preliminary SWMP and a final SWMP, which would contain measures to prevent the discharge of silt and sediment from the site.

Collectively, implementation of the BMPs outlined in the SWPPP, implementation of the erosion provisions outlined in Appendix J: Grading of the California Building Code, and the SWMP would address the anticipated and expected erosion and siltation impacts during the construction and operational phases of the proposed project. Therefore, the proposed project would not result in substantial erosion or siltation on- or off-site, and the impact is *less than significant*.

Flood Flows

According to FEMA Flood Insurance Rate Map (FIRM) No. 06001C0057G dated August 3rd 2009, the project site is not in a 100-year flood zone.[20] Additionally, the project site is not in a dam or tsunami inundation zone. Therefore, there would be *no impact* from this project in terms of impeding or redirecting flood flows.

[20] Federal Emergency Management Agency, 2019. *FEMA Flood Map Service Center: Search by Address*. https://msc.fema.gov/portal/search?AddressQuery=700%20Alameda%20de%20las%20Pulgas%20Belmont%2C%20CA%2094002#searchresultsanchor, accessed August 10, 2022.

d) The project site is not within a 100-year floodplain, as per FEMA FIRM No. 06001C0057G dated August 3, 2009.[21] The project site is also not located in a dam inundation zone, as indicated by the DWR Division of Safety of Dam.[22] Additionally, there are no water storage tanks or reservoirs near the project site that would result in a seiche during seismic activity. The project site is also not at risk of flooding due to tsunamis.[23] Therefore, there would be *no impact* associated with the release of pollutants due to inundation.

e) Adherence to the State GCP, implementation of the SWPPP, would ensure that water quality is not adversely impacted during construction. In addition, implementation of the BMP measures at the site, including bioretention areas and self-treating landscaped areas, would ensure that water quality is not impacted during the operational phase of the project. As a result, site development will not obstruct or conflict with the implementation of the San Francisco Bay RWQCB Basin Plan.

   The proposed project would connect to the public water main and direct additions or withdrawals of groundwater are not proposed by the project. Additionally, if any dewatering activities are required during the construction phase, the proposed project would obtain a Water Discharge Requirement permit from San Francisco Bay RWQCB. Therefore, the proposed project would not conflict with or obstruct the Alternative Groundwater Sustainability Plan for the Livermore Valley Groundwater Basin. For these reasons, the proposed project would have *no impact.*

MITIGATION MEASURES

None required.

[21] Federal Emergency Management Agency, 2019. *FEMA Flood Map Service Center: Search by Address*. https://msc.fema.gov/portal/search?AddressQuery=700%20Alameda%20de%20las%20Pulgas%20Belmont%2C%20CA%2094002#searchresultsanchor, accessed August 10, 2022.

[22] Department of Water Resources Division of Safety of Dam, 2020. *California Dam Breach Inundation Maps.* https://fmds.water.ca.gov/webgis/?appid=dam_prototype_v2, accessed August 10, 2022.

[23] California Department of Conservation, 2020. *CGS Information Warehouse: Tsunami.* https://maps.conservation.ca.gov/cgs/informationwarehouse/tsunami/, accessed August 10, 2022.

XI. LAND USE AND PLANNING

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Physically divide an established community?	❒	❒	❒	■
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	❒	❒	❒	■

DISCUSSION

a) The proposed project would develop the site with a parking garage and tennis courts. The proposed project would retain the existing roadway patterns and would not introduce any new major roadways or other physical features through existing residential neighborhoods or other communities that would create new barriers. Therefore, the proposed project would not divide any established community there would be *no impact*.

b) The proposed project lies on Berkeley Unified School District land and is exempt from City of Berkeley land use plan policies as stated in the MOA: Government Code section 53094 authorizes the District, by a vote of two-thirds of the members of its Board of Trustees, to render City and County zoning ordinances inapplicable to the Project and School Site when used for educational purpose. The proposed use of the Project and School Site is for educational purposes and the Project and School Site are subject to design review by the Division of the State Architect ("DSA"); the District has balanced the interests of the public, including those of the City, and the District, and determined that the interests of the public are best served by commencing and completing the Project on the School Site under DSA review. (See also discussion under Section IV. Biological Resources). Therefore, the project would have *no impact* regarding land use planning.

The project would be consistent with relevant City policies stated in the General Plan and Downtown Specific Plan. Relevant policies in the City of Berkeley Downtown Specific Plan include:

POLICY	DESCRIPTION
City of Berkeley General Plan	
Transportation Element	
Policy T-20	Take actions to prevent traffic and parking generated by residential, commercial, industrial or institutional activities from being detrimental to residential areas
Policy T-32	Encourage Berkeley businesses and institutions to establish shared parking agreements, which would make the most efficient use of existing and new parking areas.

Policy T-35	Prioritize implementation of improved parking conditions in the Downtown and Southside through better utilization of existing parking and through implementation of policies to reduce demand for parking.
Policy T-40	
Policy T-41	Encourage consolidation of surface parking lots into structured parking facilities and redevelopment of surface lots with residential or commercial development where allowed by zoning.
Open Space and Recreation Element	
Policy OS-11	Encourage innovative use of public plazas, sidewalks, and temporary street closures as open space or for recreational or cultural events
Environmental Management Element	
EM-5	Encourage innovative use of public plazas, sidewalks, and temporary street closures as open space or for recreational or cultural events
City of Berkeley Downtown Specific Plan	
Environmental Sustainability Element	
Policy ES-4.1	Require environmentally sustainable "green" building with public benefits in all cases, except when "green standards" would discourage historic rehabilitations or adaptive reuse of existing buildings. Promote highly energy- efficient buildings and on-site energy generation through design and construction techniques. Buildings should have exceptional environmental performance across the full spectrum of concerns (as described in Policies ES-4.2 to ES-4.9). Coordinate Downtown initiatives with citywide provisions.
Policy ES-4.3:	Promote best practices for substantial water conservation, re-use, & retention as part of new construction, renovations, site improvements, and landscaping.
Policy ES-4.4	Encourage use of environmentally preferable materials for building construction and maintenance to: maintain healthful indoor air quality; reduce exposure to harmful materials during their production; install and disposal; protect threatened & endangered species; and reduce consumption of natural resources.
Land Use element	
Policy LU-7.2	Avoid abrupt transitions between residential-only neighborhoods and development projects built in Corridor and Buffer areas.
Access Element	
Policy AC-3.1	Manage parking more effectively to promote Downtown economic vitality while simultaneously discouraging all-day parking. Parking standards should support the continued health of Downtown's retail and cultural uses.
Streetscapes and Open Spaces Element	
Policy OS-2.1	Promote green infrastructure and other ecologically beneficial features within the design of public open spaces, streets and on private property (see policies under Goal ES-5).
Economic Development	
Policy ED–1.2	Address parking availability problems associated with retail, restaurant, cultural, educational, entertainment, and hotel uses (see policies under Goal AC-3).
Policy ED–1.13	Address perceived parking availability problems associated with retail, restaurant, cultural, educational, entertainment, and hotel uses (see policies under Goals AC-1 and AC-3).

MITIGATION MEASURES

Any necessary mitigation measures will be included in the project EIR.

XII. MINERAL RESOURCES

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	❒	❒	❒	■
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	❒	❒	❒	■

DISCUSSION

a) The California Geological Survey (CGS), formerly the California Division of Mines and Geology, classifies the regional significance of mineral resources in accordance with the California Surface Mining and Reclamation Act (SMARA) of 1975 and assists in the designation of lands containing significant aggregate resources. CSG's Mineral Land Classification (MLC) Project provides objective economic-geologic expertise to assist in the protection and development of mineral resources through the land-use planning process. Since its inception in 1978, the MLC Project has completed 97 classification studies covering about 34% of the state.[24] The SMARA classification for the area encompassing the project area is MRZ-1 on the Special Report 146 Plate 2.20 map.[25] The MRZ-1 category denotes areas where no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.[26] No minerals are currently mined within the project site and no known mineral resources occur in the project vicinity. Therefore, the proposed project would not result in the loss of or access to mineral resources and there would be *no impact*.

b) The project site has not been classified or nominated as a locally important mineral resource recovery site, according to the CGS Generalized Aggregate Resource Classification Map.[27][28] Therefore, *no impact* would result.

[24] California Geologic Survey (CGS), 2017, Mineral Resources and Mineral Hazards Mapping Program, California Department of Conservation, https://maps.conservation.ca.gov/cgs/informationwarehouse/mlc/, accessed August 8, 2022.

[25] California Department of Conservation, 1983, Special Report 146 Plate 2.20, https://filerequest.conservation.ca.gov/, accessed August 8, 2022.

[26] California Department of Conservation, 2003, Mineral Land Classification of Granite Construction Inc.'s Handley Ranch Site, Monterey County, California, for Construction Aggregate Resources, https://www.conservation.ca.gov/cgs/Documents/Publications/Special-Reports/SR_180-MLC-Report.pdf, accessed August 8, 2022.

[27] California Department of Conservation, 1983, Special Report 146 Plate 2.20, https://filerequest.conservation.ca.gov/, accessed August 8, 2022.

[28] Ninyo & Moore, 2022. Geotechnical Evaluation and Geologic Hazards Assessment for Berkely High School Multi-Level Parking Structure 2000 Bancroft Way

MITIGATION MEASURES

None required.

XIII. NOISE

Would the proposed project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?	■	❒	❒	❒
b) Generation of excessive groundborne vibration or groundborne noise levels?	■	❒	❒	❒
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 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?	■	❒	❒	❒

DISCUSSION

a) There is a possibility that the proposed Project could generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

b) There is a possibility that the proposed Project could generate excessive groundborne vibrations or groundborne noise levels. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

c) There is a possibility that the proposed Project could expose people residing or working in the project area to excessive noise levels. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

MITIGATION MEASURES

Any necessary mitigation measures will be included in the project EIR.

XIV. POPULATION AND HOUSING

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Induce substantial unplanned population growth or growth for which inadequate planning has occurred, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	❒	❒	❒	■
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	❒	❒	❒	■

DISCUSSION

a) The proposed project, a combined tennis facility and parking garage, is designed to accommodate existing parking demand for BHS staff, and would not involve new housing or employment centers; thus, the proposed project would not induce substantial population growth in the area. Therefore, there would be *no impact*.

b) The project site currently does not house any people, and no additional long-term housing is proposed as part of the project. Therefore, the proposed project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. Therefore, there would be *no impact*.

MITIGATION MEASURES

None required.

XV. PUBLIC SERVICES

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
i) Fire protection?	❒	❒	■	❒
ii) Police protection?	❒	❒	■	❒
iii) Schools?	❒	❒	❒	■
iv) Parks?	❒	❒	❒	■
v) Other public facilities?	❒	❒	❒	■

DISCUSSION

The primary purpose of a public services impact analysis is to examine the impacts associated with physical improvements to public service facilities required to maintain acceptable service ratios, response times or other performance objectives. Public service facilities need improvements (i.e., construction, renovation or expansion) as demand for service increases. Increased demand is typically driven by increases in population. The proposed project would have a significant environmental impact if it would exceed the ability of public service providers to adequately serve residents, thereby requiring construction of new facilities or modification of existing facilities. As discussed above in Section XIV, *Population and Housing*, of this Initial Study the proposed project would not result in a net increase of residents at the project site or elsewhere in the region because it does not propose housing and is not a major regional employer. Nevertheless, due to the location of the proposed project, within an urban area, it would have a less than significant impact on fire, police, school and park resources.

Public service providers in Berkeley that would serve the proposed project include the following:

- Berkeley Fire Departments (BFD), provides fire and emergency response services to the City of Berkeley. The nearest station is located 1,400 feet northwest of the project site.
- The Berkeley Police Department provides police protection services in the city, with the central Berkeley Police station located approximately one-quarter mile northwest of the project site.
- The project site is within the boundaries of the Berkeley Unified School District. One school, Berkeley High School, is located within 600 feet of the project site.

- Berkeley Parks and Recreation oversees Berkeley City Parks. The nearest city park, MLK Jr. Civic Center Park, is located approximately 800 feet north of the project site.
- The central branch of the Berkeley Public Library district is located within 600 feet of the project site. Governs. The Berkeley Public Library system administers 6 community libraries.

a) i, ii) The proposed project would have a significant environmental impact if it would exceed the ability of fire and emergency medical responders, and law enforcement to adequately serve the project site, thereby requiring construction of new facilities or modification of existing facilities, the construction of which could cause significant environmental impacts.

The proposed project is intended to provide tennis facilities for BHS students and accommodate existing parking demand for BHS staff, by expanding capacity of the current parking lot use. As such, the proposed project would represent an intensification of use by adding additional cars and student activity, however the design would require review and approval by BFD, for safety and access considerations, and would not result in any new residents in Berkeley. Because the proposed project would not result in new population, the proposed project would not represent a more intense use of the site. Thus, the proposed project would not create an increased demand for fire and police protection services, and impacts would be *less-than-significant.*

iii,iv,v) School and Library Service, Parks

The proposed project would increase the number of persons and level of activity of the project site; however, because the proposed project would include temporary parking and recreational uses, no permanent residents would be assumed to increase with the addition of the proposed project. Accordingly, *no impact* would result.

MITIGATION MEASURES

Any necessary mitigation measures will be included in the project EIR.

XVI. RECREATION

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) 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?	■	❒	❒	❒
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	■	❒	❒	❒

DISCUSSION

a) Increased demand for existing neighborhood and regional parks or other recreational facilities is typically driven by increases in population. The proposed project, a parking garage and tennis court facility, would not result in a net increase of permanent residents at the project site or elsewhere in the region because it does not include permanent housing. Furthermore, all activities during the operation of the parking garage would be restricted to the facility itself including construction of the tennis courts on the roof. Therefore, the proposed project would not contribute to the deterioration of existing facilities, and potential environmental impacts from construction and operation of the facility will be addressed in the EIR. The project includes the construction of recreational facilities, which could have environmental impacts on the project site. This component is addressed elsewhere herein and will be assessed further in the DEIR.

b) There is a possibility that the proposed Project could require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant

MITIGATION MEASURES

Any necessary mitigation measures will be included in the project EIR.

XVII. TRANSPORTATION

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	■	❒	❒	❒
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	■	❒	❒	❒
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	■	❒	❒	❒
d) Result in inadequate emergency access?	■	❒	❒	❒

DISCUSSION

a) There is a possibility that the proposed Project could conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

b) There is a possibility that the proposed Project could conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

c) There is a possibility that the proposed Project could substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

d) There is a possibility that the proposed Project could result in inadequate emergency access. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

MITIGATION MEASURES

Any necessary mitigation measures will be included in the project EIR.

XVIII. TRIBAL CULTURAL RESOURCES

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	■	❒	❒	❒
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code Section 5024.1. In applying the criteria set forth in subdivision (c) of the Public Resource Code Section 5024.1 for the purposes of this paragraph, the lead agency will consider the significance to a California Native American tribe.	■	❒	❒	❒

DISCUSSION

CEQA Guidelines Section 15064.5(b)(1), defines a substantial adverse change in the significance of a historical resource (defined as historical resource, archaeological resource, or tribal cultural resource) involves the "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical would be materially impaired."

a) There is a possibility that the proposed Project could cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

MITIGATION MEASURES

Any necessary mitigation measures will be included in the project EIR.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	■	❒	❒	❒
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	❒	❒	■	❒
c) 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?	❒	❒	■	❒
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	■	❒	❒	❒
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	❒	❒	■	❒

DISCUSSION

a) The proposed project would update the existing uses onsite. The proposed project would require an expansion of utility connections to accommodate new facilities, such as the restrooms adjacent to the tennis courts. Additional power would be required to support the operation of the facilities and to power the lights for the rooftop tennis courts. As such, there is a possibility that the proposed project could require the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

b) The proposed project would update the existing facilities onsite and would not result in a substantial change in water demand compared to existing conditions. The proposed project would not result in a substantial change in water use and existing water supplies would be sufficient to serve the project site. Impacts would be *less-than-significant*.

c) The wastewater generated by the proposed project would be similar to existing conditions and would not result in a substantial change as the proposed project would update the existing facilities onsite. Therefore, impacts would be *less-than-significant*.

d) The proposed project would include two restrooms on the top floor and could generate a significant demand for solid waste collection services. There is a possibility that the proposed Project could generate solid waste in excess of State or local standards, or in excess of the capacity of local

infrastructure, or otherwise impair the attainment of solid waste reduction goals. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This threshold will be assessed within the full project EIR.

e) Solid waste would be generated during construction and operation of the proposed project. The proposed project would comply with all regulations pertaining to solid waste, such as the California Integrated Waste Management Act. The project applicant and construction contractor would comply with all applicable laws and regulations and make every effort to reuse and/or recycle the construction debris that would otherwise be taken to a landfill. Hazardous waste, such as paint used during construction, would be disposed of only at facilities permitted to receive them in accordance with local, state, and federal regulations. The proposed project would comply with all applicable federal, state, and local statutes and regulations related to solid waste disposal. Therefore, impacts would be *less-than-significant*.

MITIGATION MEASURES

None required.

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	❒	❒	❒	■
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	❒	❒	❒	■
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	❒	❒	❒	■
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	❒	❒	❒	■

DISCUSSION

a), b), c), d) The proposed project site is not located in or near a state responsibility area, nor is it located within a very high fire-hazard severity zone.[29] Therefore, construction of the proposed project would have *no impact* related to wildland fire.

MITIGATION MEASURES

None required.

[29] Cal Fire, Fire Hazard Severity Area Map Viewer, Available at https://egis.fire.ca.gov/FHSZ/, accessed August 8, 2022.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	■	❒	❒	❒
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	■	❒	❒	❒
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	■	❒	❒	❒

DISCUSSION

a) There is a possibility that the proposed Project could substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This finding will be addressed within the full project EIR.

b) There is a possibility that the proposed Project could have impacts that are individually limited, but cumulatively considerable. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This finding will be addressed within the full project EIR.

c) There is a possibility that the proposed Project could have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. It is unknown at this time without further analysis whether this impact would be potentially significant, less than significant with mitigation incorporated, or less than significant. This finding will be addressed within the full project EIR.

Organizations and Persons Consulted

This Initial Study was prepared by the following consultants and individuals:

LEAD AGENCY

Berkeley Unified School District

John Calise, Executive Director, Facilities

REPORT PREPARERS

LEAD CONSULTANT

PlaceWorks

Steve Noack, Principal, Principal-in-Charge
Rourke Healey, Project Planner