CITY OF HAYWARD
AGENDA REPORT

Planning Commission

Meeting Date 1/22/04
Agenda Item 2

TO: Planning Commission

FROM: Tim R. Koonze, Assistant Planner

SUBJECT: Use Permit PL-2003-0075 – Pick-Your-Part Auto Wrecking (Applicant/(Owner): Request to Continue Operation of an Automobile Dismantling/Recycling Business – The Project is Located at 2885 West Winton Avenue in the Industrial (I) District

This item is being continued from December 11, 2003.

CITY OF HAYWARD
AGENDA REPORT

Planning Commission

Meeting Date 12/11/03
Agenda Item 3

TO: Planning Commission

FROM: Tim R. Koonze, Assistant Planner

SUBJECT: Use Permit PL-2003-0075 – Pick-Your-Part Auto Wrecking (Applicant/(Owner): Request to Continue Operation of an Automobile Dismantling/Recycling Business – The Project is Located at 2885 West Winton Avenue in the Industrial (I) District

RECOMMENDATION:

Staff recommends that the Planning Commission:

1) Certify the Final Environmental Impact Report;
2) Approve the Conditional Use Permit subject to the attached findings and conditions of approval; and
3) Adopt the Mitigation Monitoring Plan.

DISCUSSION:

Project Setting

The project is located on the north side of West Winton Avenue approximately 650 feet west of Cabot Boulevard. The site is bordered on the west by a 49-acre Hayward Area Recreation & Park District (HARD) property containing diked wetlands, seasonal ponds and uplands; and on the northwest by East Bay Regional Park District land. An industrial use borders the project site on the north. To the east is Barrington Business Park containing a variety of light industrial businesses and to the south by a warehouse (Sunshine Biscuit) and a light industrial complex (North Hayward Corporate Center). The site is approximately 15 acres in size configured in a horseshoe shape that surrounds E & J Auto Wreckers, another auto dismantling yard that also fronts onto West Winton Avenue.

The General Plan land use designation for the site the properties to the north, south and east is Industrial Corridor. The seasonal wetland property to the west is designated as Baylands. The Zoning Ordinance designation for the project site and the contiguous lands to the north, south and east is Industrial (I) District. Lands to the west of the project site have a Flood Plain (FP) District zoning designation.

Hiking and bicycle trails serve the nearby Hayward Regional Shoreline. However, the nearest trailhead is approximately two-tenths of a mile away beginning at the westerly terminus of West Winton Avenue, with the main trail one-half mile further away at the shoreline. A City bike path exists along West Winton Avenue and does pass in front of this project. Although the Hayward Area Shoreline Planning Agency (HASPA), the Hayward Area Shoreline Citizens Advisory Committee (HASCAC) and the East Bay Regional Parks District (EBRPD) were sent copies of the Draft EIR, no comments were received.

Project Description

The use permit application is a request from the applicant, Pick-Your-Part, to continue operating as an automobile dismantling yard with used auto parts sales. On-site functions include automobile storage, fluid drainage, storage and sale of used automobile parts, and car crushing. Customers may also dismantle stored cars for the purchase of the parts. Most site activities occur outside of enclosed buildings. Irregular fencing exists along its perimeter. Ancillary vending businesses also exist on site such as windshield replacements and tire sales. The proposed plan locates these businesses in a building adjacent to the public parking lot.

The applicant proposes a complete reorganization of the site layout as a result of responding to the environmental findings identified in the Draft Environmental Impact Report (Draft EIR) and Supplemental Draft EIR. All heavy parts and fluid removals and car crushing activities will be performed on the east side of the property away from the wetland area and will be located inside a building. The improvements associated with the proposal include the installation of new buildings, fencing, landscaping, paved parking areas, restroom facilities, street improvements and other operation and aesthetic enhancing improvements. The site will be paved to prevent any contaminants from entering the soil, and all storm water will be processed through a bio-filtering system before being directed off-site in an enclosed system. The bio-filter proposed is a novel design that has the interest of the Regional Water Quality Control Board (RWQCB) and mill be closely monitored to determine its performance.

Although there are many improvements proposed, no major expansion of existing operations is proposed as part of this application. The Pick-Your-Part processes 850± cars a month which generates approximately 4,000 gallons of liquid, and 400 pounds of solid, hazardous wastes/materials monthly, which are hauled away for recycling. The facility serves the community by disposing of unwanted vehicles while providing a source for customers to retrieve used parts to keep their automobiles running.

The applicant proposes to construct a 10-foot decorative masonry or concrete tilt-up wall along the West Winton Avenue frontage behind the required 10-foot setback line. The design of this wall would include recessed panels, decorative columns and caps. A 6-foot wrought iron fence is proposed along the westerly property line; however, staff recommends that an 8-foot masonry wall, consistent with that along the street frontage, be installed here to block views into the site from the adjacent open space area and to prevent debris from blowing off the site. The remaining perimeter of the property would have a 10-foot steel wall.

The area accessible to customers would be along the westerly and northerly sides of the project, consisting of a parking lot and open retail sales areas where customers could salvage parts from stored vehicles arranged in rows. A pedestrian canopy would provide an access point between the parking lot and the sales areas to maintain control of pedestrians entering and exiting the site. A "vendor" building would be located within the customer parking lot, at the southwest corner of the property, adjacent to West Winton Avenue. This building would contain five bays housing various subsidiary activities such as auto glass, tire and tool sales and a key shop. A sales building would be located within the retail sales area providing a location for the sales staff and customer payments. The vendor building and the customer canopy would have hip-style roofing with composition shingles and stucco finishes that compliment the masonry or concrete tilt-up walls proposed along the southerly and westerly property lines. The sales building is proposed to be of a simpler design, but staff recommends that its detailing be consistent with that of the other structures in the customer areas. The buildings are proposed with soft colors and bright trim; specific colors and materials are proposed to be subject to Planning Director approval at the time of building permit review.

The automobile impound and storage area would be located along the easterly side of the project and would not be accessible to customers; vehicular access to this area would be separate from that to the customer parking lot. Facilities in this area would include buildings for scrap and dismantling, fluid drainage, maintenance and trash, and a fuel dispensing station. Structures within this area are proposed to be of metal, painted to match the buildings in the customer areas; these structures would not be in view from the street.

The building design, number of parking spaces provided and proposed landscaping meet the Industrial District Design Guidelines and conform with the Development Standards for Automobile Wrecking Yards identified in Resolution No. 77-403 approved by the Planning Commission (see attached Exhibit D). The standards also require that automobile wrecking yards be located on the south side of Depot Road or on the north side of West Winton Avenue where prior use permits have been granted for this type of use; there have been multiple use permits for automobile wrecking yards on this site since 1958.

Environmental Impact Report

Before approving a project environmental issues must be addressed. In this case, pursuant to the California Environmental Quality Act (CEQA), the City of Hayward determined that an Environmental Impact Report (EIR) was required for a use permit for the continued operation of the Pick-Your-Part Automobile Dismantling Yard.

An EIR consists of a Draft EIR that reflects an environmental analysis of the project. It identifies areas of environmental concern and provides mitigations measures for those concerns. The Draft EIR is circulated to various public agencies requesting them to respond to the document. These responses focus on evaluating the adequacy of the document and may also raise additional environmental concerns. As discussed below these steps have already been taken for the project. A Final EIR is then prepared to address each of the responses including modification to existing Draft EIR and modifying or creating new mitigations based on the comments submitted. At this hearing the Planning Commission is responsible for determining that the Final EIR has adequately addressed the comments received for the Draft EIR and the Supplemental Draft EIR and that the measures presented properly mitigates environmental concerns.

In addition to the Final EIR, the Planning Commission must also evaluate the associated Mitigation Monitoring Plan. This document provides mitigation measures to the environmental concerns identified in the Draft EIR and in the public responses that are listed in the Final EIR. The document also provides mitigation monitoring measures to ensure that the mitigations are properly administered, and where needed, monitored for a longer duration of time.

In the case of this application there was a Supplemental Draft EIR prepared subsequent to the review of the Draft EIR. The Supplemental Draft EIR was prepared because the project had undergone a significant design. Both of these documents have already been prepared, distributed and responses to these documents have been received and are reflected in the FEIR.

A copy of the Supplemental DEIR, the Mitigation Monitoring Plan and the Final EIR are attached to this report. Also attached is a mitigation summary that consolidates the comments received and the responses to the comments.

If the Planning Commission chose to approve the use permit it must first certify the Final EIR, adopt appropriate findings and adopt a Mitigation Monitoring Plan. The Commission has the option of certifying the environmental document but denying the use permit or just denying the use permit.

History

This site functioned as a automobile wrecking yard since 1958. Since that time various use permits for automobile wrecking yards have been issued but expired between 1977 and 1979 due to lack of compliance with the established conditions of approval.

In 1980 four use permits encompassing both the Pick-Your-Part site and the adjacent E&J site were approved each with a condition that at the time a public storm drain system was available in that area the auto wrecking yard property owner shall submit plans to the City for drainage, landscape and irrigation, parking and fence design to be reviewed and brought before the approving body. By the time a storm water lift station was constructed in 1990 the various automobile-dismantling yards had merged into two automobile wrecking yards, one owned by Pick-Your-Part and the other owned by E&J. The construction of the storm water lift station triggered the requirement for these facilities to submit the plans mentioned above and obtain approval from the City to continue operating the wrecking yard.

In December 1990, Pick-Your-Part submitted an application and staff determined that an environmental impact report was required. Unfortunately the consultant chosen was bought out repeatedly over the next few years and a Draft EIR was not ready for circulation until 1995. The Planning Commission held a public hearing on November 2, 1995 to receive public comments on the Draft EIR. The comments and responses to those comments are reflected in the attached Final EIR. Although the Draft EIR identified concerns with the many different aspects of the project, there were none that could not be mitigated (see attached Exhibit C).

As part of the Draft EIR process both groundwater and soils test were made. Analysis of a groundwater sample taken near the automobile crusher detected hydrocarbon contamination above the maximum concentration level set in the Federal Safe Drinking Water Act. Analysis of a soil sample indicated levels of lead above standards set by the Alameda County Department of Environmental Health and the RWQCB, and surface soil samples taken near the automobile crusher and on the neighboring HARD parcel showed similar concentrations of total petroleum hydrocarbons. The Draft EIR required additional groundwater monitoring studies.

As a result of actions by the RWQCB Pick-Your-Part proposed a substantial change to the site layout and how day-to-day operations were performed in an effort to try and remedy the causes of the contamination found in the soil and groundwater. Pick-Your-Part was working with the various agencies to comply with the actions and measures required by the City of Hayward, the RWQCB, United States Environmental Protection Agency (USEPA) and the requirements within the National Pollution Discharge Elimination System permit (NPDES) to reduce impacts to the soil, the groundwater and the seasonal wetlands to the west of the property.

Pick-Your-Part was also required to install a temporary a system of on-site storage tanks has also been installed for the purpose of holding on-site drainage until it can be treated and hauled away. This system has greatly minimized the chances for off-site contamination from on-site storm water. It is an expensive system to maintain and will be removed when the new treatment system is constructed as part of the final development improvements and is operating to the satisfaction of the RWQCB.

The RWQCB required Pick-Your-Part has to prepare a draft Storm Water Pollution Prevention Plan (SWPPP) that includes a detailed Storm Water Management Plan (SWMP). Although the SWPPP and SWMP are not yet complete, the RWQCB is comfortable that information submitted is sufficient to address the environmental issues, relating to storm water, raised by such a facility provided that the details of the specific components are properly designed, appropriately executed and adequately maintained. The SWMP will require continued monitoring of the systems performance by the RWQCB. The SWPPP and the SWMP must be approved by the RWQCB prior to commencement of construction of the improvements proposed as part of this use permit.

An Ecological Risk Assessment (ERA) report was included in the Interim Remedial Action Work Plan at the request of the RWQCB. The purpose of the report was to evaluate the potential adverse impacts on the wildlife and habitat, resulting from exposures to contaminants originating from the Pick-Your-Part facility. The assessment demonstrated that the contaminants from the facility have potentially impacted the neighboring seasonal wetland area on the adjacent HARD property. It was concluded in the report that any efforts to remove the impacted soil and groundwater from the adjacent HARD property would be expected to have a more significant impact on the habitat and wildlife than leaving the low-level contaminates in place.

After Pick-Your-Part was able to make the necessary site modifications to the satisfaction of a the responsible environmental agencies, they tried unsuccessfully, for two years, to sell the property before deciding to continue pursuing approval for the automobile dismantling/recycling facility.

As indicated above, because of changes Pick-Your-Part was proposing for the site, staff determined that it was necessary to process a Supplement to the Draft EIR to address the newly proposed storm water filtering system and to allow for an update in comments. The Supplemental Draft EIR was prepared in December 1999 and circulated for comments on January 27, 2000. Only two responses were received. One was from the California Department of Transportation stating that after reviewing the Supplemental Draft EIR it has been determined that the proposed project will have no significant impact to State highway facilities. The other comment came from the RWQCB who expressed concerns that some of the mitigation measures needed minor modification but if the mitigations proposed are properly implemented they will adequately address the facilities impacts to the water quality and beneficial uses of waters of the State.

All project impacts defined in the Draft EIR still apply to the current project site, except for noise impacts to the adjacent Hayward Area Recreation & Park District (HARD) property from the car crusher. Pick-Your-Part removed the car crusher from the site as a remedial action in response to non-compliance issues. Therefore, the noise-related impact of the car crusher on the adjacent HARD property no longer occurs. As part of the redesign of the site Pick-Your-Part plans to locate a car crusher within a building adjacent to the east property line. This will remove the possibility of the car crusher impacting the HARD property and put the operation inside a building so leaking fluids can be controlled and properly handled. A condition of approval requires a noise study to determine if the relocation of the car crusher would cause significant noise impacts to the adjacent property. If so, it must be properly mitigated or eliminated as part of the project.

Most of the mitigations relating to the control of contaminants are addressed in the NPDES permit including the SWPPP and SWMP permits. These permits are issued and monitored by the RWQCB and address everything from best management practices to approving and monitoring the bio-filter system proposed to treat the storm water. The City will help in the monitoring process through periodic investigations and will report any violations to the RWQCB.

Public Notice:

A notice of the public hearing was published in the local newspaper on December 1, 2003 and a notice was sent out to all property owners and tenants within 300-feet of the property on December 1, 2003. No responses have been received.

Conclusion:

With the implementation of the mitigation measures, it is staff's opinion that the use will be compatible with the surrounding uses and conform to the City's Industrial Development Standards. The operation of the facility and the implementation, monitoring and maintenance of the required mitigations will be closely monitored by the RWQCB and the City. Conformance to the mitigation measures will upgrade the quality of the facility and enhance the aesthetics of the project. The facility benefits the Hayward area by providing for the disposal of inefficient or inoperative vehicles, and the recycling of automobile parts, metal and fluids.

Prepared by:

Tim R. Koonze

Tim Koonze
Assistant Planner

Recommended by:

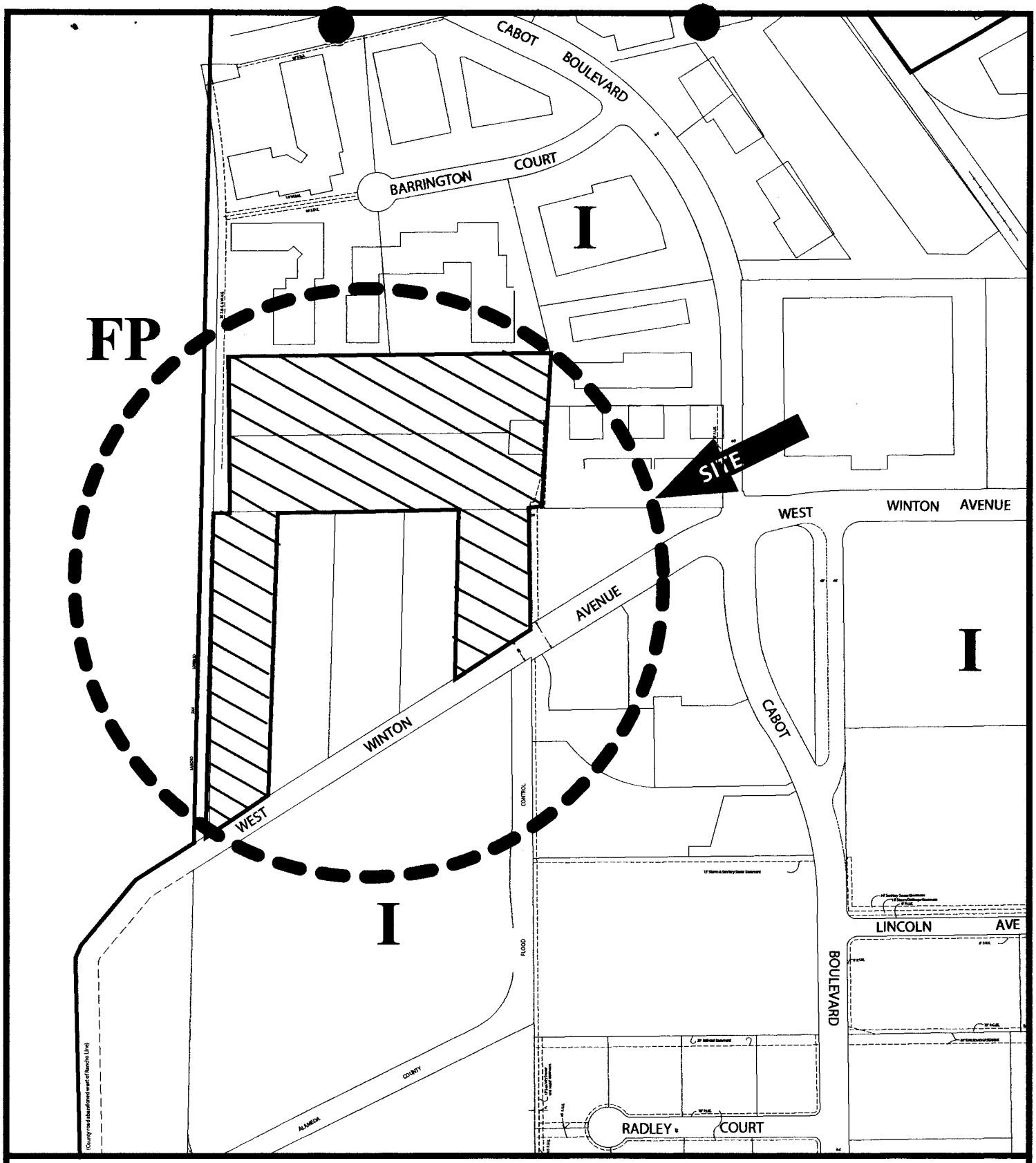
Dyana Anderly

Dyana Anderly, AICP
Planning Manager

Attachments:

A. Area Map
B. Findings for Approval
C. Conditions of Approval
D. Final Environmental Impact Report
E. Mitigation Monitoring Plan
F. Summary of Comments and Mitigations
G. Development Standards for Automobile Wrecking and Salvage Yards Resolution No. 77-403
H. Supplemental Draft Environmental Impact Report

Plans



Area & Zoning Map
PL-2003-0075 UP
Address: 2885 W. Winton Avenue
Applicant: Cindi Galfin/Paul Segal
Owner: Pick Your Part Auto Wrecking

FP-Flood Plain
I-Industrial

North

ATTACHMENT A

FINDINGS FOR APPROVAL

Use Permit No.PL 2003-0075

A. The application has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Environmental Impact Report (EIR) has been prepared for the proposed project. The EIR concluded that there are potential impacts that can be mitigated. A Mitigation Monitoring Plan has been prepared and is included as part of the Use Permit approval.

B. The project, as conditioned, will not be detrimental to the public health, safety or general welfare in that the construction and operation of the facility will be per the conditions and mitigations approved for this use permit and that the operation of the facility will be monitored for compliance to the mitigations per the Mitigation Monitoring Plan included as part of the Use Permit approval.

C. The project is in conformance with the General Policies Plan in that the its policies to retain existing businesses and promote the remediation of contaminated sites.

D. The proposed use will not impair the character or integrity of the zoning district and surrounding area in that the project design meets the design standards established for the industrial area and that all operation will occur with an enclosed yard out of view from the public street and the surrounding area. With the mitigations proposed, the project is compatible with the adjacent industrial uses and wetlands area.

E. The project is in harmony with the applicable City policies and the intent and purpose of the Zoning Ordinance designation of Industrial (I). The design of the project and its associated buildings comply with the Industrial Minimum Design Guidelines and Performance Standards identified in the Zoning Ordinance.

F. The project conforms to the policy established in the Policy and Development Standards for Automobile Wrecking and Salvage Yards Resolution No. 77-403 requiring automobile wrecking yards to be located on the north side of West Winton Avenue at a location that has been granted a prior use permit for the same type of operation.

G. The project conforms to the Development Standards identified in the Policy and Development Standards for Automobile Wrecking and Salvage Yards Resolution No. 77-403 in that all specified requirements have been met

H. The proposed use is desirable for the public convenience in that the facility provides a benefit to the Hayward Area by providing the disposal of inefficient or inoperative vehicles, the recycling of automobile parts, metals and fluids and the proper disposal of the contaminated waste associated with those automobiles.

CONDITIONS OF APPROVAL

Pick-Your-Part
Use Permit PL 2003-0075

1. Administrative Use Permit Application No. PL-2003-0075 is approved subject to the plans labeled Exhibit "A" and the conditions listed below. This permit becomes void one year after the effective date of approval unless business operations have commenced in accordance with all applicable conditions of approval. A request for a one-year extension, approval of which is not guaranteed, must be submitted to the Planning Division at least 15 days prior to the above date.

2. The permittee shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.

<u>WITHIN 60-DAYS FROM THE DATE OF USE PERMIT APPROVAL BUILDING PERMIT PLANS SHALL BE SUBMITTED THAT INDICATE:</u>

3. A 10-foot-high, as measured from grade, decorative masonry or concrete tilt-up wall with recessed decorative panels, columns, and caps located along the front yard setback line across the West Winton frontage. The wall shall be sunk 8-inches below grade and shall be designed to withstand a 15-pound-per-square-foot wind load.

4. An 8-foot-high, as measured from grade, decorative masonry or concrete tilt-up wall with recessed decorative panels columns, and caps located along the west property line of the property. The wall shall be sunk 8-inches below grade and designed to withstand a 15-pound-per-square-foot wind load.

5. The rear and remainder side property lines shall be enclosed and maintained with a masonry or concrete tilt-up wall or other material and design approved by the Planning Director. The fence shall be constructed to a minimum height of 8-feet above grade and designed to withstand a 15-pound-per-square-foot wind load.

6. Plans for the proposed buildings including building elevations and floor plans. The building design and a color and materials board shall be approval by the Planning Director. Seismic design requirements of the applicable Uniform Building Code shall be satisfied for any new construction in order to reduce the effects of ground shaking.

7. Any future foundations, slabs and paving planned for the site as a required mitigation shall be designed by a qualified geotechnical engineer to reduce liquefaction, differential settlement and shrink-swell impacts. This design shall include removal and reengineering of foundations and/or slabs.

8. The area where engines, transmissions, fuel tanks, axles, and batteries are stored, fluids drained, and automobiles crushed shall be located in a containment area covered in impervious manmade holding basins with a holding tank to enable removal of waste fluid. These areas shall also have a roof with gutters connected to the storm drain system. The City of Hayward does not allow above-ground tanks with a capacity greater than 60 gallons. The Fire Chief is authorized to approve alternate materials or methods provided the proposed design, use or operation satisfactorily complies with the intent of the California Fire Code. If allowed, provisions of the Uniform Building Code and Uniform Fire Code may require special construction techniques, designs and precautions if a roof is located over the storage tanks. In addition, rain surface water shall be diverted away from these areas in order to prevent the rainwater from mixing with the waste fluids. This would reduce to insignificance impacts associated with drainage of hazardous waste/material fluids from the crusher and storage areas to the adjacent property and eliminate the primary source of groundwater contamination. Waste fluid shall then be hauled away and disposed of properly by recycling or other approved hazardous wastes/materials techniques.

9. The entire lot, with the exception for areas required for landscaping or structures, shall be paved and drained to a storm water treatment system, approved by the Regional Water Quality Control Board, before surface water flows leave the project site. Where the site is paved with concrete, joint material that provides minimum permeability to movement of concerned fluids shall be installed between concrete slabs. The City Engineer and the RWQCB shall approve the type and installation of this joint material.

10. Any existing on-site drainage system piping and appurtenances shall be removed prior to the site being paved.

11. A parking and circulation plan shall be submitted that complies with the development Standards for Automobile Wrecking Yards identified in Resolution No. 77-403 as adopted by the Planning Commission and the City's Off-Street Parking and Circulation Regulations. A minimum 10-foot-wide access aisles shall be provided which shall divide materials storage areas into aisles not exceeding 35 feet in width.

12. The required 10 foot front yard setback shall be landscaped with trees, shrubs, and groundcover except where driveways are located. Mounding of earth and other desirable landscape features will be incorporated wherever feasible. Landscaping plans shall be prepared by a licensed landscape architect. Additional landscape

planters and/or tree wells shall be located in unused portions of parking areas and adjacent to the 10-foot-high masonry or concrete tilt-up wall located at the front of the property. Due to the close proximity of the site to the wetlands, the trees shall be of a species that minimizes raptor and raven nesting suitability as defined by United States Fish and Game.

13. Where any landscape area adjoins driveways and parking areas, Class B Portland Cement concrete curbs shall be constructed to a height 6 inches above the finished pavement. Landscaping shall be maintained in a healthy, weed-free condition at all times with replacement plants provided where necessary. Required street and parking lot trees that are severely topped or pruned shall be immediately replaced as determined by the City Landscape Architect.

14. Within all required landscape areas, an automatic irrigation system with an automatic on-off mechanism shall be installed. The irrigation plans shall be prepared by a licensed architect and the plans shall be approved by the City's Landscape Architect.

15. The utility plan shall identify the location of all sinks, drinking fountains, toilets, and other fixtures as required by the City of Hayward Municipal Code Section 11.3.215. Utilities installed shall provide flexibility in designs to improve their ability to withstand ground shaking. The sanitary sewer design shall include pipe sizes, lengths, invert elevations and rim elevations. Add a note indicating the Gallon per Minute Demand.

16. The owner shall dedicate a 6-foot Public Utility Easement (PUE) along the West Winton Avenue property frontage.

17. The plans shall accurately reflect the existing utilities located along and within West Winton Avenue. Include pipe sizes, slopes, lengths, invert elevations and rim elevations.

18. Street improvements shall be installed across the property frontage. The street shall be designed with a 40-foot curb-to-curb street width and a 5½-foot-wide sidewalk abutting the curb. The top of the curb grades shall match the curb grades across the street as shown on the City Drawing File E-1098 located in the City engineer's files. The design shall include a transition from a 72-foot to a 40-foot curb-to-curb section, four electroliers per City Standard Detail SD-120 and a steel beam barricade per City Standard Detail SD-114. The design and location shall be approved by the City Engineer.

19. The existing sanitary sewer main within West Winton Avenue shall be extended to serve the proposed restrooms and vendor building. Discharge into the sanitary sewer will be from domestic sources only and will not include any surface run-off. The extension shall be 8-inch SDR26 and shall include manholes spaced at maximum 400-foot intervals. The design shall be approved by the City Engineer.

20. The installation of new public fire hydrants on West Winton Avenue and private on-site fire hydrants shall be in conformance with the Fire Code and City of Hayward Fire Department Standards. The design and location of the fire hydrants and appurtenant water supply system shall be approved by the Fire Marshall

21. Driveway shall conform to City Standard Detail SD-110.

22. A grading and drainage plan that meets the requirements of the National Pollution Discharge Elimination System Permit (NPDES) and the associated Storm Water Management Plan and Storm Water Pollution Prevention Plan. The design shall be approved by the Regional Water Quality Control Board, Alameda County Flood Control and Water Conservation District and the City Engineer.

23. A Storm Water Management Plan (SWMP) shall be included in the building permit plans that incorporates an appropriately designed storm water drainage and treatment system, subject to the approval of the Regional Water Quality Control Board (RWQCB), the Alameda County Water and Conservation District (ACFCWD) and City of Hayward. The system shall include:
    a. Treatment controls sufficient to appropriately treat at least 85% of average annual runoff. These may consist of a measure or combination of measures, such as a measure to remove hydrocarbons followed by measures to remove other pollutants (e.g., sediment, heavy metals, and other pollutants) from runoff.
    b. Appropriate installation and regular maintenance of the measures; Preparation and implementation by Pick Your Part of a monitoring plan that demonstrates the successful function of the treatment system over time. The plan shall include appropriate performance standards, monitoring, and reporting as required by the City and RWQCB.

24. All storm drains inlets shall be labeled "No Dumping-Drains to Bay" using City approved stencil.

PRIOR TO ISSUANCE OF A BUILDING PERMIT

25. The applicant shall have a survey completed by a qualified engineer to identify areas on the site at an elevation below the mean high tide elevation. The applicant shall request data from the United States Corp of Engineers (USACE) on the status of levees, which provide flood protection to the project site. The project applicant shall submit a request to Federal Emergency Management Agency (FEMA) to be removed from the flood zone, indicating that levees are present adjacent to the western border of the site which reduce the potential for flooding. If the USACE finds that the levees are not in compliance with their regulations, provisions shall be made to comply with FEMA regulations. Compliance shall be obtained by improving the levees or by raising the floor elevation of the battery,

engine, transmission, fuel tank and axle storage area; and all areas used to store used oil, fuel, and other bulk hazardous wastes/materials to a minimum of 7 feet 6 inches above mean sea level (MSL). A Section 10 USACE permit shall be obtained prior to any construction occurring in these areas.

26. A qualified acoustical engineer shall be hired to establish the acceptable noise levels that on-site forklifts must operate under and to ensure that the building that contains the car crusher is designed to provide adequate noise attenuation and that off-site noise levels meet the City of Hayward Standards.

27. Provide the Fire Marshall with a chemical inventory and the fire code hazard class of each building and exterior storage area.

WITHIN 3 MONTHS FROM THE APPROVAL OF THE USE PEMIT

28. Specific additional subsurface investigation as recommended by the November 30, 1994 report prepared by CCC shall identify the vertical and horizontal extent of soil and groundwater contaminates at the subject site. Additional soil investigations that analyze the soil for pH levels shall be performed under the current battery storage area. Soil sampling must include areas where pools of anti-freeze and oil were found the RWQCB. When the extent of the contamination has been characterized, the existing contamination shall be removed to meet required Alameda County Health Agency, Department of Environmental Health; City of Hayward, and RWQCB standards. If contaminated soil needs to be removed it shall occur prior to the paving of the site.

29. Groundwater monitoring wells shall be developed on the project site in order to investigate the extent of contamination in the groundwater and in order to develop appropriate abatement and remedial actions for the soils and groundwater in the contaminated area. Abatement and remedial actions shall be implemented that are acceptable to appropriate regulatory agencies, such as the RWQCB, San Francisco Bay Region; Alameda County Health Agency, Department of Environmental Health; Wastewater Discharge Regulations, and City of Hayward Fire Department, Hazardous Materials Office, to ensure that the public and adjacent plant and animal life are not subjected to levels of hazardous wastes/materials in excess of state and federal standards.

WITHIN 6 MONTHS FROM THE APPROVAL OF THE USE PERMIT

30. Construction per the approved building permit plans shall begin on the project.

31. Prior to commencement of offsite soil remediation, the applicant shall prepare an Off-Site Mitigation Plan acceptable to HARD, CDFG, U.S. Fish and Wildlife Service and the USACE for all off-site areas that will be subject to soil remediation or removal. This Mitigation Plan shall include regrading and revegetation, which shall include replacement of wetlands at a 1:1 ratio.

32. A structural study of existing structures to be relocated shall be prepared by a qualified individual to determine the safety of the existing structures on-site and measures shall be implemented to bring the structures up to the applicable Uniform Building Code structural requirements. The building design, materials, and color shall be approved by the Building Official and the Planning Director.

PRIOR TO CONSTRUCTION

33. The applicant shall comply with City and State requirements for the preparation of a storm water pollution prevention plan (SWPPP) and erosion control plan program to appropriately control erosion, sediment and manage potential site discharges during construction.

34. Pick Your Part shall comply with the State Water Resource Control Board's NPDES General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit). As a part of complying with the Construction General Permit, Pick Your Part shall prepare a storm water pollution prevent plan for the project construction that complies with the Construction General Permit's requirements and incorporates best management practices to control erosion, sediment, and appropriately manage site activities. The SWPPP, if it fully incorporates the requirements of the City for its local erosion control program, may also be submitted as the construction erosion control program for the City. The SWPPP and construction erosion control program shall be filed with the City and kept current throughout any site development phase, and shall include, but may not necessarily be limited to, the following measures:

    a. Place hydromulch, erosion control blankets, or similarly effective erosion control practices on areas of graded soil such that areas are protected during the October - April rainy season.
    b. Minimize long, unbroken flow paths by placing transverse sandbag lines, sediment logs, or similarly effective practices across flow paths.
    c. Make construction-stage drainage swales, if any, broad and flat to reduce hydraulic efficiency and encourage sedimentation.
    d. Control off-site drainage and route it around newly graded areas.
    e. Provide berms along the tops of slopes or immediately uphill of active areas of work to prevent water from running uncontrolled down the slopes or across the areas of work.

f. Collect the water in these berms and take it down the slopes in an erosion-proof drainage system.
g. Provide energy dissipators and erosion control pads at the bottom of drains.
h. Direct site drainage into a sediment control basin before releasing it from the site.
    i. Provide 15 cubic yards of sediment storage per acre of tributary drainage area;
    ii. Provide an erosion-proof spillway from the basin to a protected outlet;
    iii. Do not provide a standard storm drain inlet in the basin, since this would allow some sediment to escape. If site conditions permit, build an oversized basin so it will not have to be cleaned out during the life of the grading project. Maintain and clean out basin, as necessary; and,
    iv. Inspect basin at the end of each workday to ensure it is in working order.
i. Install permanent landscaping and paving as soon as practical after the completion of grading.
j. Maintain best management practices and construction-stage drainage facilities in an operable condition at all times;
k. Inspect facilities at the end of each work day and maintain as necessary to ensure they are ready for service.
l. Construct a graveled construction site entrance/exit using appropriately sized rock to minimize tracking of site sediment onto City streets and into storm drains.
m. Fluvial erosion related to construction shall be controlled by a construction erosion control program, which shall be filed with the City and kept current throughout any site development phase.
n. Provide 15 cubic yards of sediment storage per acre of tributary drainage area.
o. Provide an erosion-proof spillway from the basin to a protected outlet.

35. The public shall be informed of proposed construction timelines to minimize potential annoyance related to construction noise.

DURING CONSTRUCTION

36. Outdoor container storage of liquids and outdoor equipment shall include a dike to contain spills and storm water and be covered to minimize storm water in the area. Depending on the size of the covering and the occupancy classification of the covering, sprinkler protection may be required and shall comply with the adopted Uniform Fire Code and Uniform Building Code.

37. Hazardous waste/materials stored outdoors shall be covered, or have secondary containment and be designed to prevent storm water run-on and shall comply with the adopted Uniform Fire Code and Uniform Building Code.

38. All wastewater from saw-cutting operations shall be captured and kept from discharging to the storm drain system. Saw-cutting water may be filtered to remove sand and cement, neutralized to pH less than 12, and the filtered and neutralized water may be discharged to the on-site sanitary sewer

39. Areas of soil redistribution shall be watered down twice daily to form a crust or as necessary to trap fugitive dust and particulates during construction until plant material, paving, soil binder, or building coverage reduce the need for such measures. If water is limited, soil binders such as soil cement may be spread in conjunction with watering, or sheet coverings such as burlap may be used on small areas. Areas with soil binders shall be turned over prior to revegetation. Disturbed areas shall be revegetated or paved, as soon as possible, to reduce dust during construction activities.

40. During periods of wind speeds higher than 15 mph, grading activities shall be temporarily suspended.

41. All construction vehicles and equipment shall be properly muffled. California State Noise Standards for Delivery Motor Vehicles shall be met.

PRIOR TO CONNECTION TO OFF-SITE STROM DRAIN FACILITIES

42. The project applicant shall obtain coverage for its project under and comply with the State Water Resources Control Board's NPDES General Permit for Discharges of Storm Water Associated with Industrial Activity (Industrial General Permit). If the site is already covered under the Industrial General Permit, then coverage shall be maintained.

43. The project applicant is required to submit an application to the State Water Resources Control Board (RWQCB)for a General Industrial Storm Water Permit.

44. The applicant shall pay the properties proportionate share of the cost for the construction of the storm water lift installed to serve the area. The amount of monies to be paid will be as designated in the established benefit District 398-92.

PRIOR TO CONNECTION OF UTILITIES

45. Pick-Your-Part shall prepare and implement a Storm Water Management Plan (SWMP) to address the facility's potential post-construction impacts to water quality. The SWMP shall be utilized as a part of Pick Your Part's application for an Individual NPDES discharge permit from the RWQCB or response to a CAO from the RWQCB. The SWMP shall include appropriate design measures, source controls, and treatment controls to address the project's potential impacts to water quality during operation for the life of the project. These controls shall include, but may not be limited to:

    a. Educate employees and the public regarding the problem of contaminants in urban runoff, and solutions they can utilize to reduce the amount of contaminants in urban runoff from the facility;
    b. Promote efficient and safe housekeeping practices when handling cleaning solutions, paint products, and automotive products. These substances should be utilized, stored, and disposed of according to labels, instructions, and applicable permits, and shall not be disposed of in a manner that will allow them to contaminate storm flows, soils, or groundwater;
    c. Minimize the use of and utilize the least harmful fertilizers, pesticides, cleaning solutions, automotive, and paint products where alternatives exist;
    d. Storage of hazardous materials as follows. Hazardous materials storage shall be subject to regular inspections. The proposed project shall meet the requirements of the locally adopted Uniform Fire Code and Hazardous Materials Storage Ordinance. Hazardous materials shall be stored:
        i. n the minimum amount necessary;
        ii. In designated areas; and,
        iii. Utilizing secondary containment.
    e. Employees and contractors shall be trained in appropriate storage methods and procedures for the prevention and cleanup of spills. Spills shall be cleaned immediately upon their occurrence.
    f. Discourage illegal dumping by stenciling elements of the drainage system, including storm drain inlets, with a sign prohibiting dumping and indicating the reason for the sign (e.g., "No dumping: Drains to Bay").
    g. Set up used oil disposal facilities that arrange for recycling of bulk used oil.
    h. Project operators shall ensure that vehicle maintenance occurs in appropriate facilities and that spills are reduced, contained, and cleaned up before the contaminate urban runoff. Vehicle maintenance and disposal of parts, fluids, or other related materials in the customer parking lot shall be prohibited, without exception.

i. The potential for discharge of pollutants to storm water from above-ground containers shall be minimized by installation of secondary containment, placement of storage under cover, regular inspections to ensure proper function, and training in and implementation of appropriate spill cleanup techniques.
j. Potential for pollutant discharges from roadway, vehicle storage, and parking lot surfaces shall be reduced by conducting street cleaning on a regular basis, and no less than monthly.
k. Storm drain inlets shall be maintained, including removal and appropriate disposal of accumulated material at least every six months, or more often as needed.
l. Illegally dumped items and materials shall be regularly (i.e., daily or several times per week) removed from storm drain channels and any areas of the facility (e.g., the customer parking area) where they may be deposited.
m. Vehicle fueling and washing facilities, including steam cleaning, shall utilize concrete floors, protected from the rain and drained to a sump to ensure contaminants are contained and appropriately disposed of or discharged, with appropriate approval, into the City's sanitary sewer system. The design of the facility shall comply with the adopted Uniform Fire Code and Uniform Building Code.
n. All vehicles shall be drained of fluids in a facility designed to ensure that spills are contained, prior to allowing the public to dismantle vehicles for parts. This activity shall be conducted in an areas that is covered with a roof and designated for this purpose.
o. All fluids drained shall either be collected and stored for pick-up for recycling or disposal at an appropriate hazardous waste/materials disposal facility. Permits for storage, transportation, and disposal of hazardous fluids shall be kept up-to-date and shall be adequate to address the quantities and types of substances.
p. An information document shall be prepared and provided to all employees and customers indicating the reasons that oil and fluid spills shall be contained and outlining procedures to clean up such spills, or to alert management to the need for cleanup when a spill occurs.

46. Pick-Your-Part shall prepare a management plan for its facilities that incorporates the requirements of: the Industrial General Permit; Cleanup and Abatement Order (CAO) or individual NPDES Discharge Permit issued by the Regional Water Quality Control; Board (RWQCB); and, any other applicable regulatory requirements. The City of Hayward shall review the management plan at the expense of the site operator. If necessary, a qualified consultant shall be hired by the City, at the expense of the project operator, to review the management plan and inspect the Pick-Your-Part site quarterly for compliance with permit and regulatory requirements. City staff and/or the consultant shall prepare and submit reports of the quarterly inspections. Inspections may be reduced to bi-annual if

full compliance is determined for four quarters. The project operator shall be responsible for all cost incurred by the City staff and/or consultant for inspection and monitoring necessary to achieve and assure compliance.

47. The applicant shall obtain a permit from the Bay Area Air Quality Management District (BAAQMD) for fuel transferred on-site and shall utilize equipment to ensure that vapor loss of reactive organic gasses is minimized.

48. The project applicant shall provide hookup to the water main within West Winton Avenue to provide a capacity of 6400 gallons per employee per day and shall provide hookup to the sewer line within West Winton Avenue to provide a capacity of 5700 gallons per employee per day. Sewer System Capacity Charges to accommodate the volume and waste strength of wastewater to be discharged from the project must be purchased at the rates in effect at the time of purchase prior to discharge.

49. Provide keys/access code/automatic gate opener to utilities for all meters enclosed by a fence/gate as per Hayward Municipal Code Section 11-2.02.1. This information shall also be provided to the Fire Marshall.

50. New operations shall comply with conditions prior to commencement of the use and/or storage of any vehicle.

AT ALL TIMES

51. Materials shall be stacked no higher than the height of the fence nor shall materials be stacked within 10 feet of the fence.

52. All operations and physical improvements shall be conducted in accordance with the requirements of all Municipal, County, State, and Special District codes and regulations.

53. Pick-Your Part shall be responsible for keeping the West Winton Avenue frontage free of dirt mud and debris of any kind.

54. No loading or unloading shall take place on public streets.

55. Adherence to the Storm Water Management and Urban Runoff Control Ordinance and Hazardous Materials Storage Ordinance is required to minimize the probability of spills occurring on site.

56. Hazardous waste/materials stored outdoors shall be covered or have secondary containment. They shall be designed to prevent storm water run-on and shall comply with the adopted Uniform Fire Code and Uniform Building Code.

57. The project operations shall continue to ensure that engine, gear box, transmission and axle oil, coolant, transmission fluid, wiper washer fluid, power steering fluids, and brake fluid are drained from vehicles prior to acceptance of the disposal of the vehicles onto the site.

58. Forklift vehicles shall be equipped with properly operating, maintained and effective mufflers as determined by the requirements set by the acoustical engineer or shall be powered by electricity. The forklifts shall remain under the noise levels established by a qualified acoustical engineer.

59. The project applicant shall comply with the Hazardous Materials Storage Ordinance (Hayward Fire Department, Hazardous Materials Office), Uniform Fire Code (Fire Prevention Offices of the Hayward Fire Department), and the requirements of the Alameda County Health Agency, Department of Environmental Health.

60. All customers removing automobile parts shall be provided with a drip pan for the purpose of collecting spills that may occur when dismantling the cars. The site operator shall be responsible for the proper disposal of all contaminates collected in the drip pans at no cost to the customer. The site operator shall inspect customer activities periodically to ensure the drip pans are being used.

61. The engine compartment of all automobiles shall be covered. If there are hoods on the cars they must remain closed during periods of rain; if the automobile is without a hood then an alternative means of cover must be provided, such as a sheet of plywood.

62. Trash and recycling areas shall be kept completely covered.

63. The applicant shall participate in the Voluntary Clean-up Program offered by the California Department of Toxic Substances Control to aid in the responsible release of hazardous substances controlled by proper regulatory services.

64. Violation of these conditions or requirements may result in the City of Hayward instituting a revocation hearing before the Planning Commission.

Final Environmental Impact Report

for

Pick-Your-Part

2557 West Winton Avenue

October 2003

ATTACHMENT D

Table of Contents

1: INTRODUCTION **1**

2: DRAFT EIR AND SUPPLEMENT TO THE DRAFT EIR COMMENTATORS **3**
List of Commentators 3

3: DRAFT EIR COMMENTS AND RESPONSES **5**
Introduction 5
Comment Letters and Responses to Comments 6
Copies of the Supplemental to the Draft EIR Response Letters 25
Hayward Planning Commission Public Meeting Comments 39

4: SUMMARY OF DRAFT EIR COMMENTS AND RESPONSES **42**

5: SUPPLEMENT TO THE DRAFT EIR COMMENTS AND RESPONSES **45**
Introduction 45
Comment Letters and Responses to Comments 46
Copies of the Supplemental to the Draft EIR Response Letters 51

6. SUMMARY OF DRAFT EIR COMMENTS AND RESPONSES **56**

7: REVISIONS TO THE DRAFT EIR (ERRATA) **57**

1: INTRODUCTION

The Final Environmental Impact Report (EIR) for the Pick-Your-Part Automobile Dismantling Yard, State Clearinghouse No. 1992053039, has been prepared in accordance with the California Environmental Quality Act (CEQA) and the guidelines for implementation of CEQA as prescribed by the Secretary of Resources.

Section 15132 of the CEQA Guidelines requires that a Final EIR consist of the following contents:

1. The Draft EIR or a revision of the draft.
2. Comments and recommendations received on the Draft EIR either verbatim or in summary.
3. A list of persons, organizations, and public agencies commenting on the Draft EIR.
4. The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
5. Any other information added by the Lead Agency.

The Final EIR incorporates by reference the September 1995 Draft EIR prepared for the City of Hayward (State Clearinghouse No. 1992053039).

The City of Hayward circulated the Draft EIR for the 45-day public review period. The State Clearinghouse closed the public comment period on November 13, 1995. Comments were received from several agencies and a public hearing was held to solicit additional public comments. Comments on the Draft EIR did not identify any fundamental inadequacies in the Draft EIR, however, the project was redesigned in response to these comments.

The site and the operation procedures underwent various modifications in response to storm water, soil, and ground water concerns from the State Regional Water Quality Control Board (RWQCB). These changes included modification to fencing and placing berms along the perimeter of the site to prevent storm water that may have contaminants from flowing onto adjacent properties, modifying areas where fluid is drained from cars to minimize the possibility of hazardous spills and the relocating the car crusher, which produced the most release of contaminants, off- site. In addition an extensive above ground storm water storage and treatment system was installed to treat the on-site storm water until the required use permit was approved and a permanent treatment system could be installed.

In accordance with Section 15163 of the CEQA Guidelines, the City of Hayward determined in 1999 that a supplement to the original Draft EIR was necessary because several years had lapsed since the Draft EIR was circulated for public review and the significant changes made to the proposed site plan in response to the comments made on the Draft EIR. This afforded the City an opportunity to revise sections of the Draft EIR that require updating to reflect current conditions, add newly developed information, and complete the CEQA process. The Supplement to the Draft EIR addressed comments and concerns raised by public agencies and members of the public during the public comment period and at the public hearing for the Draft EIR.

The Supplement to the Draft EIR was prepared in January 2000 and circulated for public review. Comments were solicited from public agencies and members of the public. This Supplement was sent to the State Clearinghouse and commentators on the Draft EIR. The State Clearinghouse closed the public comment period on March 10, 2000. Only two comments were received, one from CalTrans and the other from the Regional Water Quality Control Board.
A listing of the persons, organizations, and public agencies commenting on the DEIR and the Supplement to the Draft EIR is contained in Section 2. All letters and comments received commenting on the DEIR are contained in Section 3 and letters and comments received on the Supplement to the Draft EIR are contained in Section 5; both sections are accompanied by responses to these comments.

Although some time has passed since the Supplemental EIR was prepared no significant changes to the proposal or site conditions have occurred and there are no need for additional investigations or reports are needed to review the proposal. This Final EIR was prepared to respond to the comments received on the Draft EIR and the Supplement to the Draft EIR.

2: DRAFT EIR AND SUPPLEMENT TO THE DRAFT EIR COMMENTATORS

List of Commentators

The City of Hayward received comment letters on the DEIR and the Supplement to the Draft EIR. Each comment and comment letter has an alphabetic designation and the individual comments in each letter are numbered. The complete list of commentators and the alphic designation of the letter is provided below.

DRAFT EIR

Written Responses

LETTER	AGENCIES	AUTHORS
A.	Hayward Area Recreation District (HARD)	Erik Willyard
B.	East Bay Regional Parks District	T. H. Lindenmeyer
C.	California Regional Water Quality Control Board, San Francisco Bay Region	Dale Bowyer
D.	California Department of Toxic Substance Control	Karen Toth
E.	Alameda County Public Works Agency	Andrew Otsuka
F.	California Regional Water Quality Control Board, San Francisco Bay Region	Steve Morris

2: Agencies, organizations, and persons commenting on the draft eir and supplement draft eir

Public Comments During the November 2, 1995 Planning Commission Meeting

PLANNING COMMISSIONER

G. Planning Commissioner Jerry Caveglia
H. Planning Commissioner Glenn Kirby

Supplement to the Draft EIR

Written Responses

LETTER	AGENCIES	AUTHORS
A	State of California Governor's Office of Planning and Research, State Clearinghouse	Terry Roberts
B	California Department of Transportation	Harry Y. Yahata
C	California Regional Water Quality Control Board, San Francisco Bay Region	Keith H. Lichten

3: DRAFT EIR COMMENTS AND RESPONSES

Introduction

This chapter provides responses to comment letters received and comments during the public meeting for the Draft EIR. Each comment letter has been assigned an alphabetical designation for easy reference. Apart from introductions, courtesy statements, and closings, the text of each letter has been divided into topical comments. Brackets in the margin delineate the comments. Each comment letter was assigned an alphabetic letter and the comments in each letter were assigned a number code. Thus, each comment has a unique alphanumeric code, representing the comment letter (the letter code) and the individual comment within each letter (the number code). For example, the second comment in the second letter would have the code "B2." The responses address all individual comments. The text of the responses was written to provide a thorough discussion of the environmental issues raised by the comments. Copies the Draft EIR response letters, with identifying response brackets in the margin, have been provided after the comments and response section.

Comment Letters and Responses to Comments

This section contains all letters received commenting on the Draft EIR, accompanied by responses to these comments. A page or pages of responses immediately follow the comments. Responses reference specific comments by alphanumeric designation in order to address specific issues.

LETTER A

Eric Willyerd, Superintendent of Parks, Hayward Area Recreation and Park District (HARD) (10/5/95)

Comment A1: Construct an eight-foot high solid fence on the boundary of the Pick-Your-Part yard and HARD to prevent oily residue from coming onto HARD's property and to prevent unauthorized access to HARD's property.

Response A1: The Use Permit conditions of approval require that a painted decorative masonry or concrete tilt-up wall with recessed decorative panels, columns and caps shall be constructed and maintained along the west property line and along the front of the property behind the required setback. The wall shall be sunk a minimum of 8 inches below grade and constructed to a height of 10 feet on the front wall and 8 feet on the west wall above grade and designed to withstand a 15-pound per square feet wind load. All fencing design including materials, color and location shall be approved by the City of Hayward Building Official and the Planning Director.

Comment A2: Drainage from the Pick-Your-Part site should be contained on-site to prevent contaminated storm water from reaching the adjacent HARD property.

Response A2: Pick-Your-Part submitted an Interim Remedial Measure Work Plan to the RWQCB in August 1999. The Plan proposes to excavate the contaminated soils on the Pick-Your-Part site and replace it with clean fill. After the contamination is cleaned up to the approval of the RWQCB, the Pick-Your-Part site will be paved and runoff will be contained on-site and treated before it is discharged into the City of Hayward storm water system. Paving of the site and containment and treatment of storm water are required conditions proposed in Pick-Your-Part's Use Permit application. When this is done, the Pick-Your-Part site will no longer be able to drain onto the HARD property.

Comment A3: Perform a thorough cleanup of debris found on the HARD property and restore the property.

Response A3: Pick-Your-Part submitted an Interim Remedial Measure Work Plan in August 1999 to the RWQCB that includes cleaning up debris from the adjacent HARD property. Pick-Your-Part will excavate and remove contaminated soil on the project site. The Plan also states that stained soil will be removed from the adjacent HARD property if:

A. HARD and RWQCB would like the contaminated soil removed

B. HARD will allow Pick-Your-Part access to its property

C. Necessary permits (e.g., USACE) for work in the wetlands can be obtained so that work can be coordinated with site development work (Geomatrix 1999).

(See the response A5 for contaminated soil removal and restoration)

Comment A4: Annual inspections of the Pick-Your-Part site should be conducted to ensure continued compliance.

Response A4: The Mitigation Monitoring Plan requires that Pick-Your-Part supply the City of Hayward with quarterly inspection reports of the quarterly inspections. Inspections may be reduced to bi-annual if full compliance is determined for four quarters. Pick-Your-Part shall pay the consultant fees. In addition, the City of Hayward Water Pollution Source Control Division will perform an inspection every 12 to 24 months to assure compliance with the approved mitigation measures. The following has been incorporated into the mitigation measures.

> **Mitigation Measure:** Pick-Your-Part shall prepare a management plan for its facilities that incorporates the requirements of: the Industrial General Permit; Cleanup and Abatement Order (CAO) or individual NPDES Discharge Permit issued by the Regional Water Quality Control; Board (RWQCB); and, any other applicable regulatory requirements. The City of Hayward shall review the management plan at the expense of Pick-Your-Part. A qualified consultant shall be hired by the City to review the management plan and inspect the Pick-Your-Part site quarterly for compliance with permit and regulatory requirements. The consultant shall prepare and submit reports of the quarterly inspections. Inspections may be reduced to bi-annual if full compliance is determined for four quarters. Pick-Your-Part shall pay the consultant fees

Comment A5: Cleanup all contaminated soil to prevent ground water seepage to HARD's property.

Response A5: Pick-Your-Part submitted an Interim Remedial Measure Work Plan in August 1999 to the RWQCB. The Plan includes excavation and removal of contaminated soil on the project site per standards established by the Alameda County Health Agency, Department of Environmental Health; City of Hayward, and RWQCB standards. There is a use permit condition that reflects the following mitigation:

> **Mitigation Measure:** A condition of approval for the use permit will require Pick-Your-Part to remove on-site contaminated soil per the Interim Remedial Measure Work Plan. Prior to commencement of offsite soil remediation, the applicant shall prepare an Off-Site Mitigation Plan acceptable to HARD, CDFG, U.S. Fish and Wildlife Service and the USACE for all off-site areas that will be subject to soil remediation or removal. This Mitigation Plan shall include regrading and revegetation, which shall include replacement of similar wetlands at a 1:1 ratio.

Comment A6: Pave the Pick-Your-Part site to prevent further soil contamination.

Response A6: Section 4.8, Both the Land Use and Planning section and the Hazardous Waste/Materials section, contain a mitigation measure that reades as follows:

> **Mitigation Measure:** The entire lot, with the exception of areas required for landscaping or structures, shall be paved and drained to a storm water treatment system, approved by the Regional Water Quality Control Board, before surface water flows leave the project site. Where the site is paved with concrete, joint material that provides minimum permeability to movement of concerned fluids shall be installed between concrete slabs. The City Engineer and the RWQCB shall approve the type and installation of this joint material.

LETTER B

T.H. Lindenmeyer , Environmental Specialist, East Bay Regional Park District (EBRPD) (11/1/95)

Comment B1: Supports the implementation of a number of the mitigation measures identified in the Draft EIR which would reduce or eliminate adverse impacts on the District's adjacent wetlands and parklands. The EBRPD will cooperate with the applicant and appropriate agencies to identify and remediate soil and groundwater contamination that may affect adjacent properties as required by mitigation measures and/or other regulatory requirements.

Response B1: Comments noted. No substantive environmental issues have been raised that require a response.

LETTER C

Dale Bowyer, Associate Water Resource Control Engineer, California Regional Water Quality Control Board, San Francisco Bay Region (11/1/95)

Comment C1: Request that various management controls be implemented in the day-to-day operation of the facility to further reduce pollutants at the source.

Response C1: A mitigation measure is in place that requires Pick-Your-Part to implement a Strom Water Management Plan. The mitigation reads in part:

> **Mitigation Measure:** Pick-Your-Part shall prepare and implement a Storm Water Management Plan (SWMP) to address the facility's potential post-construction impacts to water quality. The SWMP shall be utilized as a part of Pick Your Part's application for an Individual NPDES discharge permit from the RWQCB or response to a CAO from the RWQCB. The SWMP shall include appropriate design measures, source controls, and treatment controls to address the project's potential impacts to water quality during operation for the life of the project

Comment C2: Pave the site with the exception of the areas noted in the Draft EIR.

Response C2: Section 4.8, Hazardous Waste/Materials, of the Draft EIR contains a mitigation measure that requires paving (see Section 5.3). Pick-Your-Part proposes (in their Use Permit Application) to pave the entire site, except for areas required for landscaping or structure and the paving is a requirement of the conditions of approval. Fluid drainage, car crushing, and part storage facilities will be contained in buildings to prevent contamination of the site. A drainage plan is also proposed to capture storm water and treat it before it is discharged into the City of Hayward storm water system.

Comment C3: Provide roofing over the more concentrated pollutant-generating areas, such as the auto crusher, engine block storage, battery storage, and fluid draining areas.

Response C3: The issue of roof requirements is addressed in the Draft EIR, Section 4.8, Hazardous Waste/Materials, Mitigation Measures, Page 4.8-5, second paragraph, under "Hazardous Waste/Materials/Water Management." The mitigation measure reads, in part, as follows: "The area where engines, transmissions, fuel tanks, axles and batteries are stored, fluids drained, and automobiles crushed, shall be located in a containment area in impervious manmade holding basins with a holding tank to enable the removal of waste fluid. These areas shall also have a roof with gutters connected to the storm drain system."

Pick-Your-Part is proposing buildings and containment areas with roofing as part of their Use Permit application. The automobile crusher, engine storage, fluid drainage, and battery storage will be located in the proposed buildings.

Comment C4: Install a complex treatment system that consists of oil/water separation, followed by ion exchange removal of dissolved metals, and ending in an activated carbon removal of dissolved organics.

Response C4: Comment noted. Section 4.4, Hydrology and Water Quality in the Draft EIR, requires a number of mitigation measures to be implemented to treat on-site drainage before being released into a public system (see pages 4.4-8 through 4.4-12 in Draft EIR). The applicant is proposing a bio-filtering system and is required to obtain a NPDES permit and prepare a Storm Water Management Plan (SWMP). The RWQCB and the City of Hayward shall approve a drainage plan for the project. A mitigation measure is in place that, in part, reads as follows:

> **Mitigation Measure:** "Pick-Your-Part shall prepare and implement a Storm Water Management Plan (SWMP) to address the facility's potential post-construction impacts to water quality. The SWMP shall be utilized as a part of Pick Your Part's application for an Individual NPDES discharge permit from the RWQCB or response to a CAO from the RWQCB. The SWMP shall include appropriate design measures, source controls, and treatment controls to address the project's potential impacts to water quality during operation for the life of the project."

Comment C5: Provide customers with easy to use drip pans to help control dripping liquid contaminates. Customers should be supervised.

Response C5: The suggestion to issue customers easy-to-use drip pans to reduce unintentional spills that may occur during car dismantling has been added to the use permit conditions of approval and as a mitigation measure to the Hazardous Waste/Materials/Water Management subsection of Section 4.8 Hazardous Waste/Materials as follows:

> **Mitigation Measure:** All customers removing automobile parts shall be provided with a drip pan for the purpose of collecting spills that may occur when dismantling the cars. The site operator shall be responsible for the proper disposal of all contaminates collected in the drip pans at no cost to the customer. The site operator shall inspect customer activities periodically to ensure the drip pans are being used.

Comment C6: Engine compartments exposed to rain should be minimized. This can be accomplished by keeping hoods down or replacing missing hoods with half sheets of plywood, or some other form of durable covering.

Response C6: The suggestion to keep car hoods down and covered has been incorporated into the use permit conditions of approval and into the following mitigation measure in Section 4.8 Hazardous Waste/Materials, subsection Hazardous Waste/Materials/Water Management.

Mitigation Measure: The engine compartment of all automobiles shall be covered. If there are hoods on the cars they must remain closed during periods of rain; if the automobile is without a hood then an alternative means of cover must be provided, such as a sheet of plywood.

LETTER D

Karen M. Toth, P.E. Unit Chief, Site Mitigation Branch, State of California Department of Toxic Substance Control (DTSC) Region 2 (11/9/95)

Comment D1: The maps depicting the site have no scale and there is a statement that site dimensions and locations are approximate over these areas.

Response D1: Figure 3.1-4, which depicts the site, has a scale of 1:2400. The site boundary is based on assessor's parcel maps and is accurate. The locations of the facilities on the map are approximate.

Comment D2: On page 1-9 of the Draft EIR, the sentence "The area where engines, transmissions, fuel tanks, hazardous waste/materials tanks, axles, and batteries are stored, fluids drained, and automobiles crushed shall be located in a containment area covered in impervious manmade holding basins to enable the removal of waste fluid." is unclear if these areas will be covered and protected from the rain. DTSC recommends that roofs be constructed over these areas.

Response D2: Roofing of areas where a higher concentration of contaminates occur is a common concern. Section 4.8, Hazardous Waste/Materials, Mitigation Measures, Page 4.8-5, second paragraph, under "Hazardous Waste/ Materials/Water Management" has a roofing mitigation measure. The mitigation measure reads, "The area where engines, transmissions, fuel tanks, axles and batteries are stored, fluids drained, and automobiles crushed, shall be located in a containment area in impervious manmade holding basins with a holding tank to enable the removal of waste fluid. These areas shall also have a roof with gutters connected to the storm drain system."

Pick-Your-Part is proposing buildings and containment areas with roofing as part of their Use Permit application. The automobile crusher, fluid drainage, and engine, axle, transmission, and battery storage will be located in buildings. Below-ground tanks are proposed for recyclable fluid storage.

Comment D3: On page 1-10 of the Draft EIR, the statement "entire lot shall be paved and drained to properly sized oil-water separator(s)" seems to conflict with another statement on the same page, "the existing contamination shall be removed to meet required ... standards and ... requirements ...". Clarify when paving will occur. Paving it before it is characterized would prevent surface sampling and complicate subsequent soil removals.

Response D3: It is the intent of the RWQCB and the City of Hayward to have areas with heavy soil contamination excavated and removed from the site prior to the paving of the site. The remaining contaminated soil is at levels of contamination that are below levels that would require clean-up for the proposed use. Pick-Your-Part submitted an Interim Remedial Measure Work Plan in August 1999 to the RWQCB. The plan includes excavation of contaminated soil on the project site, which will occur prior to the paving of the site.

Comment D4: Suggests that soil samples, at depth, be taken from the battery storage area and tested for pH. Samples should also be taken where pools of anti-freeze and oil were found.

Response D4: Soil samples have been taken to characterize the contamination on-site. The results were used to develop the Interim Remedial Measure Work Plan submitted to the RWQCB by Pick-Your-Part in August 1999. The plan includes excavation and removal of contaminated soil on the project site and replacing soils with clean fill. The plan must be approved by the RWQCB before it is implemented. After cleanup of the site, the site will be paved; dismantling, crushing, drainage and storage facilities will be contained; and storm water will be captured and treated before being discharged into the City of Hayward storm water system. Further soil sampling would not be necessary once improvements are made to the site. Groundwater monitoring wells will remain at the site and samples will be taken, analyzed, and reported to the RWQCB as required.

Comment D5: A Preliminary Endangerment Assessment (PEA) should be conducted in order to adequately characterize the site. If desired, trained environmental experts will review the PEA for a fee. This is known as a Voluntary Cleanup Program (VCP).

Response D5: The extent of soil and groundwater contamination at the site was determined through several subsurface investigations. Four subsurface investigations consisting of 67 soil borings were developed at the site to collect shallow soil data and grab groundwater samples (CCC 1999). The site's particular soils and groundwater conditions, as revealed by the previous investigation, suggest that the incremental level of contamination that could have occurred since the investigation is likely low, and not significant enough to warrant additional sampling at this point.

Seven groundwater monitoring wells were installed at the site, five on-site and two on the adjacent HARD property. Monitoring of the groundwater has been conducted quarterly since 1996. The analytical results of the samples collected revealed the presence of total petroleum hydrocarbons and volatile organics (BTEX) in both soil and groundwater. The areas of contamination were found to be in the scrap, fluid drainage, crusher, and battery storage areas at the site. Results have been submitted to the RWQCB. Pick-Your-Part is working with the RWQCB regarding cleanup of the site and it would not be necessary for Pick-Your-Part to enter a VCP with the DTSC. To address this situation a mitigation measure is in place that reads as follows:

Mitigation Measure: Groundwater monitoring wells shall be developed on the project site in order to investigate the extent of contamination in the groundwater and in order to develop appropriate abatement and remedial actions for the soils and groundwater in the contaminated area. Abatement and remedial actions shall be implemented that are acceptable to appropriate regulatory agencies, such as the RWQCB, San Francisco Bay Region; Alameda County Health Agency, Department of Environmental Health; Wastewater Discharge Regulations, and City of Hayward Fire Department, Hazardous Materials Office, to ensure that the public and adjacent plant and animal life are not subjected to levels of hazardous wastes/materials in excess of state and federal standards.

LETTER E

Andrew Otsuka Development Services Dept. County of Alameda Public Works Agency (11/9/95)

Comment E1: File an application for a map revision/amendment with the Federal Emergency Management Agency if the project site is to be removed from the flood hazard zone. Contact the U.S. Army Corp of Engineers to determine whether the levees conform to Corps standards.

Response E1: The site's flood zone issue is addressed in the Draft EIR Hydrology and Water Quality mitigation measure section identified as "Flooding" (page 4.4-11) and reads as follows. "The project applicant shall submit a request to the USACE to be removed from the flood zone, indicating that levees are present adjacent to the western border of the site which reduce the potential for flooding. If the USACE finds that the levees are not in compliance with their regulations, provisions shall be made to comply with USACE regulations by improving the levees or by raising to a minimum of 7 feet 6 inches above MSL the floor elevation of the battery, engine, transmission, fuel tank and axle storage area; the car crushing area; and all areas used to store used oil, fuel, and other bulk hazardous wastes/material." A mitigation measure and condition of approval exist that reads as follows.

> **Mitigation Measure:** The applicant shall request data from the United States Corp of Engineers (USACE) on the status of levees, which provide flood protection to the project site. The project applicant shall submit a request to Federal Emergency Management Agency (FEMA) to be removed from the flood zone, indicating that levees are present adjacent to the western border of the site which reduce the potential for flooding. If the USACE finds that the levees are not in compliance with their regulations, provisions shall be made to comply with FEMA regulations. Compliance shall be obtained by improving the levees or by raising the floor elevation of the battery, engine, transmission, fuel tank and axle storage area; and all areas used to store used oil, fuel, and other bulk hazardous wastes/materials to a minimum of 7 feet 6 inches above mean sea level (MSL).

Comment E2: The drainage ditch located near the southwesterly corner of the site adjacent to West Winton Avenue, is incorrectly identified (in the Draft EIR) as flood control channel, Line A. The channel designated as "Line A" is actually located south of West Winton Avenue.

Response E2: The flood control channel located near the southwesterly corner of the site, adjacent to West Winton Avenue, is incorrectly identified as flood control channel, Line A in Figure 4.4-1. The channel designated as Line A is actually located south of West Winton Avenue. The channel referred to in the Draft EIR is an unnamed drainage ditch that flows toward the HARD property. The correction is hereby noted.

LETTER F

Steve I. Morse, Chief, Toxics Cleanup Division California Regional Water Quality Control Board, San Francisco Bay Region (12/21/95)

Comment F1: The site should be paved with concrete with properly selected expansion joint material for minimum permeability to the movement of concerned fluids.

Response F1: The first mitigation measure in Section 4.8 Hazardous Wastes/Materials (Soil and Groundwater Contamination) requires paving. The measure states, "The entire lot, with exception for areas required for landscaping or structures, shall be paved and drained to a properly sized oil/water separator(s), before surface water flows leave the project site in an existing drainage facility to the northwest of the project site." The measure has been modified to include the following.

> **Mitigation Measure:** The entire lot, with the exception of areas required for landscaping or structures, shall be paved and drained to a storm water treatment system, approved by the Regional Water Quality Control Board, before surface water flows leave the project site. Where the site is paved with concrete, joint material that provides minimum permeability to movement of concerned fluids shall be installed between concrete slabs. The City Engineer and the RWQCB shall approve the type and installation of this joint material.

Comment F2: Investigation of groundwater contamination should be conducted to assess threats or impacts to the wetlands' seasonal ponds and the groundwater.

Response F2: Five groundwater monitoring wells have been installed at the Pick-Your-Part site and two wells have been installed on the adjacent HARD property, west of the drainage ditch. Monitoring of the groundwater has been conducted quarterly since 1996. Results of the sampling have been submitted to the RWQCB. The RWQCB is requiring Pick-Your-Part to install additional monitoring wells within and immediately down-gradient of the areas of heaviest contamination, after excavation and removal of contaminated soil on-site, for future monitoring purposes. The current and proposed wells will be monitored for groundwater contamination and potential impacts to the seasonal wetlands at the adjacent HARD property. The mitigation for groundwater monitoring addresses the issues noted.

> Groundwater monitoring wells shall be developed on the project site in order to investigate the extent of contamination in the groundwater and in order to develop appropriate abatement and remedial actions for the soils and groundwater in the contaminated area. Abatement and remedial actions shall be implemented that are acceptable to appropriate regulatory agencies, such as the RWQCB, San Francisco Bay Region; Alameda County Health Agency, Department of Environmental Health; Wastewater

Discharge Regulations, and City of Hayward Fire Department, Hazardous Materials Office, to ensure that the public and adjacent plant and animal life are not subjected to levels of hazardous wastes/materials in excess of state and federal standards.

3.2 Draft Response Letters

LETTER A

HAYWARD AREA RECREATION AND PARK DISTRICT

1099 'E' Street, Hayward, California 94541-5299 • Telephone (510) 881-6700 FAX (510) 881-1716

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October 5, 1995

Tim R. Koonze, Development Service Specialist
Department of Community and Economic
Development
City of Hayward
25151 Clawiter Road
Hayward, CA 94545

RE: DEIR USE PERMIT APPLICATION 90-81
PICK YOUR PART AUTOMOBILE DISMANTLING YARD

Dear Mr. Koonze:

We have received the draft EIR that is being coordinated by the City of Hayward. Last week, we inspected the area and have found continuing problems with this site. There is still debris (auto parts, tools, trash, etc.) being accumulated on HARD's property. There is also evidence of oil stains coming from the fenced area channeled to HARD's property. In some sections of the fence, it appears to have been pried open to allow drainage onto HARD's property. It would appear no responsible action has been taken to correct these serious and ongoing problems by the current property owner.

When Permit #70-78 was being considered for Pick Your Part Auto Dismantling Yard back in 5/29/92, these items were discussed in a letter that is part of the DEIR. The Park District is concerned and alarmed that no action has been taken and we would recommend at a minimum that the following be included as requirements for Pick Your Part Auto Dismantling Yard to continue in this area:

1) A solid fence 8-feet high be constructed on the boundary of Pick Your Part and HARD. The purpose of this fence is two-fold:
   a) To prevent oily residue from coming onto HARD's property
   b) To prevent unauthorized access to HARD's property

A-1

BOARD OF DIRECTORS
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Carol. A. Pereira
Richard H. Sheridan

GENERAL MANAGER
Wes Asmussen

Serving Castro Valley, Hayward, and San Lorenzo since 1944

LETTER A (CONT.)

Mr. Tim R. Koonze
October 5, 1995
Page Two

2) The Pick Your Part drainage be contained on site to prevent contaminated storm water from reaching HARD's property A-2

3) A complete and thorough clean up and restoration of debris found on HARD's property A-3

4) The site be independently inspected annually for continued compliance A-4

5) A complete clean up of all contaminated soil to prevent ground water seepage to HARD's property A-5

6) Pave Pick Your Part yard to prevent further contamination of soil. A-6

If this requires further clarification or if you have any questions regarding our specific concerns beyond this outlined response, please call me at (510) 881-6715.

Sincerely,

Eric Willyerd
Superintendent of Parks

EW:ga

ewpkypt2.doc

LETTER B

REGIONAL PARKS

EAST BAY REGIONAL PARK DISTRICT

BOARD OF DIRECTORS
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Pat O'Brien
General Manager

November 1, 1995

NOV 07 1995
PLANNING DEPT.

Mr. Tim R. Koonze
Hayward Community and Economic Development Dept.
25151 Clawiter Road
Hayward, CA 94545

Subject: Draft EIR for the Pick-Your-Part Auto Dismantling Yard

Dear Mr. Koonze:

The EBRPD has reviewed the subject document and strongly supports the implementation of a number of the mitigation measures identified therein which would reduce or eliminate adverse impacts on the District's adjacent wetlands and parklands. This specifically includes water quality control measures employing the Best Management Practices to protect both surface water and ground water from contamination by oil, gasoline and other pollutants involved in this industry. The EBRPD also supports noise mitigation and hazardous materials mitigation measures intended to minimize impacts upon its adjacent park and recreation uses. The EBRPD will be pleased to cooperate with the applicant, the Hayward Recreation and Park District, the City of Hayward, the Regional Water Quality Control Board and other appropriate agencies and individuals to identify and remediate surface soil and ground water contamination affecting adjacent property as required by mitigation measures and/or other regulatory requirements. B-1

The EBRPD appreciates the opportunity to review and comment on the subject project.

Very truly yours,

T.H. Lindenmeyer
Environmental Specialist

THL/tl

cc: Rick Wilyerd - Hayward Recreation & Park District
Hayward Planning Commission

C:\WPFILES\TCM\KOONZE.LTR

2950 Peralta Oaks Court P.O. Box 5381 Oakland, CA 94605 0381 Tel: 510 635 0135 TDD: 510 633 0460 Fax: 510 569 4319

LETTER C

11/02/1995 13:03 5102853985 RWQCB GMP /DOD PAGE 01

STATE OF CALIFORNIA PETE WILSON, Governor

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION
2101 WEBSTER STREET, Suite 500
OAKLAND, CA 94612
Tel: (510) 286-1255
FAX: (510) 286-1380

File No. 1535.68(DCB)

Mr. Ron Gushue
Hayward Planning Department
25151 Clawiter Road
Hayward, CA 94545

Subject: Draft EIR for the Use Permit Application 90-81 for Pick-Your-Part in Hayward

Dear Mr. Gushue:

I have reviewed the subject draft Environmental Impact Report and have a few comments related to the issue of storm water runoff quality. The types of structural controls necessary to eliminate pollutants from storm water runoff from a facility of this type are included in the DEIR with only a few exceptions. C-1

In addition to structural controls, various management controls must be in place for the day to day operation of the facility to further reduce pollutants at the source. The entire site must be paved with the exceptions noted in the DEIR, and the more concentrated pollutant generating areas such as the auto crusher, engine block storage, battery storage and fluid draining areas should be roofed. C-2

Pick-Your-Part's current mode of extracting maximum worth from the older automobiles salvaged is to leave them outdoors for parts retrieval for four weeks. In the proposed facility configuration, this will be the part of the operation which will contribute the most pollutants to storm water.

At Pick-Your-Part's facility in Stanton California, adjacent to Anaheim, a similar facility to that proposed for Hayward, the yard is paved, and the polluted runoff from the part picking area is treated prior to discharge. As I understand it the treatment consists of oil/water separation, followed by ion exchange removal of dissolved metals, and followed up with activated carbon removal of dissolved organics. In my opinion, a complex treatment system equivalent to this will be necessary to render the storm water runoff from this facility harmless to State waters. The only real alternative to this approach is the roofing of the entire site, which is probably economically infeasible. C-3 C-4

Post-It™ brand fax transmittal memo 7671	# of pages ▸ 2
To Tim Koonze	From Dale Bowyer
Co. Hayward	Co. RWQCB
Dept. Planning	Phone # 510-286-1357
Fax # 293-5108	Fax #

LETTER C (CONT.)

11/02/1995 13:03 5102863985 [illegible] PAGE 01

The type of additional management measures which will reduce the load of pollutants that the treatment system must remove include:

1. Aggressive control of dripping liquids from cars being dismantled by customers in the open area. This can best be accomplished by providing easy to use drip pans, and by staff supervision. One interesting suggestion is that the customer might risk losing a deposit if a significant mess is left at the site of the part removal. C-5

2. Engine compartments exposed to rain should be minimized. This can be accomplished by keeping hoods down and possibly by replacing missing hoods with some durable, cheap alternative, such as a half sheet of plywood. C-6

In my opinion this business use for this site will not have a significant impact on water quality if it is constructed in the manner described in the DEIR with the above minor additions. This facility when completed will represent a new state-of-the-art for auto dismantling facilities. If you have any questions, contact me a 510-286-1357.

Sincerely,

Dale Bowyer

Dale Bowyer
Associate Water Resource
Control Engineer

LETTER D

STATE OF CALIFORNIA — ENVIRONMENTAL PROTECTION AGENCY PETE WILSON, Governor

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

REGION 2
700 HEINZ AVE., SUITE 200
BERKELEY, CA 94710-2737
(510) 540-3724

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November 9, 1995

Mr. Tim R. Koonze
City of Hayward
Department of Community and Economic Development
Development Review Services Division
25151 Clawiter Road
Hayward, California 94545

Dear Mr. Koonze:

DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PICK-YOUR-PART AUTO DISMANTLING YARD, STATE CLEARINGHOUSE NUMBER 92053039

The city of Hayward provided the Department of Toxic Substances Control (DTSC) with a copy of the Draft Environmental Impact Report (Draft EIR) for the above project. DTSC has reviewed the report and with this letter transmits its comments.

DTSC's primary focus in the review of this document is the issue of the release of hazardous material and waste to the environment. Unfortunately, DTSC could not conduct a complete review of this project because the Technical Appendices Volume of the EIR was not included with the EIR provided to DTSC. Maps depicting the Site in the report have no scale and there is a statement that the dimensions and locations are approximate. The depth of DTSC's review of this document is limited by the quality and scope of information provided in the Draft EIR (absent the Technical Appendices Volume). D-1

Page 1-9 states, "The area where engines, transmissions, fuel tanks, hazardous wastes/materials tanks, axles, and batteries are stored, fluids drained, and automobiles crushed shall be located in a containment area covered in impervious manmade holding basins to enable the removal of waste fluid." It is unclear if these areas will be covered and protected from rain water. To prevent rain water from contacting spills of hazardous substances/wastes, DTSC recommends that a roof be constructed over these areas in addition to berms and other surface water control measures. If only berms are present, then the uncovered areas will collect and contaminate rain water. D-2

Page 1-10 of the report states that the "entire lot shall be paved and drained to properly sized oil-water separator(s)." While DTSC concurs with this mitigation measure, it seems to conflict with a statement on the same page of the report which states, "the existing contamination shall be removed to meet D-3

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LETTER D (CONT.)

Mr. Tim R. Koonze
November 9, 1995
Page Two

required ... standards and ... requirements...". Please clarify if the paving will occur after the removals. Paving the Site before it is characterized would prevent targeted surface sampling (stains or other signs of a release would be covered) and it would complicate subsequent removals. D-3 cont'd

As a mitigation measure, page 1-10 states that a subsurface investigation shall identify the horizontal and vertical extent of contamination. Further, the passage states that the existing contamination shall be removed to meet required Alameda County Health Care Agency standards and the requirements of the California Regional Water quality Control Board and Hayward Fire Department. Conceptually, DTSC concurs with these mitigation measures for soil contamination; however, since location and chemical specific sampling is not detailed in the report, DTSC provides the following suggestions:

- Soil samples from the battery storage area should be tested for pH. Page 4.8-1 of the EIR noted that this soil "appeared to have a whiter tint than surrounding soils", indicating that acids are present in the soil. The rationale for sampling this material is based on the relationship between lead and acidity, in that the lower the pH, the higher the mobility of the lead will be. D-4
- The sampling should be statistically defensible.
- In light of the above lead mobility issues, this sampling should be conducted at depth.
- The area where pools of anti-freeze and oil were observed should be sampled at depth.

In order to adequately characterize the Site, DTSC strongly suggests that a Preliminary Endangerment Assessment be conducted. Enclosed is an order form for DTSC's Preliminary Endangerment Assessment (PEA) Guidance Manual which details the site characterization procedure. Should the city of Hayward or the project proponent desire, DTSC can enter into an agreement whereby DTSC's trained environmental experts will review the PEA for a fee. This is known as the Voluntary Cleanup Program (VCP). D-5

DTSC offers other oversight services under the VCP. Prudent businesses employ these services to responsibly manage releases of hazardous substances (and their associated liabilities) while controlling, via an agreement with DTSC, the kind of regulatory services they desire. A fact sheet describing the Voluntary Cleanup Program is enclosed.

LETTER D (CONT.)

Mr. Tim R. Koonze
November 9, 1995
Page Three

If you have any questions, you may call Ben Hargrove at (510) 540-3845.

Sincerely,

Karen M. Toth
Unit Chief
Site Mitigation Branch

Enclosures

cc: (without enclosure)
Guenther Moskat
Department of Toxic Substances Control
Planning and Environmental Analysis Section
P.O. Box 806
Sacramento, California 95812-0806

State Clearinghouse
1400 Tenth Street
Sacramento, California 95812

LETTER E

COUNTY OF ALAMEDA
PUBLIC WORKS AGENCY
399 Elmhurst Street • Hayward, CA 94544-1395
(510) 670-5480

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November 9, 1995

Zone 4, Line B

Mr. Tim R. Koonze
Development Services Specialist
City of Hayward
25151 Clawiter Road
Hayward, CA 94545-2731

Dear Mr. Koonze:

Subject: Draft EIR For Pick-Your-Part Auto Dismantling Yard

Reference is made to the Draft Environmental Impact Report for the Pick-Your-Part Auto Dismantling Yard. We have reviewed the document and offer the following comments:

1. If the project site is to be removed from the flood hazard zone, a request for map revision/amendment should be made with the Federal Emergency Management Agency. The U.S. Army Corps of Engineers would be contacted to determine whether the levees conform to Corps standards. E-1

2. The drainage ditch located near the southwesterly corner of the site, adjacent to West Winton Avenue, is incorrectly identified as flood control channel, Line A. The channel designated as "Line A" is actually located south of West Winton Avenue. E-2

Very truly yours,

Andrew Otsuka
Development Services Department

AO:rbr

B32872

LETTER F

STATE OF CALIFORNIA PETE WILSON, Governor

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION
2101 WEBSTER STREET, Suite 500
OAKLAND, CA 94612
Tel: (510) 286-1255
FAX: (510) 286-1380

December 21, 1995
File No.: 2199.9259 (ES)

Mr. Tim Koonze
City of Hayward
Department of community and
Economic Development
25151 Clawiter Road
Hayward, CA 94545-2731

Re: Draft EIR for the Use Permit Application 90-81 for Pick-Your-Part Facility at 2557 W. Winton Avenue, Hayward

Dear Mr. Koonze:

This Division has reviewed the above-referenced Environmental Impact Report (EIR) which we received on November 16, 1995. You advised us that the stormwater runoff issue cited in the EIR had been addressed separately by the other Division of this Board. This letter comments primarily focus on the soil and groundwater pollution issue and the recommended mitigation measures in the EIR. Instead of treating the Board's comments on the surface water runoff and the subsurface pollution individually, we would recommend you to consider the two issues as a whole since either of these may affect the other.

The recommended mitigation measures to avoid further pollution to the soil and groundwater during the proposed automobile crushing and dismantling include: (i) paving most of the site, (ii) providing impermeable secondary containment or berm structures to prevent uncontrolled spillage of hazardous waste/material; (iii) installing groundwater wells to investigate the extent of pollution; and (iv) developing appropriate abatement and remedial actions for the soils and groundwater in the polluted areas. In particular, those areas where engines, transmissions, fuel tanks, hazardous waste/material tanks, axles, and batteries stored, fluids drained, and automobiles crushed are recommended to be in a containment area covered in impervious manmade holding basins with holding tanks for the removal of waste fluid. These proposed mitigation measures are considered acceptable to us, with the following comments that require your attention.

1. Pavement of Site Area

While we believe that paving the site is a good idea to prevent further surface spills from impacting the soil and groundwater, it is the type of pavement that concerns us. The frequent rolling of heavy equipment and trucks across the site and the dynamic impacts resulted from the loading and unloading of the dismantled automobiles on ground surface may rapidly deteriorate the integrity of the asphaltic pavement, which could develop cracks easily under such conditions and could not serve its intended purpose. Although concrete may be an alternative to the asphalt, it is typically the expansion joint material (between two concrete parcels) to be more conducive to fluid seepage into the underlying soil. In light of the automobile dismantling, crushing and recycling processes, the expansion joint materials, if used for the concrete pavement, should be properly selected to offer the maximum permeability to the movement of the concerned fluids. F-1

LETTER F (CONT.)

2. Site Investigation and Remediation

The EIR cites Contamination Clean-Up of California, Inc. (CCC)'s November 30, 1995 report which proposes additional investigation of the site based on previous field findings. To keep you update of this issue, the Board has received and completed the review of CCC's "Phase II Subsurface Investigation Report of Soil and Groundwater Contamination at Pick Your Part Facility" dated August 15, 1995. This report documents additional soil sampling and analysis of grab groundwater samples collected from both on- and off-site areas. The findings from this investigation further confirm the presence of soil contamination by petroleum hydrocarbons and, probably, lead as well. As no monitoring well was installed during this phase of investigation, CCC proposed to submit a Phase III work plan to describe the scope of groundwater investigation. Upon discussing with the staff, CCC agreed to submit to include a proposal to address our concern of the engine and transmission storage areas. Despite our calls to CCC twice since August 18, 1995 regarding the submittal date of the work plan, and CCC's repeated agreement for the submittal, we have not received any proposal for the said investigation to-date. Because the property to the immediate west of the site consists of diked wetlands, seasonal ponds and uplands, the shallow groundwater detected on the northwestern portion of the site may be in an interacting mode with the surface water in the seasonal ponds and wetlands. Although none of the 33 bird species on the referenced wetlands is listed as threatened or endangered by the federal or state governments, the wetlands do provide habitats for these birds. Therefore, an expeditious investigation of the groundwater quality below and in the vicinity of the site is important to assess if threats or impacts to the wetlands and groundwater exist or not. F-2

Due to the inaction from Pick-Your-Part and its consultant, CCC, in response to our request for further groundwater and soil investigations, this Board is currently considering a cleanup and abatement order to require Pick-Your-Part to expedite its action. We believe that without properly characterizing the site pollution extent and developing the appropriate abatement measures, any pavement proposal for the automobile dismantling activities on site will not serve the best interest of any parties concerned. We will keep you informed of our Order processing progress.

If you have further questions, please contact Eddy So at (510) 286-4366.

Sincerely,

Loretta Barsamian
Executive Officer

Steve I. Morse, Chief
Toxics Cleanup Division

cc: Hugh Murphy, Hayward Fire Department
Dale Bowyer, RWQCB

Pick Your Part
c/o Thomas Twillie
Contamination Clean-Ups of California, Inc.
1301 E. Orangewood, Suite 130
Anaheim, CA 92805

3.3 Hayward Planning Commission Public Meeting Comments

The Draft EIR was reviewed at a public meeting by the Planning Commission on November 2, 1995 to receive comments from the public and the Commissioners. No comments were received from the public during this meeting; however, two Planning Commissioners had comments. Responses to the comments follow.

Commissioner Jerry Caveglia

Comment: The amount of waste handled within the project seems like a hazardous waste problem. He asked if the mitigation measures would really solve the problem.

Response: Table 3.3 lists the quantities and location of significant materials (hazardous and non-hazardous) handled at the project site. Most of this hazardous product is not generated on-site but is a pre-existing condition brought to the site for disposal. The recommended mitigation measures and utilization of best management practices addressed in the Draft EIR would result in the proper handling, storage, use, and disposal of all hazardous materials and fluids. Mitigation monitoring and the required management plan will ensure that the mitigation measures imposed on the facility are enforced. If evidence of non-compliance is found the applicant's Use Permit can be withdrawn.

Commissioner Glenn Kirby

Comment: Historically automobile dismantlers and dumps were put next to the shoreline and it is important that this facility be designed to contain its waste.

Response: The mitigation measures established in Section 4.8 Hazardous Waste/Materials of the Draft EIR require that:

Usable portions of the parcel be paved

Storm water runoff be contained and treated before discharged into the City of Hayward storm water system

Hazardous materials/fluids are properly handed, stored, and disposed of

Site operations meet the approval of the RWQCB

Table 3.3: Quantities and Locations of Significant Materials at the Project Site

Item	Quantity	Location	How Received	How Shipped	Frequency
Gasoline	2,000 gal	Impound	In cars	Gas truck	Twice-Monthly
Waste Oil	1,000 gal	Impound	In cars	Truck	Monthly
Batteries	300 units	Impound	In cars	Truck	Monthly
Scrap Metal	1,500 tons	Scrap Area	In cars	Truck	Monthly
Diesel Fuel	1,000 gal	Impound	Truck	Truck	Monthly
Waste Antifreeze	500 gal	Impound	In cars	Truck	Monthly

SOURCE: ESA 1999/ MHA 1999

The mitigation measures as revised in this Supplement will ensure that all drainage and hazardous waste will be confined to the site to properly prevent contamination of adjacent properties. Pick-Your-Part has proposed improvements as part of their Use Permit application that incorporate the above measures.

4.0 SUMMARY OF DRAFT EIR COMMENTS AND RESPONSES

Summary of Issues Raised in Draft EIR Comments

A list of issues raised by commentators on the Draft EIR is provided below. The issues are grouped by environmental parameter and displayed in the following bulleted lists.

HAZARDOUS WASTE/MATERIALS

A. State whether the mitigation measures would solve project's hazardous waste problems.

B. Design project facility to contain its hazardous waste.

C. Conduct complete cleanup of all contaminated soil to prevent groundwater seepage to HARD's property.

D. Pave the project site with the exception of the areas noted in the Draft EIR.

E. Provide roofing over the more concentrated pollutant-generating areas (e.g., auto crusher, engine block storage, battery storage and fluid draining areas).

F. Provide customers with easy-to-use drip pans to help control dripping liquid contaminates. Customers should be supervised.

G. Minimize engine compartment exposure to rain. This can be accomplished by keeping hoods down or replacing missing hoods with half sheets of plywood, or some other form of durable covering.

H. Clarify when paving will occur at the site. Paving the site before hazardous material contamination is characterized would prevent surface sampling and complicate subsequent soil removals.

I. Conduct Preliminary Endangerment Assessment (PEA) for the California Department of Toxic Substances Control (DTSC) in order to adequately characterize the site. If desired, DTSC's trained environmental experts will review the PEA for a fee. This as known as a Voluntary Cleanup Program (VCP).

J. Pave the site with concrete and use expansion joint material between concrete panels that has minimum permeability to the movement of petroleum based fluids.

K. Investigate groundwater contamination to assess threats or impacts to the wetlands seasonal ponds and the groundwater.

HYDROLOGY AND WATER QUALITY

L. Contain drainage from Pick-Your-Part on-site to prevent contaminated storm water from reaching the adjacent HARD property.

M. Implement various management controls in the day-to-day operation of the facility to reduce pollutants at the source.

N. Install a complex treatment system that consists of oil/water separation, followed by ion exchange removal of dissolved metals, and ending in an activated carbon filter removal of dissolved organics.

O. File an application for a flood map revision/amendment with the Federal Emergency Management Agency (FEMA).

P. Contact the U.S. Army Corp of Engineers (USACE) to determine whether the levees conform to Corps standards.

Q. Correctly identify the drainage ditch located near the southwesterly corner of the site. The Draft EIR incorrectly identifies it as flood control channel "Line A", which is actually located south of West Winton Avenue.

LAND USE AND PLANNING

R. Construct an 8-foot high solid fence on the boundary of Pick-Your-Part and Hayward Area Recreation and Park District (HARD) properties to prevent oils from entering the property and to prevent unauthorized access to HARD's property.

S. Perform a thorough cleanup of debris found on the HARD property and restore the property's condition.

MITIGATION MONITORING

T. Conduct annual inspections of the Pick-Your-Part to continue compliance.

GENERAL

U. Add a unit scale to the maps.

5: SUPPLEMENT TO DRAFT EIR COMMENTS AND RESPONSES

Introduction

This chapter provides responses to comment letters submitted for the Supplement to the Draft EIR. Each comment letter has been assigned an alphabetical designation for easy reference. Apart from introductions, courtesy statements, and closings, the text of each letter has been divided into topical comments. Brackets in the margin delineate the comments. Each comment letter was assigned an alphabetic letter and the comments in each letter were assigned a number code. Thus, each comment has a unique alphanumeric code, representing the comment letter (the letter code) and the individual comment within each letter (the number code). For example, the second comment in the second letter would have the code "B2." The responses address all individual comments. The text of the responses was written to provide a thorough discussion of the environmental issues raised by the comments. Copies the Draft EIR response letters, with identifying response brackets in the margin, have been provided after the comments and response section.

Comment Letters and Responses to Comments

This section contains all letters received commenting on the Supplement to the Draft EIR, accompanied by responses to these comments. A page or pages of responses immediately follow the comments. Responses reference specific comments by alphanumeric designation in order to address specific issues.

LETTER A

Terry Roberts, Senior Planner, State of California Governor's Office of Planning and Research, State Clearinghouse (March 13, 2000)

Comment A1: No state agencies submitted comments by the close of the review period. The State Clearinghouse review requirements for draft environmental documents have been met pursuant to the California Environmental Quality Act.

Response A1: Comments noted. No substantive environmental issues requiring a response have been raised.

LETTER B

Harry Y. Yahata, District Director, California Department of Transportation (February 28, 2000)

Comment B1: After review of the supplemental Draft EIR it has been determined that the proposed project will not have a significant impact to State highway facilities.

Response B1: Comments noted. No substantive environmental issues requiring a response have been raised.

LETTER C

Keith H. Lichten, Water Resource Control Engineer, California Regional Water Quality Control Board (RWQCB), San Francisco Bay Region (March 10, 2000)

Comment C1: The Supplement to the Draft EIR considers a project which, as proposed, would allow Pick-Your-Part to continue operating its existing auto recycling facility, provided it makes improvements to the facility to mitigate existing significant impacts caused by the facilities operation. We believe that with some minor clarifications, the mitigation measures listed in the Supplement to the Draft EIR, if they are appropriately implemented will adequately address the facility's impacts to the water quality and beneficial uses of waters of the State.

Response C1: Comment noted. No substantive environmental issues requiring a response have been raised.

Comment C2: The Supplement to the Draft EIR states that portions of the property could be paved with 4 inches of gravel (p.33). If there is a possibility that those areas could be used for parking of salvage cars, parts removal, or other work, then this option should not be allowed.

Response C2: Comment noted. Page 33 of the Supplement to the Draft EIR (i.e., SEIR) contains the paving mitigation measure proposed in Section 4.1 Land Use of the Draft EIR. The measure states that the "entire remaining area of lot shall be paved with concrete or asphalt over 4 inches of crushed rock." Section 4.8 Hazardous Waste/Materials of the Draft EIR proposed a mitigation measure that states, "The entire lot, with exception for areas required for landscaping or structures, shall be paved." Those areas of the Pick-Your-Part facility where parking of salvage cars, parts removal, or other work occur should only be paved with concrete or asphalt. Pick-Your-Part submitted a site plan (Figure 3 of the SEIR) to the City of Hayward as part of their Use Permit application. The site plan proposes paving the site with concrete and asphalt exclusively. The salvaged car parking area and the areas used for reclaiming parts will be paved with asphalt or concrete and will be drained to a treatment system before discharged to the drainage system. (See also Response C3 below)

Comment C3: The mitigations proposed in the Hydrology and Water Quality Section of the Supplement to the Draft EIR will not adequately mitigate the site's impact on water quality. The site has a history of violations of its storm water permit, water quality standards and water quality regulations and law. Additionally, until the Administrative order issued by the USEPA, Pick-Your-Part did not effectively implement even basic best management practices to reduce levels of pollutants in the facility's discharge which resulted in high levels of pollutants found in the runoff.

Response C3: Section 4.8 in the Draft EIR contained a mitigation measure under Soil and Groundwater Contamination that required paving most of the site and storm water management (page 4.8-5). The measure read as follows: "The entire lot, with the exception for areas required for landscaping or structures, shall be paved and drained to a properly sized oil/water separator(s), before surface water flows leave the project site in an existing drainage facility to the northwest of the project site." The measure was modified in the SEIR (p. 16) in response to a letter from Dale Bowyer of San Francisco Bay Region, California RWQCB comment letter on the Draft EIR and states the following:

> **Mitigation Measure:** The entire lot, with the exception of areas required for landscaping or structures, shall be paved and drained to a storm water treatment system, approved by the Regional Water Quality Control Board, before surface water flows leave the project site. Where the site is paved with concrete, joint material that provides minimum permeability to movement of concerned fluids shall be installed between concrete slabs. The City Engineer and the RWQCB shall approve the type and installation of this joint material.

Comment C4: To ensure that the water treatment facilities are maintained, it is the Board's staff intention to place this site under an individual NPDES permit or other appropriate approval that will require treatment and monitoring of runoff prior to discharge, in addition to standard best management practices.

Response C4: Comments noted. No substantive environmental issues requiring a response have been raised.

Comment C5: One mitigation measure in the Supplement to the Draft EIR requires Pick-Your-Part to "maintain storm water inlets on a regular basis to remove pollutants." We recommend that this measure be revised to provide a more structured and descriptive detail, thus better ensuring that inlets will be regularly maintained. A revised measure might read "Maintain storm water inlets, including removal of accumulated material at least once every six months, or more often if needed."

Response C5: The Draft EIR Section 4.4 Hydrology and Water Quality contains a mitigation measure that requires Pick-Your-Part to "[maintain storm water inlets on a regular basis to remove pollutants." The measure has been modified to state the following:

> **Mitigation Measure**: Storm drain inlets shall be maintained, including removal and appropriate disposal of accumulated material at least every six months, or more often as needed as determined by the City of Hayward or the Regional Water Quality Control Board.

LETTER A

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse

Gray Davis
GOVERNOR

Loretta Lynch
DIRECTOR

RECEIVED

MAR 14 2000

PLANNING DIVISION

March 13, 2000

Richard E. Patenaude
City of Hayward
777 B Street
Hayward, Ca 94541-5007

Subject: Pick- Your- Part Automobile Dismantling Yard
SCH#: 1992053039

Dear Richard E. Patenaude:

The State Clearinghouse submitted the above named Supplemental EIR to selected state agencies for review. The review period closed on March 10, 2000, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the eight-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts

Terry Roberts
Senior Planner, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
916-445-0613 FAX 916-323-3018 WWW.OPR.CA.GOV/CLEARINGHOUSE.HTM

LETTER B

STATE OF CALIFORNIA - BUSINESS, TRANSPORTATION AND HOUSING AGENCY

GRAY DAVIS, Governor

DEPARTMENT OF TRANSPORTATION
P.O. BOX 23660
OAKLAND, CA 94623-0660
Tel: (510) 286-4444
Fax: (510) 286-5513
TDD (510) 286-4454

February 28, 2000

ALA-880-17.62
File #ALA880498

Mr. Richard E. Patenaude
Project Planner
City of Hayward
777 B Street
Hayward, CA 94541-5007

Dear Mr. Patenaude:

Pick-Your-Part Automobile Dismantling Yard, Supplemental Draft Environmental Impact Report (SDEIR)

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced project. We have reviewed the Supplemental Draft Environmental Impact Report (SDEIR), and are satisfied that the project will not have a significant impact to State highway facilities.

Should you require further information or have any questions regarding this letter, please call Paul Svedersky of my staff at (510) 622-1639.

Sincerely,

HARRY Y. YAHATA
District Director

By Jean C. R. Finney

JEAN C. R. FINNEY
District Branch Chief
IGR/CEQA

LETTER C

California Regional Water Quality Control Board
San Francisco Bay Region

Winston H. Hickox
Secretary for Environmental Protection

Internet Address: http://www.swrcb.ca.gov
1515 Clay Street, Suite 1400, Oakland, California 94612
Phone (510) 622-2300 • FAX (510) 622-2460

Gray Davis
Governor

Date: MAR 1 0 2000
File Nos. 1538.09, 2198.11 (KHL)

RECEIVED
MAR 1 3 2000
PLANNING DIVISION

Mr. Richard Patenaude
Planning Department
City of Hayward
777 B Street
Hayward, CA 94541-5007

Subject: Pick Your Part Automobile Dismantling Yard, Supplement to the Draft Environmental Impact Report
SCH # 92053039

Dear Mr. Patenaude:

We have received the above-referenced Supplement to the Draft Environmental Impact Report (SEIR) and offer the following comments on surface water discharge issues with which the Board is interested. Board staff may have additional comment on the site's groundwater issues.

The SEIR considers a project which, as proposed, would allow Pick Your Part (PYP) to continue operating its existing auto recycling facility, provided it makes improvements to the facility to mitigate existing significant impacts caused by the facility's operation. We believe that with some minor clarifications, the mitigation measures listed in the SEIR, if they are appropriately implemented, will adequately address the facility's impacts to water quality and beneficial uses of waters of the State.

Site paving

Board staff support paving the site. Paving will reduce the substantial existing sediment discharge from the site. Additionally, paving, if appropriately designed and constructed, would serve as a barrier that reduces the potential discharge of pollutants including metals and hydrocarbons to the soil and into the groundwater under the site. The SEIR states that portions of the lot could be paved with 4 inches of gravel (p.33). If there is a possibility that those areas could be used for parking of salvage cars, parts removal, or other work, then this option should not be allowed.

Hydrology and Water Quality

In general, this section provides a menu of potential measures that could be used to treat runoff from the site (p.36). We wish to reiterate our belief that such measures will not adequately mitigate the

LETTER C (CONT.)

Mr. Richard Patenaude
p.2

site's impacts to water quality. Sampled runoff from the site has had high levels of pollutants, including total suspended solids, oil and grease, and heavy metals. The site has an extensive history of violations of its storm water permit, water quality standards, and applicable water quality regulations and law generally. Additionally, until the issuance of an Administrative Order last year by USEPA, Pick Your Part did not effectively implement even basic best management practices to reduce the levels of pollutants in its facility's discharge. This resulted in high levels of pollutants found in runoff from the facility.

The facility's present temporary treatment system has resulted in significant improvements in the quality of water discharged from the site. To ensure that these improvements are maintained, it is Board staff's intention to place this site under an individual NPDES permit or other appropriate approval that will require treatment and monitoring of runoff prior to discharge, in addition to the implementation of standard best management practices. Such a treatment system likely would consist of the measures described in our letter of November 1995 to Mr. Ron Gushue of the City. A copy of this letter was included in the SEIR. The system, which we understand Pick Your Part has implemented at its Stanton facility in Southern California, consists of oil/water separation, followed by ion exchange removal of dissolved metals and activated carbon removal of dissolved organics.

One mitigation measure in the SEIR requires PYP to "[m]aintain storm water inlets on a regular basis to remove pollutants." We recommend that this measure be revised to provide more structured and descriptive detail, thus better ensuring that inlets will be regularly maintained. A revised measure might read: "Maintain storm water inlets, including removal of accumulated material at least once every six months, or more often as needed."

Thank you for the opportunity to comment on the SEIR. If you have any questions, please contact me via email to khl@rb2.swrcb.ca.gov or at (510) 622-2380.

Sincerely,

Keith H. Lichten
Water Resource Control Engineer

cc: Dale Bowyer, RWQCB
Carmen Fewless, RWQCB
Roger Brewer, RWQCB

Ms. Gayle Tupper
Senior Inspector
City of Hayward
24499 Soto Road
Hayward, CA 94544-1495

California Environmental Protection Agency

Recycled Paper

LETTER C (CONT.)

Mr. Richard Patenaude
p.3

cc (cont.):

Mr. Joe Mendoza
Inspector
City of Hayward
24499 Soto Road
Hayward, CA 94544-1495

Ms. Lynn Kuo
USEPA, WTR-7
75 Hawthorne Street
San Francisco, CA 94105-3901

Mr. Jason Booth
Radcliff Frandsen & Dongell
777 S. Figueroa Street, 40th Floor
Los Angeles, CA 90017-5800

Ms. Cindi Galfin
Pick Your Part
1301 East Orangewood, Suite 130
Anaheim, CA 92805

California Environmental Protection Agency

Recycled Paper

6.0 SUMMARY OF DRAFT EIR COMMENTS AND RESPONSES

Summary of Issues Raised in Draft EIR Comments

A list of issues raised by commentators on the Supplement to the Draft EIR is provided below. The issues are grouped by environmental parameter and displayed in the following bulleted lists.

LAND USE AND PLANNING

A. Areas used for parking of salvage cars, parts removal, or other work should not be allowed to pave with just four inches of gravel.

HAZARDOUS WASTE/MATERIALS

B. Areas used for parking of salvage cars, parts removal, or other work should not be allowed to pave with just four inches of gravel.

HYDROLOGY AND WATER QUALITY

C. Maintain storm water inlets, including removal of accumulated material at least every six months, or more often as needed.

7: REVISONS TO THE DRAFT EIR (ERRATA)

REVISIONS TO THE DRAFT EIR (ERRATA)

The following sections include all revisions to the DEIR made in response to public and Lead Agency comments received during the DEIR public review period. All text revisions are indicated by a shaded box over the added portions and a strike line through the portions to be removed. All the revised pages supersede the corresponding pages in the DEIR. Various revisions to the DEIR text have also been made in response to corrections suggested by City staff. None of these changes represent a significant increase in impact or significant new impact or mitigation not already discussed in the DEIR.

Errata 01

4. ENVIRONMENTAL EFFECTS: EXISTING SETTING, IMPACTS, AND MITIGATION MEASURES

SECTION 4.1 LAND USE AND PLANNING

MITIGATION MEASURES

Design and Performance Standards

2. Fencing: In the event materials are to be stored outside of a building, the following conditions shall apply:

   a) A painted or concrete tilt-up wall with recessed decorative panels shall be constructed and maintained along the front of the property behind the required setback. The wall shall be sunk a minimum of 8" below grade and constructed to a height of 10' above grade and designed to withstand a 15-pound per square foot wind load.

   b) A painted masonry or concrete tilt-up wall with recessed decorative panels shall be constructed and maintained along the west property line and along the front of the property behind the required setback. The wall shall be sunk a minimum of 8 inches below grade and constructed to a height of 10 feet above grade and designed to withstand a 15-pound per square feet wind load.

   c) The rear and remainder side property lines shall be enclosed and maintained with a masonry or concrete wall or other material and design approved by the Planning Director. The fence shall be constructed to a minimum height of 8 feet above grade, designed to withstand a 15-pound per square feet wind load.

   d) Materials shall be stacked no higher than the height of the fence nor shall materials be stacked within 10 feet of the fence.

Errata 02

4. ENVIRONMENTAL EFFECTS: EXISTING SETTING, IMPACTS, AND MITIGATION MEASURES

SECTION 4.2 VEGETATION AND WILDLIFE

MITIGATION MEASURES

Design and Performance Standards

Prior to commencement of offsite soil remediation, the applicant shall prepare an Off-Site Mitigation Plan acceptable to HARD, CDFG, U.S. Fish and Wildlife Service and USACE for all off-site areas that will be subject to soil remediation or removal. This Mitigation Plan shall include regrading and revegetaion, which shall include replacement of similar wetlands at a 1:1 ratio.

Errata 03

3. SECTION PROJECT ALTERNATIVES

SECTION 3.4 ALTERNATIVE SITES

3.4.1 Herrick Site

4. HYDROLOGY AND WATER QUALITY

The site is fairly flat. Surface drainage ~~could go to the curb and gutter on~~ can be directed to the storm drain system available within Clawiter Road. No documentation exists to verify the extent (if any) of groundwater contamination from previous use. Studies are being performed to determine the existence of contamination below the site. If the Pick-Your-Part facility were to locate on this site, contamination of soils, surface and groundwater may be possible if mitigation measures were not implemented.

Errata 04

4. ENVIRONMENTAL EFFECTS: EXISTING SETTING, IMPACTS, AND MITIGATION MEASURES

SECTION 4.8 HAZARDOUS WASTE/MATERIALS

MITIGATION MEASURES

Hazardous Waste/Materials/Water Management

- All customers removing automobile parts shall be provided with a drip pan for the purpose of collecting spills that may occur when dismantling the cars. The site operator shall be responsible for the proper disposal of all contaminates collected in the drip pans at no cost to the customer. The site operator shall inspect customer activities periodically to ensure the drip pans are being used.

Errata 05

4. ENVIRONMENTAL EFFECTS: EXISTING SETTING, IMPACTS, AND MITIGATION MEASURES

SECTION 4.8 HAZARDOUS WASTE/MATERIALS

MITIGATION MEASURES

Hazardous Waste/Materials/Water Management

- The engine compartment of all automobiles shall be covered. If there are hoods on the cars they must remain closed during periods of rain; if the automobile is without a hood then an alternative means of cover must be provided, such as a sheet of plywood.

Errata 06

4. ENVIRONMENTAL EFFECTS: EXISTING SETTING, IMPACTS, AND MITIGATION MEASURES

SECTION 4.8 HAZARDOUS WASTE/MATERIALS

MITIGATION MEASURES

Hazardous Waste/Materials/Water Management

- Specific additional subsurface investigation as recommended by the November 30, 1994, CCC Report shall identify the vertical and horizontal extent of soil and groundwater contaminates at the subject site. When the extent of contamination has been characterized, the existing contamination will be removed to meet the required Alameda County Health Agency, Department of Environmental Health, City of Hayward and the California Regional Water Quality Control Board standards. If contaminated soil needs to be removed it shall occur prior to the paving of the site.

Errata 7

4. ENVIRONMENTAL EFFECTS: EXISTING SETTING, IMPACTS, AND MITIGATION MEASURES

SECTION 4.8 HAZARDOUS WASTE/MATERIALS

MITIGATION MEASURES

Hazardous Waste/Materials/Water Management

- Specific additional subsurface investigation as recommended by the November 30, 1994, CCC Report shall identify the vertical and horizontal extent of soil and groundwater contaminates at the subject site. Additional soil investigations that analyze the soil for pH levels shall be performed under the current battery storage area. Soil sampling must include areas where pools of anti-freeze and oil were found by the RWQCB. When the extent of contamination has been characterized, the existing contamination will be removed to meet the required Alameda County Health Agency, Department of Environmental Health, City of Hayward and the California Regional Water Quality Control Board standards. If contaminated soil needs to be removed it shall occur prior to the paving of the site.

Errata 8

4. ENVIRONMENTAL EFFECTS: EXISTING SETTING, IMPACTS, AND MITIGATION MEASURES

SECTION 4.8 HAZARDOUS WASTE/MATERIALS

MITIGATION MEASURES

Hazardous Waste/Materials/Water Management

- The applicant shall participate in the Voluntary Cleanup Program offered by the California Department of Toxic Substances Control to aid in the responsible release of hazardous substances controlled by proper regulatory services.

Errata 9

4. ENVIRONMENTAL EFFECTS: EXISTING SETTING, IMPACTS, AND MITIGATION MEASURES

SECTION 4.4 HYDROLOGY AND WATER QUALITY

EXISTING SETTING

Drainage The project site is located on relatively flat ground at approximately three to five feet above sea level (USGS, 7.5 Minute Quadrangle "San Leandro"). To the west of the site is the Hayward Area Recreation and Park District (HARD) Parcel No. 2; to the north and east is the Barrington Business Park; to the south the site is bordered by West Winton Avenue beyond which is a ~~flood control channel (Line A)~~ drainage ditch flowing toward the HARD property. Due to the low permeability of the soils on-site, limited quantities, if any, of stormwater percolate into the ground. The majority of the stormwater from the project site runs off onto adjacent parcels. Based on visual site inspection and the topography of the site, runoff from the eastern portion of the site has been estimated to flow toward the southeast. Runoff from the south-western portion of the site has been estimated to flow toward the west and into a drainage ditch located between Pick-Your-Part property and HARD Parcel 2. Runoff is directed from there toward ~~the flood control channel~~ a drainage ditch located to the south of the project site, which runs east and west. When surface flow is minimal, water that runs off into the ditch to the west of the project site percolates into the ground or evaporates before reaching the ~~flood control channel~~ westerly drainage ditch. Runoff from the western portion of the site (where automobile crushing occurs) flows through gaps in the fence bordering the project site. This flow travels west and onto the HARD property. Evidence of this flow pattern can be seen as oiled stained vegetation on HARD Parcel No. 2. The site is located within Benefit District 398-92, which provides for a storm drain connection north of the project site, and a pump station adjacent to Sulphur Creek Flood Control Channel (see Figure 4.4-1, "Approximate Direction of Existing Surface Water Runoff" on page 4.4-2).

Errata 10

4. ENVIRONMENTAL EFFECTS: EXISTING SETTING, IMPACTS, AND MITIGATION MEASURES

SECTION 4.8 HAZARDOUS WASTE/MATERIALS

MITIGATION MEASURES

Hazardous Waste/Materials/Water Management

- The entire lot, with the exception of areas required for landscaping or structures, shall be paved and drained to a storm drain treatment system, approved by the Regional Water Quality Control Board ~~properly sized oil/water separator(s)~~ before surface water flows leave the project site in an existing drainage facility to the northwest of the project site. Where the site is paved with concrete, joint material that provides maximum permeability to movement of concerned fluids shall be installed between the concrete slabs. . The City Engineer and the RWQCB shall approve the type and installation of this joint material.

The entire lot, with the exception of areas required for landscaping or structures, shall be paved and drained to a storm water treatment system, approved by the Regional Water Quality Control Board, before surface water flows leave the project site. Where the site is paved with concrete, joint material that provides minimum permeability to movement of concerned fluids shall be installed between concrete slabs. The City Engineer and the RWQCB shall approve the type and installation of this joint material.

MITIGATION MONITORING PLAN
PICK-YOUR-PART
2885 West Winton Avenue

1. *LAND USE & PLANNING*

Setbacks

Mitigation Measure: A minimum 10-foot setback shall be provided along the full frontage of the property
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule During Construction/Implementation: Condition of Approval – Inspect during construction

Fencing

Mitigation Measure: A painted decorative masonry or concrete tilt-up wall with recessed decorative panels, columns, and caps shall be constructed and maintained along the front of the property behind the required setback. The wall shall be sunk a minimum of 8 inches below grade and constructed to a height of 10 feet above grade and designed to withstand a 15-pound per square feet wind load.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule During Construction/Implementation: Condition of Approval - Inspect during construction

Mitigation Measure: A painted masonry or concrete tilt-up wall with recessed decorative panels shall be constructed and maintained along the west property line of the property. The wall shall be sunk a minimum of 8 inches below grade and constructed to a height of 8 feet above grade and designed to withstand a 15-pound per square feet wind load.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule During Construction/Implementation: Condition of Approval - Inspect during construction

Mitigation Measure: The rear and remainder side property lines shall be enclosed and maintained with a masonry or concrete wall or other material and design approved by the Planning Director. The fence shall be constructed to a minimum height of 8 feet above grade, designed to withstand a 15-pound per square feet wind load.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule During Construction/Implementation: Condition of Approval - Inspect during construction

Mitigation Measure: Materials shall be stacked no higher than the height of the fence nor shall materials be stacked within 10 feet of the fence.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: N/A
Monitoring Schedule During Construction/Implementation: Condition of Approval - On-going throughout the life of the project

Parking

Mitigation Measure: Comply with the Development Standards for Automobile Wrecking and Salvage Yards identified in Resolution No. 77-403 as adopted by the Planning Commission.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule During Construction/Implementation: Condition of Approval - Inspect during construction

Paving

Mitigation Measure: The entire lot, with the exception of areas required for landscaping or structures, shall be paved and drained to a storm water treatment system, approved by the Regional Water Quality Control Board, before surface water flows leave the project site. Where the site is paved with concrete, joint material that provides minimum permeability to movement of concerned fluids shall be installed between concrete slabs. The City Engineer and the RWQCB shall approve the type and installation of this joint material.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to issuance of a building permit

Monitoring Schedule During Construction/Implementation: Condition of Approval - Inspect during construction

Access Aisles

Mitigation Measure: A minimum 10 foot wide access aisles shall be provided which shall divide material storage areas into aisles not exceeding 35 feet in width.

Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule During Construction/Implementation: Condition of Approval - Inspect during construction, on-going throughout the life of the project

Drainage

Mitigation Measure: Prior to installation of paving, a grading and drainage plan shall be approved by the City Engineer and the Alameda County Flood and Water Conservation District (see Section 4.4, Drainage and Water Quality, for more mitigation measures relating to this Development Standard).
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule During Construction/Implementation: Condition of Approval - Inspect during construction

Landscaping

Mitigation Measure: The required 10 foot front yard setback shall be landscaped with trees, shrubs and groundcover except where driveways are located. Mounding of earth and other desirable landscape features will be incorporated wherever feasible. Landscaping plans shall be prepared by a licensed landscape architect. Additional landscape planters and/or tree wells shall be located in unused portions of parking areas and adjacent to the front 10 foot-high masonry or concrete tilt-up wall. The landscape and irrigation plans shall be approved by the City's Landscape Architect.

Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule During Construction/Implementation: Condition of Approval - Inspect during construction, on-going throughout the life of the project

Mitigation Measure: Where any landscaped area adjoins driveways and/or parking areas, Class "B" Portland Cement concrete curbs shall be constructed to a height to 6 inches above the finished pavement. Required landscaped areas shall be watered, fertilized, weeded, pruned, sprayed, or otherwise maintained, including replacement as needed.

Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule During Construction/Implementation: Condition of Approval - Inspect during construction

Irrigation

Mitigation Measure: Within all required landscape areas, an automatic sprinkler system with an automatic on/off mechanism shall be installed.

Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule During Construction/Implementation: Condition of Approval - Inspect during construction

Others

Mitigation Measure: New operations shall comply with conditions prior to commencement of the use and/or storage of any vehicle.

Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: N/A
Monitoring Schedule During Construction/Implementation: Condition of Approval - Inspect during construction

Mitigation Measure: All operations and physical improvements shall be conducted in accordance with the requirements of all Municipal, County, State, and Special District codes and regulations.

Implementation Responsibility: Applicant
Verification Responsibility: City, Alameda County Flood Control and Water Conservation District, and Regional Water Quality Control Board
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule During Construction/Implementation: Condition of Approval - Inspect during construction, on-going throughout the life of the project

Mitigation Measure: No loading or unloading shall take place on public streets.

Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: N/A
Monitoring Schedule During Construction/Implementation: Condition of Approval - On-going throughout the life of the project

Mitigation Measure: Curb, gutter, sidewalk and half-street pavement with appropriate transitions shall be installed along project frontage on West Winton, within six months of Use-Permit issuance.

Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule During Construction/Implementation: Condition of Approval - Inspect during construction

2. *VEGETATION AND WILDLIFE*

Mitigation Measure: Prior to commencement of offsite soil remediation, the applicant shall prepare an Off-Site Mitigation Plan acceptable to HARD, CDFG, U.S. Fish and Wildlife Service and the USACE for all off-site areas that will be subject to soil remediation or removal. This Mitigation Plan shall include regrading and revegetation, which shall include replacement of similar wetlands at a 1:1 ratio.

Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to approval of an off-site mitigation plan
Monitoring Schedule During Construction/Implementation: Condition of Approval - Inspect during construction

Mitigation Measure: Adherence to the Storm Water Management and Urban Runoff Control Ordinance and Hazardous Materials Storage Ordinance is required to minimize the probability of spills occurring on site.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: N/A
Monitoring Schedule During Construction/Implementation: Condition of Approval - Inspect during construction, ongoing throughout the life of the project

3. *SOILS/TOPOGRAPHY/GEOLOGY AND SEISMICITY*

Mitigation Measure: Any future foundations, slabs and paving planned for the site as a required mitigation shall be designed by a qualified geotechnical engineer to reduce liquefaction, differential settlement and shrink-swell impacts. This design shall include removal and reengineering of foundations and/or slabs.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule during Construction/Implementation: Condition of Approval - Inspect during construction

Mitigation Measure: A structural study of existing structures shall be prepared by a qualified individual to determine the safety of the existing structures on-site and measures shall be implemented to bring the structures up to the applicable Uniform Building Code structural requirements, within 2 years of use permit issuance.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule during Construction/Implementation: Condition of Approval - Inspect during construction

Mitigation Measure: Seismic design requirements of the applicable Uniform Building Code shall be satisfied for any new construction in order to reduce the effects of ground shaking.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule during Construction/Implementation: Inspect during construction

Mitigation Measure: Utilities installed shall provide flexibility in designs to improve their ability to withstand ground shaking.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule during Construction/Implementation: Inspect during construction

4. *HYDROLOGY AND WATER QUALITY*

Drainage

Mitigation Measure: The applicant shall comply with City and State requirements for the preparation of a storm water pollution prevention plan (SWPPP) and erosion control plan program to appropriately control erosion, sediment and manage potential site discharges during construction
Implementation Responsibility: Applicant
Verification Responsibility: City and State Water Resources Control Board (RWQCB)
Monitoring Schedule during Plan Review: Prior to issuance of a construction permit
Monitoring Schedule during Construction/Implementation: Condition of approval - Inspect during construction

Mitigation Measure: Prior to start of project construction, Pick Your Part shall obtain coverage and comply with the State Water Resource Control Board's NPDES General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit). As a part of complying with the Construction General Permit, Pick Your Part shall prepare a storm water pollution prevent plan for the project construction that complies with the Construction General Permit's requirements and incorporates best management practices to control erosion, sediment, and appropriately manage site activities. The SWPPP, if it fully incorporates the requirements of the City for its local erosion control program, may also be submitted as the construction erosion control program for the City. The SWPPP and construction erosion control program shall be filed with the City and kept current throughout any site development phase, and shall include, but may not necessarily be limited to, the following measures:

- Place hydromulch, erosion control blankets, or similarly effective erosion control practices on areas of graded soil such that areas are protected during the October - April rainy season.
- Minimize long, unbroken flow paths by placing transverse sandbag lines, sediment logs, or similarly effective practices across flow paths.
- Make construction-stage drainage swales, if any, broad and flat to reduce hydraulic efficiency and encourage sedimentation.
- Control off-site drainage and route it around newly graded areas.
- Provide berms along the tops of slopes or immediately uphill of active areas of work to prevent water from running uncontrolled down the slopes or across the areas of work.
- Collect the water in these berms and take it down the slopes in an erosion-proof drainage system.
- Provide energy dissipators and erosion control pads at the bottom of drains.

- Direct site drainage into a sediment control basin before releasing it from the site.
    - Provide 15 cubic yards of sediment storage per acre of tributary drainage area;
    - Provide an erosion-proof spillway from the basin to a protected outlet;
    - Do not provide a standard storm drain inlet in the basin, since this would allow some sediment to escape. If site conditions permit, build an oversized basin so it will not have to be cleaned out during the life of the grading project. Maintain and clean out basin, as necessary; and,
    - Inspect basin at the end of each workday to ensure it is in working order.
- Install permanent landscaping and paving as soon as practical after the completion of grading.
- Maintain best management practices and construction-stage drainage facilities in an operable condition at all times;
- Inspect facilities at the end of each work day and maintain as necessary to ensure they are ready for service.
- Construct a graveled construction site entrance/exit using appropriately sized rock to minimize tracking of site sediment onto City streets and into storm drains.
- Fluvial erosion related to construction shall be controlled by a construction erosion control program, which shall be filed with the City and kept current throughout any site development phase.

  Implementation Responsibility: Applicant
  Verification Responsibility: City and State Regional Water Quality Control Board (RWQCB)
  Monitoring Schedule during Plan Review: Prior to issuance of a construction permit
  Monitoring Schedule during Construction/Implementation: Condition of approval - Inspect during construction

  Mitigation Measure: Pick-Your-Part shall prepare a management plan for its facilities that incorporates the requirements of: the Industrial General Permit; Cleanup and Abatement Order (CAO) or individual NPDES Discharge Permit issued by the Regional Water Quality Control; Board (RWQCB); and, any other applicable regulatory requirements. The City of Hayward shall review the management plan at the expense of Pick-Your-Part. A qualified consultant shall be hired by the City to review the management plan and inspect the Pick-Your-Part site quarterly for compliance with permit and regulatory requirements. The consultant shall prepare and submit reports of the quarterly inspections. Inspections may be reduced to bi-annual if full compliance is determined for four quarters. Pick-Your-Part shall pay the consultant fees (See also requirements for the preparation of Storm Water Management Plan below).
  Implementation Responsibility: Applicant
  Verification Responsibility: City and State Regional Water Quality Control Board (RWQCB)
  Monitoring Schedule during Plan Review: N/A
  Monitoring Schedule during Construction/Implementation: Condition of approval - Inspect during construction and post construction

Mitigation Measure: Prior to connecting with the off-site storm drain system, the project applicant shall obtain coverage for its project under and comply with the State Water Resources Control Board's NPDES General Permit for Discharges of Storm Water Associated with Industrial Activity (Industrial General Permit). If the site is already covered under the Industrial General Permit, then coverage shall be maintained.
Implementation Responsibility: Applicant
Verification Responsibility: City and State Water Resources Control Board (RWQCB)
Monitoring Schedule during Plan Review: N/A
Monitoring Schedule during Construction/Implementation: Condition of approval - Inspect during construction

Mitigation Measure: Pick-Your-Part shall prepare and implement a Storm Water Management Plan (SWMP) to address the facility's potential post-construction impacts to water quality. The SWMP shall be utilized as a part of Pick Your Part's application for an Individual NPDES discharge permit from the RWQCB or response to a CAO from the RWQCB. The SWMP shall include appropriate design measures, source controls, and treatment controls to address the project's potential impacts to water quality during operation for the life of the project. These controls shall include, but may not be limited to:

- Educate employees and the public regarding the problem of contaminants in urban runoff, and solutions they can utilize to reduce the amount of contaminants in urban runoff from the facility;
- Promote efficient and safe housekeeping practices when handling cleaning solutions, paint products, and automotive products. These substances should be utilized, stored, and disposed of according to labels, instructions, and applicable permits, and shall not be disposed of in a manner that will allow them to contaminate storm flows, soils, or groundwater;
- Minimize the use of and utilize the least harmful fertilizers, pesticides, cleaning solutions, automotive, and paint products where alternatives exist;
- Storage of hazardous materials as follows. Hazardous materials storage shall be subject to regular inspections. The proposed project shall meet the requirements of the locally adopted Uniform Fire Code and Hazardous Materials Storage Ordinance. Hazardous materials shall be stored:
    - In the minimum amount necessary;
    - In designated areas; and,
    - Utilizing secondary containment.
- Employees and contractors shall be trained in appropriate storage methods and procedures for the prevention and cleanup of spills. Spills shall be cleaned immediately upon their occurrence.

- Discourage illegal dumping by stenciling elements of the drainage system, including storm drain inlets, with a sign prohibiting dumping and indicating the reason for the sign (e.g., "No dumping: Drains to Bay").
- Set up used oil disposal facilities that arrange for recycling of bulk used oil.
- Project operators shall ensure that vehicle maintenance occurs in appropriate facilities and that spills are reduced, contained, and cleaned up before the contaminate urban runoff. Vehicle maintenance and disposal of parts, fluids, or other related materials in the customer parking lot shall be prohibited, without exception.
- The potential for discharge of pollutants to storm water from above-ground containers shall be minimized by installation of secondary containment, placement of storage under cover, regular inspections to ensure proper function, and training in and implementation of appropriate spill cleanup techniques.
- Potential for pollutant discharges from roadway, vehicle storage, and parking lot surfaces shall be reduced by conducting street cleaning on a regular basis, and no less than monthly.
- Storm drain inlets shall be maintained, including removal and appropriate disposal of accumulated material at least every six months, or more often as needed as determined by the City of Hayward or the Regional Water Quality Control Board..
- Illegally dumped items and materials shall be regularly (i.e., daily or several times per week) removed from storm drain channels and any areas of the facility (e.g., the customer parking area) where they may be deposited.
- Vehicle fueling and washing facilities, including steam cleaning, shall utilize concrete floors, protected from the rain and drained to a sump to ensure contaminants are contained and appropriately disposed of or discharged, with appropriate approval, into the City's sanitary sewer system. The design of the facility shall comply with the adopted Uniform Fire Code and Uniform Building Code.
- All vehicles shall be drained of fluids in a facility designed to ensure that spills are contained, prior to allowing the public to dismantle vehicles for parts. This activity shall be conducted in an areas that is covered with a roof and designated for this purpose.
- All fluids drained shall either be collected and stored for pick-up for recycling or disposal at an appropriate hazardous waste/materials disposal facility. Permits for storage, transportation, and disposal of hazardous fluids shall be kept up-to-date and shall be adequate to address the quantities and types of substances.

- An information document shall be prepared and provided to all employees and customers indicating the reasons that oil and fluid spills shall be contained and outlining procedures to clean up such spills, or to alert management to the need for cleanup when a spill occurs.

Implementation Responsibility: Applicant
Verification Responsibility: City and Regional Water Quality Control Board
Monitoring Schedule during Plan Review: N/A
Monitoring Schedule during Construction/Implementation: Condition of approval - Inspect during construction and on-going throughout the life of the project

Mitigation Measure: The SWMP shall include an appropriately designed storm water drainage and treatment system, subject to the approval of the RWQCB and City of Hayward. The system shall include:

- Treatment controls sufficient to appropriately treat at least 85% of average annual runoff. These may consist of a measure or combination of measures, such as a measure to remove hydrocarbons followed by measures to remove other pollutants (e.g., sediment, heavy metals, and other pollutants) from runoff.
- Appropriate installation and regular maintenance of the measures;
- Preparation and implementation by Pick Your Part of a monitoring plan that demonstrates the successful function of the treatment system over time. The plan shall include appropriate performance standards, monitoring, and reporting as required by the City and RWQCB.

Implementation Responsibility: Applicant
Verification Responsibility: City and RWQCB
Monitoring Schedule during Plan Review: Prior to approval of building permit
Monitoring Schedule during Construction/Implementation: Condition of approval - Inspect during construction

Mitigation Measure: Outdoor container storage of liquids and outdoor equipment shall include a dike to contain spills and storm water and be covered to minimize storm water in the area. Depending on the size of the covering and the occupancy classification of the covering, sprinkler protection may be required and shall comply with the adopted Uniform Fire Code and Uniform Building Code.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to approval of building permit
Monitoring Schedule during Construction/Implementation: Condition of Approval – Inspect during construction

Mitigation Measure: Hazardous waste/materials stored outdoors shall be covered, or have secondary containment and be designed to prevent storm water run-on and shall comply with the adopted Uniform Fire Code and Uniform Building Code.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: N/A
Monitoring Schedule during Construction/Implementation: Condition of Approval - Inspect during construction

Mitigation Measure: The project operations shall continue and augment procedures which ensure that engine, gear box, transmission and axle oil, coolant, transmission fluid, wiper washer fluid, power steering fluids, and brake fluid are drained from vehicles accepted for disposal at the site.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: N/A
Monitoring Schedule during Construction/Implementation: Condition of Approval - On-going throughout the life of the project

Flooding

Mitigation Measure: The applicant shall request data from the United States Corp of Engineers (USACE) on the status of levees, which provide flood protection to the project site. The project applicant shall submit a request to Federal Emergency Management Agency (FEMA) to be removed from the flood zone, indicating that levees are present adjacent to the western border of the site which reduce the potential for flooding. If the USACE finds that the levees are not in compliance with their regulations, provisions shall be made to comply with FEMA regulations. Compliance shall be obtained by improving the levees or by raising the floor elevation of the battery, engine, transmission, fuel tank and axle storage area; and all areas used to store used oil, fuel, and other bulk hazardous wastes/materials to a minimum of 7 feet 6 inches above mean sea level (MSL).
Implementation Responsibility: Applicant
Verification Responsibility: City and USACE
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule during Construction/Implementation: Condition of Approval - Inspect during construction

Mitigation Measure: The applicant shall have a survey completed by a qualified engineer to identify areas on the site at an elevation below the mean high tide elevation. A Section 10 USACE permit shall be obtained prior to any construction occurring in these areas.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to approval of building permit
Monitoring Schedule during Construction/Implementation: Condition of Approval

5 ***Air Quality***

Mitigation Measure: Areas of soil redistribution shall be watered down twice daily to form a crust or as necessary to trap fugitive dust and particulates during construction until plant material, paving, soil binder, or building coverage reduce the need for such measures. If water is limited, soil binders such as soil cement may be spread in conjunction with watering, or sheet coverings such as burlap may be used on small areas. Areas with soil binders shall be turned over prior to revegetation.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: N/A
Monitoring Schedule during Construction/Implementation: Condition of Approval - Inspect during construction

Mitigation Measure: During periods of wind speeds higher than 15 mph, grading activities shall be temporarily suspended.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: N/A
Monitoring Schedule during Construction/Implementation: Condition of Approval - Inspect during construction

Mitigation Measure: Disturbed areas shall be revegetated or paved, as soon as possible, to reduce dust during construction activities.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: N/A
Monitoring Schedule during Construction/Implementation: Condition of Approval - Inspect during construction

Mitigation Measure: The applicant shall obtain a permit from the Bay Area Air Quality Management District (BAAQMD) for fuel transferred on-site and shall utilize equipment to ensure that vapor loss of reactive organic gasses is minimized.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: N/A
Monitoring Schedule during Construction/Implementation: Condition of Approval - Inspect during construction

6. NOISE

Construction Noise

Mitigation Measure: All construction vehicles and equipment shall be properly muffled. California State Noise Standards for Delivery Motor Vehicles shall be met.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: N/A
Monitoring Schedule during Construction/Implementation: Condition of Approval - Inspect during construction

Mitigation Measure: The public shall be informed of proposed construction timelines to minimize potential annoyance related to construction noise.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: N/A
Monitoring Schedule during Construction/Implementation: Condition of Approval – Inspect before construction

Facility Noise

Mitigation Measure: A qualified acoustical engineer shall be hired to ensure that the building that contains the car crusher is designed to provide adequate noise attenuation and that off-site noise levels meet the City of Hayward Standards.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule during Construction/Implementation: Condition of Approval – Inspect during construction

Mitigation Measure: Forklift vehicles shall be equipped with properly operating, maintained and effective mufflers or shall be powered by electricity.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: N/A
Monitoring Schedule during Construction/Implementation: On-going during construction and throughout the life of the project

7. ***Public Services and Utilities***

Mitigation Measure: The project applicant shall provide hookup to the water main along West Winton Avenue, to provide a capacity of 6400 gallons per employee per day.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: N/A
Monitoring Schedule during Construction/Implementation: Condition of Approval – Inspect during construction

Mitigation Measure: The project applicant shall provide hookup to the sewer line, which runs along West Winton, to provide a capacity of 5700 gallons per employee per day.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: N/A
Monitoring Schedule during Construction/Implementation: Condition of Approval- Inspect during construction

Mitigation Measure: The applicant shall provide all sinks, drinking fountains, toilets, and other fixtures as required by the City of Hayward Municipal Code Section 11.3.215.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule during Construction/Implementation: Condition of Approval - Inspect during construction

Mitigation Measure: Utilities installed shall provide flexibility in designs to improve their ability to withstand ground shaking.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule during Construction/Implementation: Condition of Approval - Inspect during construction

8. *Hazardous Wastes/Materials*

Mitigation Measure: The entire lot, with the exception of areas required for landscaping or structures, shall be paved and drained to a storm water treatment system, approved by the Regional Water Quality Control Board, before surface water flows leave the project site. Where the site is paved with concrete, joint material that provides minimum permeability to movement of concerned fluids shall be installed between concrete slabs. The City Engineer and the RWQCB shall approve the type and installation of this joint material.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule during Construction/Implementation: Condition of Approval – Inspect during construction

Mitigation Measure: Groundwater monitoring wells shall be developed on the project site in order to investigate the extent of contamination in the groundwater and in order to develop appropriate abatement and remedial actions for the soils and groundwater in the contaminated area. Abatement and remedial actions shall be implemented that are acceptable to appropriate regulatory agencies, such as the RWQCB, San Francisco Bay Region; Alameda County Health Agency, Department of Environmental Health; Wastewater Discharge Regulations, and City of Hayward Fire Department, Hazardous Materials Office, to ensure that the public and adjacent plant and animal life are not subjected to levels of hazardous wastes/materials in excess of state and federal standards.
Implementation Responsibility: Applicant
Verification Responsibility: Regional Water Quality Control Board
Monitoring Schedule during Plan Review: N/A
Monitoring Schedule During Construction/Implementation: Condition of Approval – On-going until released from obligation by the Regional Water Quality Control Board

Mitigation Measure: The project applicant shall comply with the Hazardous Materials Storage Ordinance (Hayward Fire Department, Hazardous Materials Office), Uniform Fire Code (Fire Prevention Offices of the Hayward Fire Department), and the requirements of the Alameda County Health Agency, Department of Environmental Health.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule during Construction/Implementation: Condition of Approval – Inspect during construction, ongoing throughout the life of the project

Mitigation Measure: The area where engines, transmissions, fuel tanks, axles, and batteries are stored, fluids drained, and automobiles crushed shall be located in a containment area covered in impervious manmade holding basins with a holding tank to enable removal of waste fluid. These areas shall also have a roof with gutters connected to the storm drain system. The City of Hayward does not allow above-ground tanks with a capacity greater than 60 gallons. The Fire Chief is authorized to approve alternate materials or methods provided the proposed design, use or operation satisfactorily complies with the intent of the California Fire Code. If allowed, provisions of the Uniform Building Code and Uniform Fire Code may require special construction techniques, designs and precautions if a roof is located over the storage tanks. In addition, rain surface water shall be diverted away from these areas in order to prevent the rain water from mixing with the waste fluids. This would reduce to insignificance impacts associated with drainage of hazardous waste/material fluids from the crusher and storage areas to the adjacent property and eliminate the primary source of groundwater contamination. Waste fluid shall then be hauled away and disposed of properly by recycling or other approved hazardous wastes/materials techniques.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: Prior to issuance of a building permit
Monitoring Schedule during Construction/Implementation: Condition of Approval - Inspect during construction

Mitigation Measure: All customers removing automobile parts shall be provided with a drip pan for the purpose of collecting spills that may occur when dismantling the cars. The site operator shall be responsible for the proper disposal of all contaminates collected in the drip pans at no cost to the customer. The site operator shall inspect customer activities periodically to ensure the drip pans are being used.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: N/A
Monitoring Schedule during Construction/Implementation: Condition –f Approval - On-going throughout the life of the project

Mitigation Measure: The engine compartment of all automobiles shall be covered. If there are hoods on the cars they must remain closed during periods of rain; if the automobile is without a hood then an alternative means of cover must be provided, such as a sheet of plywood.
Implementation Responsibility: Applicant
Verification Responsibility: City
Monitoring Schedule during Plan Review: N/A
Monitoring Schedule during Construction/Implementation: Condition of Approval - On-going throughout the life of the project

Mitigation Measure: Specific additional subsurface investigation as recommended in the November 30, 1994 soils report performed by CCC Report shall identify the vertical and horizontal extent of soil and groundwater contaminates at the subject site. Additional soil investigations that analyze the soil for pH levels shall be performed under the current battery storage area. Soil sampling must include areas where pools of anti-freeze and oil were found by the RWQCB. When the extent of the contamination has been characterized, the existing contamination shall be removed to meet required Alameda County Health Agency, Department of Environmental Health; City of Hayward, and RWQCB standards. If contaminated soil needs to be removed it shall occur prior to the paving of the site.
Implementation Responsibility: Applicant
Verification Responsibility: Regional Water Quality Control Board
Monitoring Schedule during Plan Review: N/A
Monitoring Schedule during Construction/Implementation: Condition of Approval – Inspect during construction

Mitigation Measure: The applicant shall participate in the Voluntary Clean-up program offered by the California Department of Toxic Substances Control to aid in the responsible release of hazardous substances controlled by proper regulatory services.
Implementation Responsibility: Applicant
Verification Responsibility: Regional Water Quality Control Board
Monitoring Schedule during Plan Review: N/A
Monitoring Schedule during Construction/Implementation: Condition of Approval – Inspect during construction

9. ***SOCIOECONOMICS*** – No mitigation required

Summary of Comments and Mitigations

The following is a consolidated description of concerns and mitigations identified in the Draft EIR and the Supplement to the Draft EIR. They are listed by the topic described in the Draft EIR.

Land Use

Existing land uses have resulted in the release of hazardous wastes/materials into the soils and the groundwater underlying the project site. Unregulated releases of hazardous wastes/materials could adversely affect vegetation and wildlife on the Hayward Area Recreation & Park District (HARD) parcel to the west of the site. The existing land uses on the project site were established prior to the adoption of the Industrial Development Standards for landscaping, parking, internal circulation, and other development areas that appear in the Hayward Zoning Ordinance. The project site does currently not meet these standards.

Summary of Mitigation Measures

A decorative masonry or concrete wall will be constructed and maintained along the west property line and the front of the property behind the required setback. The remainder of the property will be enclosed by a masonry or concrete wall or other material approved by the Planning Director.

The parking shall meet the requirements of the City's Development Standards for Automobile Wrecking and Salvage Yards and the Off-Street Parking Regulations. A minimum 10-foot-wide access aisles shall be maintained which shall divide material storage areas not to exceed 35-feet in width. No loading or unloading shall take place on public streets. The proposed number of parking stalls far exceeds the City's requirement.

Vegetation & Wildlife

Runoff from the project site has the potential to degrade the habitat of the adjacent Hayward Area Recreation & Park District (HARD) parcel. Degradation of the habitat and impacts to vegetation could occur through improper handling or storage of the hazardous wastes/materials on-site, principally gasoline, oil, antifreeze and batteries.

Summary of Mitigation Measures

Prior to commencement of offsite soil remediation, the applicant shall prepare a Mitigation Plan acceptable to HARD, CDFG, USFWS and the Army Corps of Engineers for all off-site areas that will be subject to soil remediation or removal. This Mitigation Plan shall include regrading and revegetation and the replacement of wetlands at a 1:1 ratio. Adherence to the Hazardous Materials Management Plan on file with the Fire Prevention Bureau is required to minimize the probability of spills occurring on-site.

Soils/Topography/Geology/Seismicity

High shrink-swell soils found on the site may significantly impact any future structural foundations and concrete pads on-site. Although the soils have low erodibility, accelerated erosion could occur on unprotected soils during and after construction. The site is within 3 miles of the Hayward Fault and approximately 15 miles from the San Andreas and Calaveras Faults. Seismic activity in the area could result in severe ground shaking that could impact existing structures and underground utilities. Because of the high groundwater level found beneath the northwesterly portion of the site, and the presence of sand, gravel and artificial fill in the upper 4 feet of subsoil, the potential for liquefaction is high.

Summary of Mitigation Measures

Any future foundations, paving or slabs shall be designed by a geotechnical engineer to reduce liquefaction and shrink-swell impacts. A structural study of existing structures shall be prepared in order to determine the safety of the structures, which shall be brought up to the applicable Uniform Building Code requirements. Seismic design requirements of the applicable Uniform Building Code shall be adhered to for any new construction. Utilities shall provide flexibility in design to improve their ability to withstand ground shaking.

Hydrology & Water Quality

Without the use of the nearby existing storm drain, the project has the potential to create a significant impact because it would create erosion and ponding, impact adjacent properties and would not comply with the conditions of approval of the 1980 use permit and drainage from the site would not be adequately controlled.

Temporary measures are being used to handle the on-site storm water, however it is expensive and during heavy rains may allow unregulated discharges from the project site that could result in continued adverse impacts associated with contaminated storm water to neighboring properties receiving runoff from the project site.
In the event of an uncontained spill once the project site is connected to the storm drain system, hazardous wastes/materials could reach the storm drain system and subsequently San Francisco Bay. The greatest potential for automotive fluid escaping onto soils exists in areas where fluids are drained, engine transmissions and batteries are stored, and vehicles are crushed.

Historically, the site was part of an undeveloped tidal floodplain. Imported fill has raised the grade of the site to a higher elevation than that of the adjacent HARD property to the west. A transition in land use occurs at the westerly edge of the subject site from industrial to open space/recreation. Without upgrades to the site's grading and drainage system, activities on the site have the potential to impact vegetation and wildlife in the adjacent open space wetland areas.

The project site is currently recognized as located within a 100-year flood zone. Flooding may cause hazardous wastes/materials to be washed into channels and the Bay and could cause erosion, which may undermine structures.

Summary of Mitigation Measures

The applicant shall comply with City and State requirements for the preparation of a storm water pollution prevention plan (SWPPP) and erosion control plan program to appropriately control erosion, sediment and manage potential site discharges during construction.

Prior to connecting to an off-site storm drain system the project applicant shall obtain coverage for its project under and comply with the State Water Resources Control Board's NPDES General Permit for Discharges of Storm Water Associated With Industrial Activity (Industrial General Permit). If the site is already covered under the Industrial General Permit, then the requirements of the permit shall be maintained.

Pick-Your-Part shall prepare and implement a Storm Water Management Plan (SWMP) to address the facility's potential post-construction impacts to water quality. The SWMP shall include appropriate design measures, source controls, and treatment controls to address the project's potential impacts to water quality during operation for the life of the project.

Outdoor container storage of liquids and outdoor equipment shall include a dike to contain spills and storm water and be covered to minimize storm water in the area. Depending on the size of the covering and the occupancy classification of the covering, sprinkler protection may be required and shall comply with the adopted Uniform Fire Code and Uniform Building Code. Hazardous waste/materials stored outdoors shall be covered, or have secondary containment and be designed to prevent storm water run-on and shall comply with the adopted Uniform Fire Code and Uniform Building Code.

The project operations shall augment procedures to ensure that engine, gear box, transmission and axle oil, coolant, transmission fluid, wiper washer fluid, power steering fluids, and brake fluid have been drained from vehicles prior to being accepted for disposal at the site.

The project applicant shall submit a request to Federal Emergency Management Agency (FEMA) to be removed from the flood zone, indicating that levees are present adjacent to the western border of the site which reduce the potential for flooding. If the USACE finds that the levees are not in compliance with their regulations, provisions shall be made to comply with FEMA regulations. Compliance shall be obtained by improving the levees or by raising the floor elevation of the battery, engine, transmission, fuel tank and axle storage area; and all areas used to store used oil, fuel, and other bulk hazardous wastes/materials to a minimum of 7 feet 6 inches above mean sea level (MSL).

Air Quality

The quantity of fuel transferred on site requires that the handler have a permit with the Bay Area Air Quality Management District (BAAQMD) to be compliant with the 1991 Clean Air Plan. This permit would ensure that proper equipment is employed to minimize vapor loss of reactive hydrocarbon gases.

Summary of Mitigation Measures

Areas of soil redistribution shall be watered down twice daily to form a crust or as necessary to trap fugitive dust and particulates during construction until plant material, paving, soil binder, or building coverage reduce the need for such measures. During periods of wind speeds higher than 15 mph, grading activities shall be temporarily suspended. Disturbed areas shall be revegetated or paved, as soon as possible, to reduce dust during construction activities.

The applicant shall obtain a permit from the Bay Area Air Quality Management District (BAAQMD) for fuel transferred on-site and shall utilize equipment to ensure that vapor loss of reactive organic gasses is minimized.

Noise

The car crusher is proposed to be moved to the east property line and be located within a building. There is still a potential for noise attenuation to meet acceptable noise levels. Noise from forklifts would still be experienced at receptor locations at the HARD parcel immediately west of the site.

Summary of Mitigation Measures

A qualified acoustical engineer shall be hired to ensure that the building that contains the car crusher is designed to provide adequate noise attenuation and that off-site noise levels meet the City of Hayward Standards.

All construction vehicles and equipment shall be properly muffled. California State Noise Standards for Delivery Motor Vehicles shall be met. Forklift vehicles servicing the crusher facility shall be equipped with properly operating, maintained and effective mufflers.

Public Services & Utilities

The project currently has no water or sanitary sewer services.

Summary of Mitigation Measures

The project applicant shall provide connections to the water main and the sanitary sewer main within West Winton Avenue to provide a water capacity of 6400 gallons per day and a sewer capacity of 5700 gallons per day. The applicant shall provide all sinks, drinking fountains, toilets, and other fixtures as required by the City of Hayward Municipal Code Section 11.3.215.

Hazardous Wastes/Materials

The process of dismantling and crushing the automobiles has the potential to allow hazardous wastes/materials such as petroleum products, lead and asbestos to escape into the surrounding soils. The proposed project includes efforts to drain the fluids out of vehicles before they are dismantled and crushed.

Existing soil and groundwater contamination has the potential to create problems to wildlife off-site in wetland areas, such as the HARD parcel, and to contaminate soils, surface water and groundwater.

The project generates hazardous wastes/materials, which are hauled away for recycling. Hazardous wastes/materials recycling is a beneficial impact of the proposed project.

The City of Hayward does not allow aboveground storage tanks of greater than 60 gallons. Alternate materials and methods may allow tanks greater than 60 gallons however. This site has high groundwater and soil types that make underground tank installation expensive.

Summary of Mitigation Measures

Groundwater monitoring wells shall be developed on the project site in order to investigate the extent of contamination in the groundwater and in order to develop appropriate abatement and remedial actions for the soils and groundwater in the contaminated area. Abatement and remedial actions shall be implemented that are acceptable to appropriate regulatory agencies, such as the RWQCB, San Francisco Bay Region; Alameda County Health Agency, Department of Environmental Health; Wastewater Discharge Regulations, and City of Hayward Fire Department, Hazardous Materials Office, to ensure that the public and adjacent plant and animal life are not subjected to levels of hazardous wastes/materials in excess of state and federal standards.

The area where engines, transmissions, fuel tanks, axles, and batteries are stored, fluids drained, and automobiles crushed shall be located in a containment area covered in impervious manmade holding basins with a holding tank to enable removal of waste fluid. These areas shall also have a roof with gutters connected to the storm drain system. The City of Hayward does not allow aboveground tanks with a capacity greater than 60 gallons. The Fire Chief is authorized to approve alternate materials or methods provided the proposed design, use or operation satisfactorily complies with the intent of the California Fire Code. If above ground tanks are allowed, provisions of the Uniform Building Code and Uniform Fire Code may require special construction techniques, designs and precautions if a roof is located over the storage tanks. In addition, rain surface water shall be diverted away from these areas in order to prevent the rainwater from mixing with the waste fluids. This would reduce to insignificance impacts associated with drainage of hazardous waste/material fluids from the crusher and storage areas to the adjacent property and eliminate the primary source of groundwater contamination. Waste fluid shall then be hauled away and disposed of properly by recycling or other approved hazardous wastes/materials techniques.

The entire lot, with the exception ofor areas required for landscaping or structures, shall be paved and drained to a storm water treatment system, approved by the Regional Water Quality Control Board, before surface water flows leave the project site. Where the site is paved with concrete,

joint material that provides minimum permeability to movement of concerned fluids shall be installed between concrete slabs. The City Engineer and the RWQCB shall approve the type and installation of this joint material.

Specific additional subsurface investigation as recommended in the November 30, 1994 soils report performed by CCC Report shall identify the vertical and horizontal extent of soil and groundwater contaminates at the subject site. Additional soil investigations that analyze the soil for pH levels shall be performed under the current battery storage area. Soil sampling must include areas where pools of anti-freeze and oil were found by the RWQCB. When the extent of the contamination has been characterized, the existing contamination shall be removed to meet required Alameda County Health Agency, Department of Environmental Health, City of Hayward, and RWQCB standards. If contaminated soil needs to be removed it shall occur prior to the paving of the site.

All customers removing automobile parts shall be provided with a drip pan for the purpose of collecting spills that may occur when dismantling the cars. The site operator shall be responsible for the proper disposal of all contaminates collected in the drip pans at no cost to the customer. The site operator shall inspect customer activities periodically to ensure the drip pans are being used.

The engine compartment of all automobiles shall be covered. If there are hoods on the cars they must remain closed during periods of rain; if the automobile is without a hood then an alternative means of cover must be provided, such as a sheet of plywood.

FIRE DEPARTMENT REQUIREMENTS:

The proposed development is for 32 townhomes within (7) different buildings, and (3) SFR's located on a separate street. There is only one access point into the proposed development. The applicant has stated that there will be no future building along the perimeter of this project.

The Fire Department has had preliminary meetings with the applicant regarding this proposed development. Original site plan submittals have changed and the new site plan is reflecting some of our access needs as discussed in previous meetings. In summary of the most recent site plan, the following concerns are still in need of addressing:

Access:

1. Because the proposed development exceeds 25 dwelling units, a second dedicated access point is required for the development. The proposed EVA is not acceptable. The proposed EVA can be utilized as the 2nd dedicated (public) street access, as long as it meets City standards for design. The minimum road width that the Fire Department will require is 20 feet;
2. The proposed Street A within the development is being reflected as 26 feet in width. Street parking for private owned vehicles (POV's) is not allowed, except in the dedicated parking stalls as reflected on the submitted plans. If the development wants additional street parking (for POV's), street widths will need to be increased to 30 feet for one-sided parking or 40 feet for two-sided parking. The Fire Department will need to determine where the parking will be granted, what side of the street, (i.e., one side only, both sides, none at all);
3. The proposed Street B within the development is being reflected as a 24 feet wide street, composed of two 12 feet wide lanes and a 5 feet median. Street B serves as the connection from Clearbrook Circle into the proposed development. Street B needs to be modified as it does not allow an adequate fire apparatus turning radius as one exits from the development from Street A onto Street B;
4. The (2) proposed fire truck turnarounds (located at the end of Street A and Street B) have been adequately designed to meet fire apparatus turning radii. The design will need to be reviewed by other City Departments to determine if these are allowed; OR, do we maintain the standard hammerhead configuration or a cul-de-sac design? The (2) turnarounds (hammerhead and cul-de-sac) that are reflected on the submitted plans are acceptable in design to the Fire Department;
5. Need to discuss how access is being provided to lots #33, #34 and #35. Are these lots accessed via Garin Avenue or Clearbrook Circle?;
6. Road grades shall remain at 15% or less. Per the submitted plans, a 12% road grade is being reflected as the most severe;
7. Will this be a gated community?

Water Supply:

8. The preliminary utility drawings are reflecting a total of (4) new fire hydrants for the development. The fire hydrant locations are acceptable to the Fire Department. The utility plan needs to identify the fire hydrant located at lot #16;
9. Fire flows required for this development shall meet a demand of 2,000 gpm at 20 PSI;
10. Applicant needs to determine if the Garin Pump Station can sufficiently service this development. Advised to have his civil engineers review this issue and to advise the Fire Department of their findings. If fire flows cannot be achieved for this development, additional fire protection measures shall be taken (i.e., fire pump installation) for the development;

Building Construction and Fire Protection:

11. All structures within this development shall be designated as Category I structures and shall meet the requirements for building construction and fire protection as stated in the City of Hayward Design Guidelines for Urban/Wildland Interface. This will include Class A roofs, exterior non-

combustible siding materials, heavy timber deck construction (or fire sprinklers under decking), etc. Automatic fire sprinkler systems are required for all structures;

12. As stated in the previous paragraph, all structures shall meet Category I construction requirements and shall also be protected with automatic fire sprinkler systems designed and installed per NFPA 13-D (Modified) Standards. This includes fire sprinkler protection within attics, garages, under decks, in crawl spaces, under foyers and porches, etc.;
13. The applicant is required to have a fuel management report for the development. The fuel management report shall be completed by a qualified consultant and submitted to the Fire Department for review and approval. The fuel management report shall reflect the necessary requirements for maintaining defensible space, fire protection, water supply capabilities, EVA's, etc. The report shall also include a homeowner's education guide that shall be given to each homeowner as part of the CC & R's. This report shall be approved as an addendum for the Tentative Map approval;
14. In retrospect of the fuel management report, the development shall allow for an intermediate space for Fire Department access into the adjacent parklands (wildland interface) at every 500 feet. However, due to the scale of the development, the locations of these access points may need to be altered or not even considered. Regardless, this requirement will need to be discussed with the Fire Department;
15. A Phase I site assessment may be required for the property. The applicant can contact Hugh Murphy at (510)-583-4924 for further information.

LANDSCAPE COMMENTS:
by Lorna Carranza

1. Provide an accurate plan of the landscaping that exists on this site.
2. Provide an arborist report on all of the existing trees on this site. The report should give the health, height, caliper, width of the canopy, and whether the tree is proposed to remain or be removed.
3. There is an existing natural wash that runs through the parcel and several springs on this site. Where is this water being directed?
4. At present, there is year around seepage onto Garin Boulevard from this site that sometimes grows moss in the gutters and collects garbage because of the moisture. The proposed EVA crosses some of this drainage. How is this being addressed?
5. The proposed blocks of homes do not appear to work with the natural slope and instead rely heavily on massive cuts and fills. This does not meet the requirements of the hillside guidelines and will be difficult to blend with the natural slopes in the area.
6. The proposed single family lots are on some extremely steep parcels of land that drop anywhere from 36 feet to 88 feet. These lots are not naturally suited to the construction of houses. The parcel for the proposed corner lot is at present used as a part of the entry to both Clearbrook and the apartment complex. The only proposed lot that clearly has room to build is the center one.
7. Since this is in the hillside area, more care should be taken to integrate this landscaping with the natural open space. Use more California native plants and less exotics. Add other California Oaks, California Bay, Buckeye, California Sycamore and other native trees along with the appropriate understory shrubs and groundcovers. Provide Street Trees along Garin Boulevard along with native shrubs and groundcovers. Revise the proposed plant list appropriately.
8. Since there have been previous issues with wildlife such as deer, wild turkeys, jack rabbits, wild pigs and other animals, describe how the proposed vegetation would be protected until it is firmly established.
9. It also appears that the proposed re-vegetation areas will not cover all of the areas that will be disturbed by the proposed development.
10. Lawn areas for the proposed townhomes should be limited to 50% of the front entry areas.
11. The areas directly behind the units for at least 30 feet should be irrigated and planted with fire resistant plant material. For additional fire resistance, the irrigated area should extend to 100 feet from the units.
12. The proposed single family lots shall have landscape plans by a licensed Landscape Architect for the front yards and an irrigated fire resistant landscape for all areas within 30 feet minimum of the

proposed dwelling at the time building plans are submitted to the City. The Landscape plan shall also include all disturbed slopes that are steeper than 3 to 1 and proposed retaining walls.

13. What is being done to protect the views from these units while screening the neighboring uses?

Standard Conditions:

1. Prior to the approval of improvement plans, or issuance of the first building permit, detailed landscaping and irrigation plans for all common areas shall be prepared by a licensed landscape architect and submitted for review and approval by the City. Landscaping and irrigation plans shall comply with the City's *Water Efficient Landscape Ordinance.* Landscape area shall be limited to a maximum 50% Fescue turf.
2. Street Trees. City policy on street trees is one for every 25 – 40 feet of frontage. Spacing of the trees is dependant on the species of trees. Smaller trees will require closer spacing. Trees shall be planted to fill vacancies in the street tree pattern, and to replace any declining or dead trees. Street Trees shall be 24-inch box. Trees shall be planted according to the City Standard Detail SD-122.
3. Evergreen perimeter trees are required to screen adjacent non-compatible uses.
4. Landscape plans shall specify site amenities such as, benches, tables, fencing, play equipment and barbecues, for the common open space areas.
5. Parking areas shall be capped with a landscaped island. All tree wells, islands and medians shall be a minimum of 5' wide measured inside the curbs. Parking and loading areas shall be screened from the street with shrubs, masonry walls or earth berms, as determined by the Planning Director. Where shrubs are used for screening, the type and spacing of shrubs shall create a continuous 30" high hedge within two years. This measurement shall be from the top of curb.
6. Landscaped areas adjoining drives and/or parking areas shall be separated by a 6" high class "B" Portland Cement concrete curb.
7. Masonry walls, solid building walls, trash enclosures or fences facing a street or driveway shall be continuously buffered with shrubs and vines. All above ground utilities, and mechanical equipment shall be screened from the street or drives with shrubs.
8. Landscaping and irrigation plans shall be submitted for review and approval by the City prior to approval of improvement plans or prior to the issuance of building permits. Mylars of the approved Landscape plans shall be submitted to Public Works, Engineering as a part of the approved Civil plans. All common area landscaping, irrigation and other required improvements shall be installed prior to acceptance of tract improvements, or occupancy of 80% of the dwelling units, whichever first occurs.
9. Landscaping and required trees for each unit shall be installed prior to occupancy of each building.
10. Landscape improvements shall be installed according to the approved plans and a Certificate of Substantial Completion, as-built mylars and an Irrigation Schedule shall be submitted prior to the Final Approval of the landscaping for the Tract.
11. Landscaping shall be maintained in a healthy, weed-free condition at all times. Plants shall be replaced when necessary. All trees shown on the approved Site Plan including street, parking lot and buffer trees that are severely topped or pruned shall be replaced immediately, as determined by the City Landscape Architect.
12. Prior to the sale of any individual unit, or prior to the acceptance of tract improvements, whichever first occurs, a homeowners' association shall be created to maintain the common area landscaping and open space amenities. Each owner shall automatically become a member of the association and shall be subject to a proportionate share of maintenance expenses. A reserve fund shall be maintained to cover the costs of replacement and repair of all improvements shown on the approved plans.
13. Park Dedication In-Lieu Fees are required for all new dwelling units. Fees shall be those in effect at the time of issuance of the building permit.
14. A tree removal permit is required prior to the removal of any tree. Certain trees are protected at smaller sizes. See the Tree Preservation Ordinance for more information. Replacement trees shall be required for any trees removed, as determined by the City Landscape Architect.
15. Prior to the issuance of a grading or building permit, the developer shall provide a tree preservation bond, surety or deposit, equal in value to the trees to be preserved. The bond, surety or deposit

shall be returned when the tract is accepted if the trees are found to be in a healthy, thriving and undamaged condition. The developer shall provide an arborist's report evaluating the condition of the trees.

16. Grading and improvement plans shall include tree preservation and protection measures, as required by the City Landscape Architect. Trees shall be fenced at the drip line throughout the construction period and shall be maintained in a healthy condition throughout the construction period.

UTILITIES SECTION COMMENTS:

This plan check is not to be construed as an approval for any code items not noted, or commented on. It is the contractor's responsibility to conform to the provisions of all applicable laws, codes, ordinances, rules and regulations.

Water Conditions of Approval:

1. Provide calculations to show proposed water mains are adequate to supply required fire flows.
2. Ductile Iron Pipe is required in all easements, and Control valves are required in street prior to easements for all water mains.
3. Prior to Granting Occupancy, water services shall be installed by city crews at developers' expense. The application for water services shall be presented to the city inspector.
4. Install Reduced Pressure Backflow Prevention Assembly as Per City of Hayward Standard Detail 202 on irrigation water meters.
5. Development to be served by radio read meters.
6. Show on plans, the gallon per minute water demand so that the proper size meter can be determined.
7. Provide keys/access code/automatic gate opener to utilities for all meters enclosed by a fence/gate as per Hayward Municipal Code 11-2.02.1.
8. **Only Water Distribution Personnel** shall perform operation of valves on the Hayward Water System
9. Water service available subject to standard conditions and fees in effect at time of application.
10. Water main alignment should be designed by utilizing the bents such as 11.25, 22.5, 45, 90 and/or 135 degree.
11. New water main at Garin Avenue should be connected to 650 Zone. The proposed water main is connecting to 250 Zone which does not have enough water pressure supplying for the proposed development.
12. A new fire hydrant with 8-inch pipe and a PRV Station should be placed at connection point on Woodland Avenue.

Sewer Conditions of Approval:

1. The proposed sewer line (in front of Lot 27, 28 and 290) should not be placed under any parking lot, landscaping area and structures.
2. The proposed sewer line between Lot 16 and Garin Avenue should be re-aligned by utilizing the EVA. Energy dissipator or system should be used at the connection point on Garin Avenue because of the steep slope.

ENGINEERING COMMENTS:

1. Redesign the storm drain system to provide a detention basin to be located at the fault zone area as a treatment control BMPs. A maintenance access road shall be provided for future use.
2. The existing storm drain under the proposed building structure shall be removed. The realigned storm drain that crosses the fault zone area shall be ductile pipe.
3. I have no comments on the preliminary geotechnical report. Our consultant is the one to provide such comments. They will be forthcoming???

4. The project plan shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site in order to limit the entry of pollutants into storm water runoff to the maximum extent practicable. It is strongly recommended that a grassy swale be installed to intercept the surface runoff. Needed for determination of a complete application submittal??????????????????????????
5. Show on the plan the proposed drainage system. Needed for determination of a complete application submittal.
6. The proposed storm drain system shall be private and shall be maintained by the Homeowner's Association. Condition of approval
7. Need to address the storm drain system coming from the east of Clearbrook Circle. Needed for determination of a complete application submittal.
8. Show the existing storm drain that runs across the property. No building structure shall be allowed within the storm drain easement. **They show the drain, don't they? Also, it appears they are proposing to quitclaim the easement. Please clarify.**
9. The Developer's Engineer shall provide hydraulic calculations sufficient to analyze downstream impact. **Have you reviewed the report they submitted?** The storm drain system shall be reviewed and approved by the ACFC & WCD. Condition of approval
10. The proposed sanitary sewer main shall be a public system, owned and maintained by the City. The easement for public utilities, water main, and sanitary sewer shall be within the limits of the private streets and private driveways. An additional 6 feet of public utility easement abutting the street right-of-way shall also be dedicated. Condition of approval
11. All water mains shall be looped and located 5 feet from the face of the curb. Condition of approval
12. All on-site sanitary sewer main shall be 8 inches, and a manhole shall be required at the end of the sanitary sewer main. Condition of approval
13. "No Parking" signs shall be installed on both sides and spaced 150 feet apart on the proposed street and on Clearbrook Circle. Condition of approval
14. The entrance to the development shall be designed as a street-type opening and curb returns at all intersections shall have a minimum radius of 30 feet at the curb face. Condition of approval??????????????
15. Overlay Clearbroook Circle and Install curb and gutter on both sides for the entire property frontage. Condition of approval **Need to discuss?**
16. New decorative streetlights shall be installed behind the curbs along the proposed private street. Condition of approval
17. Prior to the issuance of a grading permit and/or start of any construction activity on-site, the Developer's Engineer shall complete a Development Building Application Form Information: 1) Impervious Material Form, and 2) Operation and Maintenance Information Form. Condition of approval
18. The developer/owner shall prepare a Maintenance Agreement for storm water BMPs (available from Engineering and Transportation Division), and the Maintenance Agreement shall be recorded with the Alameda County Recorder's Office to ensure that the maintenance is bound to the property in perpetuity. Condition of approval
19. A copy of the Notice of Intent (NOI) from the State Water Resources Control Board shall be provided to the City prior to the start of grading. Condition of approval

HAYWARD CITY COUNCIL

RESOLUTION NO. 77-403 **C.S.**

INTRODUCED BY COUNCILMEMBER Oakes

RESOLUTION APPROVING AND ADOPTING A POLICY AND DEVELOPMENT STANDARDS FOR AUTOMOBILE WRECKING AND SALVAGE YARDS.

BE IT RESOLVED that the City Council of the City of Hayward hereby approves and adopts that certain POLICY AND DEVELOPMENT STANDARDS FOR AUTOMOBILE WRECKING AND SALVAGE YARDS, as adopted by the Planning Commission on May 5, 1977, a copy of which is attached hereto and hereby referred to for further particulars.

IN COUNCIL, HAYWARD, CALIF., October 11, 1977.

ADOPTED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS MAYOR	Birchfield, Ratto, Randall, Oakes, Bras, Steele. Weinreb.
NOES:	COUNCILMEMBERS	None.
ABSENT:	COUNCILMEMBERS	None.

ATTEST: Thelma R. Wilson
CITY CLERK OF THE CITY OF HAYWARD, CALIF.

ATTACHMENT G

POLICY AND DEVELOPMENT STANDARDS FOR AUTOMOBILE WRECKING AND SALVAGE YARDS

Adopted by Planning Commission
on May 5, 1977

DEVELOPMENT POLICIES

In keeping with these existing goals and policies; the following policies and standards are set forth for the Planning Commission's consideration:

1. Automobile wrecking and salvage yards are a necessary element in industry and should be provided for. These uses are a business and should be conducted in a businesslike manner and appear so as to be a credit, not a detriment, to industrial areas.

2. Automobile wrecking and salvage yards will only be permitted to locate on the southerly side of Depot Road in the vicinity where existing facilities are presently situated and on the northwesterly side of West Winton Avenue where parcels have been granted prior use permits for this type of operation. Expansion of or location of new facilities on West Winton Avenue will only be granted upon the demonstrated need and/or desirability of this type of use adjacent to neighboring properties.

3. No use permits for automobile wrecking and salvage yards will be granted unless:

   a) The property on which the operation is to be located has full frontage improvements (curb, gutter, sidewalk if required, storm sewer and matching pavement) per the Precise Plan Lines of the City; and

   b) The proposed site is served by public sewer and water facilities.

4. Use permits granted for the establishment of automobile wrecking and salvage yards will be limited to ten (10) years. If at the end of this time period the owner or operator has had no violations of the use permit conditions, the permit will be administratively renewed for another ten (10)-year period. During stated period, the use will be subject to periodic inspections. Violation of the conditions will be cause for revocation of the permit after public hearing before the duly authorized review body.

DEVELOPMENT STANDARDS

1. Setbacks - A minimum ten-foot (10') setback shall be provided along the full frontage of the property.

2. Fencing - In the event materials are to be stored outside of a building, the following conditions shall apply:

   a) A painted masonry or concrete-tilt-up wall with recessed decorative panels shall be constructed and maintained along the front of the property behind the required setback. The wall shall be sunk a minimum of eight (8") below grade and constructed to height of ten feet (10') above grade and designed to withstand a fifteen-pound (15#) per square foot wind load.

   b) The rear and side property lines shall be enclosed and maintained with a chain-link fence with wood batts or a masonry or concrete wall shall be constructed to a minimum height of eight feet (8') above grade, designed to withstand a fifteen-pound (15#) per square foot wind load.

   c) Materials shall be stacked no higher than the height of the fence nor shall materials be stacked within ten feet (10') of the fence.

Policy and Development Standards for Automobile Wrecking and Salvage Yards (con't)

3. Parking - Minimum off-street parking requirements shall apply as follows:

   a) Five (5) spaces plus;

   b) One (1) space for each 20,000 square feet under use, plus;

   c) One (1) space of adequate size shall be provided for each item of rolling stock equipment stationed on the premises.

   d) Parking area shall be paved with 2-inch (2") A.C. over six-inch (6") aggregrate base or paved in concrete.

   e) Each parking space shall be provided with a Class "B" Portland Cement concrete bumper block or continuous concrete curb not less than six inches (6") in height above the finished pavement.

   f) All parking spaces and circulation areas shall comply with the minimum Parking Ordinance Standards as to location, dimension, drainage, surfacing and marking.

   g) Parking spaces shall remain open and clear for visitors or customers use and shall not be used for storage or the unloading of abandoned or wrecked vehicles, parts, or other materials associated with the proposed use.

4. Paving - Entire remaining area of lot shall be paved with concrete or asphalt or four inches (4") of crushed rock.

5. Access Aisles - A minimum ten-foot (10')-wide access aisles shall be provided which shall divide material storage areas into aisles not exceeding thirty-five feet (35') in width.

6. Drainage - Prior to installation of paving, a grading and drainage plan shall be approved by the City Engineer and the Alameda County Flood and Water Conservation District.

7. Landscaping -

   a) The required ten-foot (10') front yard setback shall be landscaped with trees, shrubs and groundcover except where driveways are located. Mounding of earth and other desirable landscape features will be incorporated wherever feasible.

   b) Additional landscape planters and/or tree wells shall be located in unused portions of parking areas and adjacent to the front ten-foot (10')-high masonry or concrete-tilt-up wall.

   c) Where any landscaped area adjoins driveways and/or parking areas, Class "B" Portland Cement concrete curbs shall be constructed to a height of six inches (6") above the finished pavement.

   d) Required landscaped areas shall be watered, fertilized, weeded, pruned, sprayed, or otherwise maintained, including replacement as needed.

8. Irrigation - Within all required landscape areas, a complete automatic sprinkler system with an automatic on/off mechanism shall be installed.

Others

9. New operations shall comply with conditions prior to commencement of the use and/or storage of any vehicle.

10. All operations and physical improvements shall be conducted in accordance with the requirements of all Municipal, County, State, and Special District codes and regulations.

11. No loading or unloading shall take place on public streets.

PICK-YOUR-PART AUTOMOBILE DISMANTLING YARD

Supplement to the Draft Environmental Impact Report
State Clearinghouse No. 92053039

January 21, 2000

Prepared for:

City of Hayward
Department of Community and Economic Development
Development Review Services
777 B Street
Hayward, California 94541-3340

Prepared by:

MHA Environmental Consulting, Inc.
520 South El Camino Real, Suite 800
San Mateo, California 94402

ATTACHMENT H

Table of Contents

EXECUTIVE SUMMARY **ES-1**
1.0 INTRODUCTION **1**
2.0 PROJECT DESCRIPTION **3**
2.1 Project Location 3
2.2 Site Description and Project Overview 3
2.3 Site Plans 6
3.0 SUMMARY OF DRAFT EIR COMMENTS AND RESPONSES **8**
3.1 Summary of Issues Raised in Draft EIR Comments 8
3.2 Written Comments 10
3.3 Hayward Planning Commission Public Meeting Comments 20
4.0 ENVIRONMENTAL SETTING **22**
4.1 Regional Setting 22
4.2 Regulatory and Permit Requirement Changes 24
4.3 Sections with No Changes to Existing Setting in Draft EIR 29
4.4 Sections with Changes to Existing Setting in Draft EIR 29
5.0 IMPACTS AND MITIGATION MEASURES **31**
5.1 Parameters with No Changes to Impacts in the Draft EIR 31
5.2 Parameters with Changes to Impacts in the Draft EIR 31
5.3 Mitigation Measures 32
6.0 PREPARERS AND PERSONS & ORGANIZATIONS CONTACTED **42**
6.1 Preparers 42
6.2 Persons & Organizations Contacted 42
7.0 REFERENCES **44**

APPENDIX A
Comment Letters on the Draft EIR

List of Figures

Figure 1: Regional Setting of the Project Site 4
Figure 2: Local Setting of the Project Site 5
Figure 3: Site Plan 7

Table

Table 3.3: Quantities and Locations of Significant Materials at the Project Site 20

EXECUTIVE SUMMARY

Project Overview

Pick-Your-Part Automobile Dismantling Yard in Hayward, California is being required by the City of Hayward to obtain a Use Permit for continued operations at the site. Specific uses on-site include automobile dismantling and fluid drainage, storage, and sale of used automobile parts. Pick-Your-Part has submitted revised site plans to the City of Hayward as part of their Use Permit application. Some of the improvements proposed in the plan include paving of the site, moving operations on the site, a drainage and storm water treatment plan, landscaping, construction of a building, utility hook-ups, and fencing.

Environmental Review Process

A Draft Environmental Impact Report (Draft EIR) was prepared for the Use Permit application for the Pick-Your-Part site in September 1995 and circulated for public review for 45 days. The City of Hayward received comments on the document during the comment period in 1995; however, a final EIR was not prepared or certified. The City of Hayward determined that a supplement to the original Draft EIR is necessary because several years have lapsed since the Draft EIR was circulated for public review.

Comments on Draft EIR

Comments received on the Draft EIR did not identify any fundamental inadequacies in the Draft EIR. Substantive environmental concerns raised in the comments pertain to hazardous wastes and materials, hydrology and water quality, land use and planning, aesthetics, mitigation monitoring, public services, and alternatives. Responses to comments on the Draft EIR are included in this supplement. The responses incorporate current and relevant information regarding the Pick-Your-Part site. In some instances, existing setting information and mitigation measures in the Draft EIR sections were modified or added in response to comments.

Regulatory Compliance

The City of Hayward, the Regional Water Quality Control Board, and the U.S. Environmental Protection Agency (USEPA) have cited Pick-Your-Part for permit and regulatory violations since the Draft EIR was prepared in 1995. Only interim remedial actions have been implemented to remedy the violations. Permanent measures are proposed as part of Pick-Your-Part's Use Permit application.

Impacts and Mitigation Measures

All project impacts defined in the Draft EIR still apply to the current project site, except for noise impacts to the adjacent Hayward Area Recreation and Park District (HARD) property from the car crusher. Pick-Your-Part removed the car crusher from the site as a remedial action in response to non-compliance issues. The noise-related impact of the car crusher on the adjacent HARD property (defined in the Draft EIR) no longer occurs. However, Pick-Your-Part plans to have a car crusher enclosed in a building on the east side of the site when improvements are implemented as part of the Use Permit application. The siting of the car crusher may result in significant noise impacts to the east side adjacent property if not properly mitigated.

Mitigation measures in the Draft EIR were modified or added to in response to comments on the Draft EIR or changes in the existing setting. Changes were made to mitigation measures in Section 4.6 Noise and Section 4.8 Hazardous Waste/Materials in the Draft EIR. Mitigation measures were added to Section 4.4 Hydrology and Water Quality, Section 4.6 Noise, and Section 4.8 Hazardous Waste/Materials. The improvements proposed in the Use Permit application would implement mitigation measures that are defined in the Draft EIR.

Public Review

This Supplement to the Draft EIR for the Pick-Your-Part Automobile Dismantling Yard has been circulated to the appropriate agencies and concerned parties for review. The Final EIR will contain responses to comments made on the Supplement and original Draft EIR.

1.0
INTRODUCTION

The City of Hayward determined that a Use Permit (No. 96-160-15) was required for the continued operation of the Pick-Your-Part Automobile Dismantling Yard in Hayward, California. The City of Hayward, the lead agency under the California Environmental Quality Act (CEQA), also determined that an Environmental Impact Report (EIR) was required for the issuance of the Use Permit. A Draft EIR was prepared by the City to address environmental impacts associated with the continued operation of the Pick-Your-Part Automobile Dismantling Yard in September 1995 (State Clearinghouse #92053039).

The City of Hayward circulated the Draft EIR for the 45-day public review period. The State Clearinghouse closed the public comment period on November 13, 1995. Comments were received from several agencies and a public hearing was held to solicit additional public comments. Comments on the Draft EIR did not identify any fundamental inadequacies in the Draft EIR. A final EIR was not prepared or certified.

In accordance with Section 15163 of the CEQA Guidelines, the City of Hayward has determined that a supplement to the original Draft EIR is necessary because several years have lapsed since the Draft EIR was circulated for public review. This affords the City an opportunity to revise sections of the Draft EIR that require updating to reflect current conditions, add newly developed information, and complete the CEQA process. The Supplement to the Draft EIR addresses concerns raised by public agencies and members of the public during the public comment period and at the public hearing for the Draft EIR.

This Supplement to the Draft EIR is circulated for public review. The Supplement should be reviewed in conjunction with the Draft EIR prepared in 1995. Comments are being solicited from public agencies and members of the public. This Supplement has been sent to the State Clearinghouse and commentors on the Draft EIR. Responses to comments received on the Supplement to the Draft EIR and the Draft EIR will be provided in the Final EIR.

This Supplement provides the following:

- Project Description
- Comments on the Draft EIR and Responses

- Environmental Setting
- Identification of changes to regulations and permit requirements
- Changes and additions to impacts and mitigation measures in the Draft EIR
- Copies of the Draft EIR comment letters

The Draft EIR (State Clearinghouse #92053039) is incorporated into this Supplement by reference. Copies of the Draft EIR are available for review at the City of Hayward, Department of Community and Economic Development, Hayward City Hall, 777 B Street, Hayward and the Hayward Public Library, located at 835 C Street in Hayward.

2.0 PROJECT DESCRIPTION

2.1 Project Location

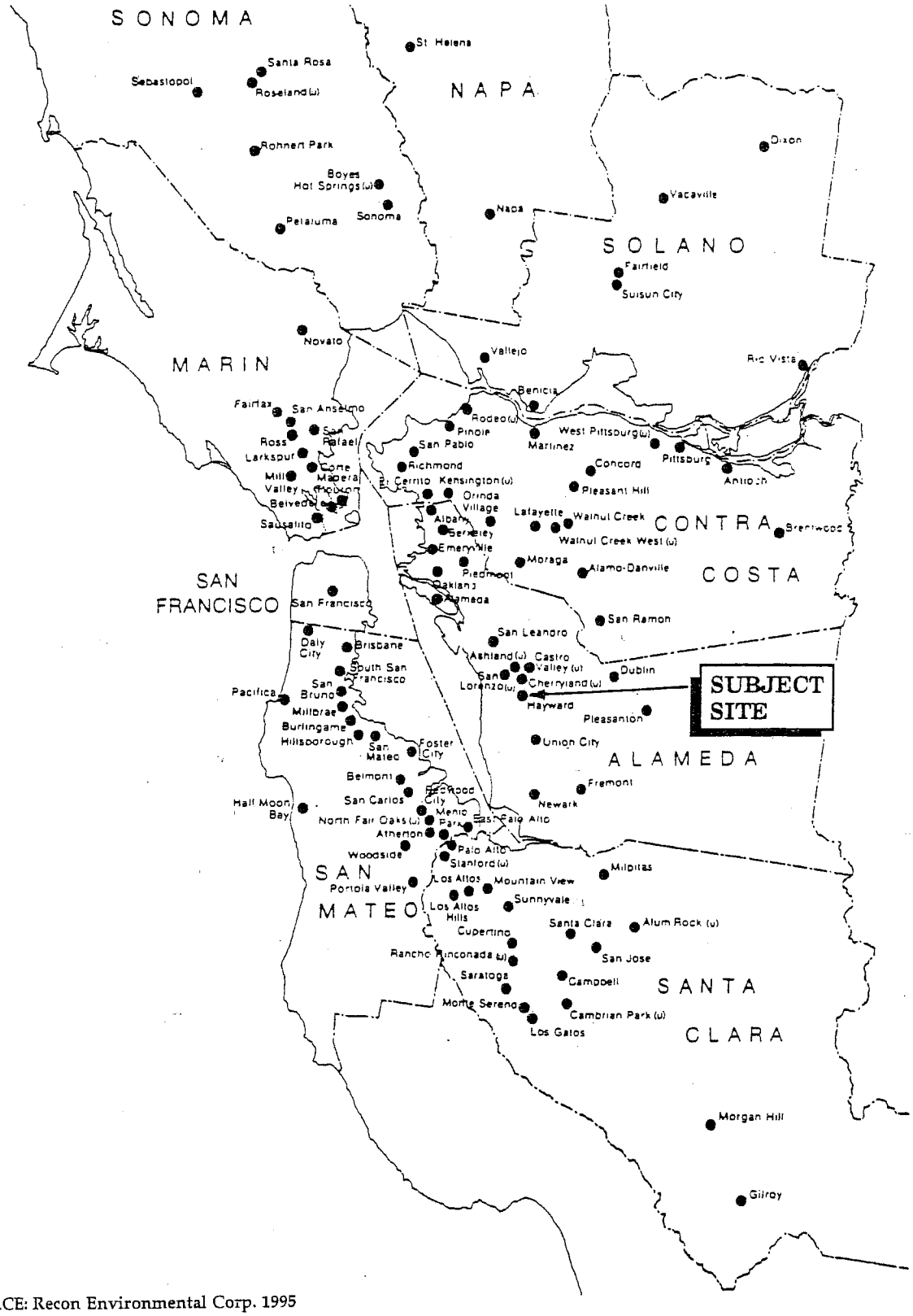
The Pick-Your-Part Dismantling Yard is located at 2557 West Winton Avenue in Hayward, California. The site's regional location is depicted in Figure 1. The project site is bordered on the south by West Winton Avenue, on the west by Hayward Area Recreation and Park District (HARD) land, and on the northwest by East Bay Regional Park District land. Another auto dismantling yard occupies the West Winton Avenue frontage between the eastern and western entrances of the project site.

2.2 Site Description and Project Overview

The project site is an approximately 15-acre site comprised of six parcels [Assessors Parcel Number (APN) 438-30 1-2, 1-3, 1-4, 9-2, 6, and 15,] configured in a horseshoe shape, generally located on the northerly side of West Winton Avenue in the City of Hayward (Figure 2). Since the Draft EIR, a small parcel [APN 438-30-6, 0.23 acres] on the easterly edge of the project has been added to the project site in the Use Permit application. The small parcel was labeled "Not A Part" in Figure 3.1-3 Project Site of the Draft EIR. The project site is currently occupied by Pick-Your-Part, which operates an automobile dismantling yard and used automobile parts business.

Specific uses on-site include automobile dismantling and fluid drainage, and storage of used automobile parts. In addition, Pick-Your-Part operates a facility open to the public where customers dismantle stored cars for purchase of parts. Aerial photograph research revealed that the project site has been used as an automobile dismantling facility for at least 25 to 30 years.

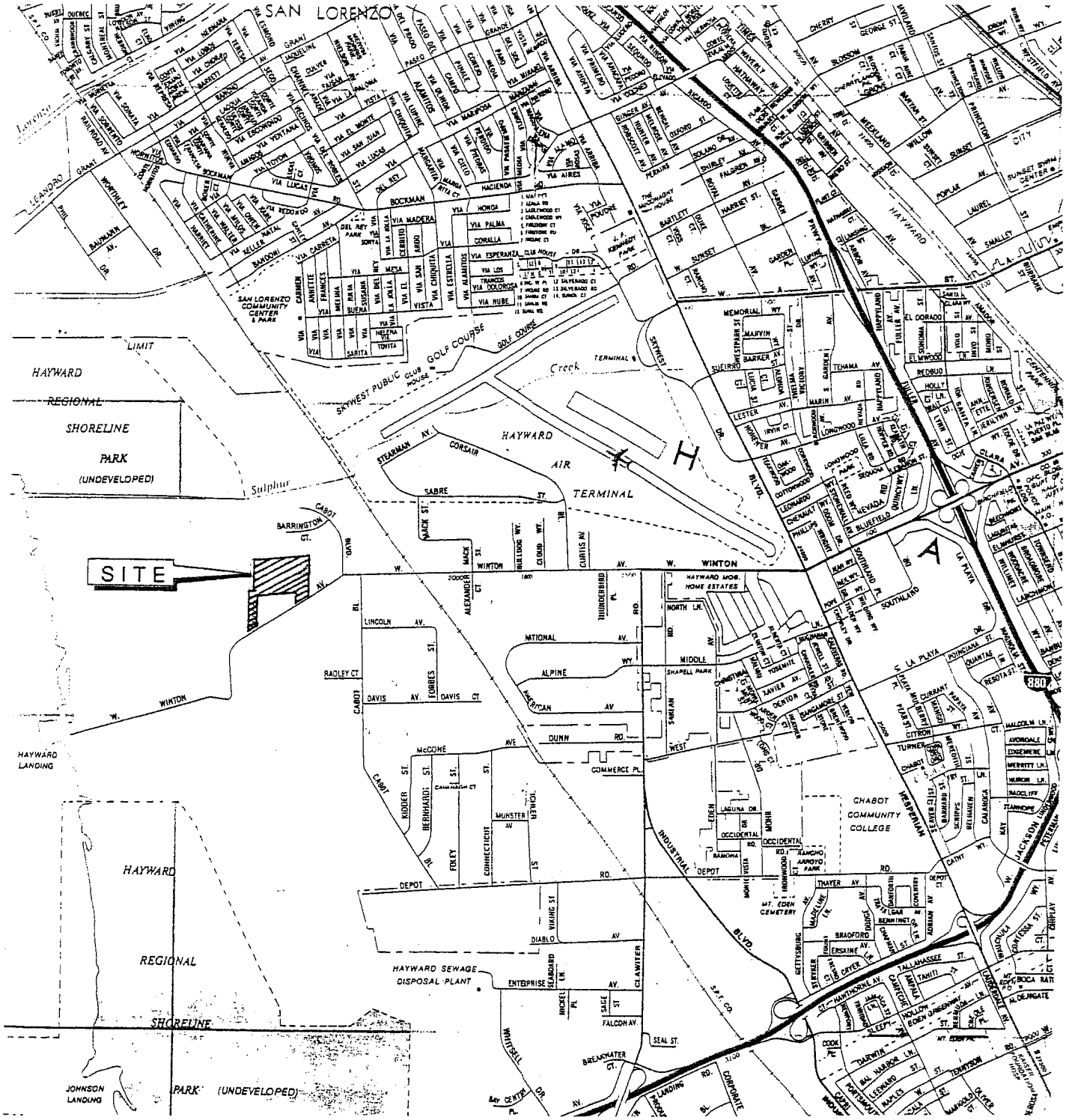
Figure 1



SOURCE: Recon Environmental Corp. 1995

Figure 1: Regional Setting of the Project Site	Project: Pick-Your-Part
MHA Environmental Consulting, Inc.	Miles 0 15 30 N

Figure 2



SOURCE: Recon Environmental Corp. 1995

Figure 2: Local Setting of the Project Site	Project: Pick-Your-Part
MHA Environmental Consulting, Inc.	Scale: 1 : 2400 N

2.3 Site Plans

Pick-Your-Part has submitted revised site plans to the City of Hayward as part of their Use Permit application (Figure 3). Improvements to the site are proposed and include:

- Construction of buildings
- Paving of the site
- Installation of above- and below-ground storage tanks
- Grading site, implementing drainage plan, and installation of storm water treatment facilities
- Connecting to utility hook-ups
- Landscaping
- Construction of fencing around the site

The dismantling, fluid drainage, car crushing, and automobile part storage operations will be located on the east side of the property. The car crushing, fluid drainage, and some part storage (e.g. engines, axles, transmissions) facilities will be contained in buildings. Storage bins will be on site for bulk recycling of miscellaneous automobile parts. The customer parking lot will be located on the west side of the property. The open retail sales area, where customers can remove parts from automobiles, will be on the north side of the property. The drainage plan indicates that site drainage will be directed towards the northwest corner of the site, where it will be treated before it leaves the project site. Pick-Your-Part plans to construct the improvements in phases. It is noted on the plans that the mitigation measures defined in the EIR will be addressed and realized by the applicant.

Figure 3

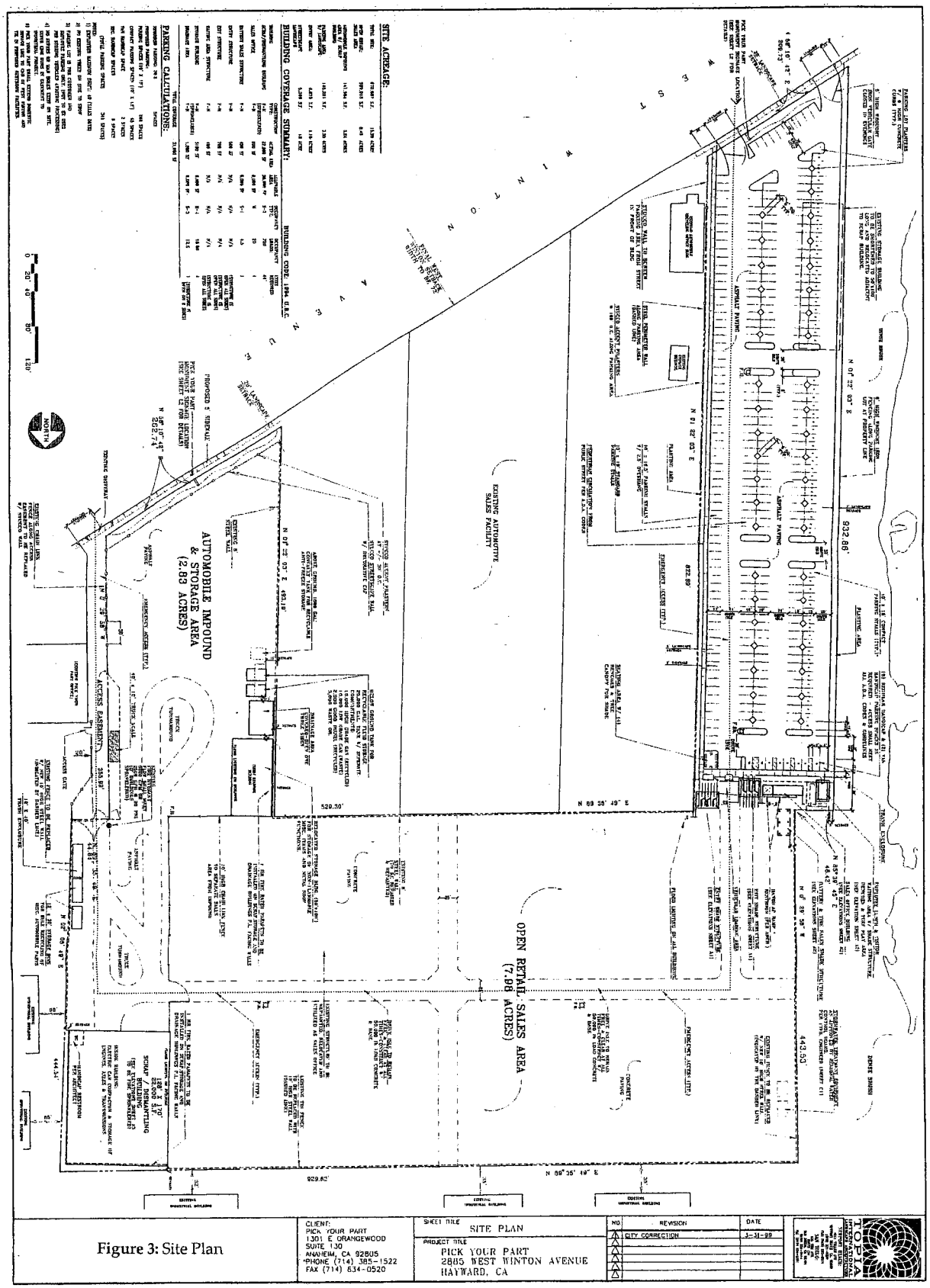


Figure 3: Site Plan

3.0 SUMMARY OF DRAFT EIR COMMENTS AND RESPONSES

3.1 Summary of Issues Raised in Draft EIR Comments

A list of issues raised by commentators on the Draft EIR is provided below. The issues are grouped by environmental parameter and displayed in the following bulleted lists.

HAZARDOUS WASTE/MATERIALS

- State whether the mitigation measures would solve project's hazardous waste problems.
- Design project facility to contain its hazardous waste.
- Conduct complete cleanup of all contaminated soil to prevent groundwater seepage to HARD's property.
- Pave the project site with the exception of the areas noted in the Draft EIR.
- Provide roofing over the more concentrated pollutant-generating areas (e.g., auto crusher, engine block storage, battery storage and fluid draining areas).
- Provide customers with easy-to-use drip pans to help control dripping liquid contaminates. Customers should be supervised.
- Minimize engine compartment exposure to rain. This can be accomplished by keeping hoods down or replacing missing hoods with half sheets of plywood, or some other form of durable covering.
- Clarify when paving will occur at the site. Paving the site before hazardous material contamination is characterized would prevent surface sampling and complicate subsequent soil removals.

- Conduct Preliminary Endangerment Assessment (PEA) for the California Department of Toxic Substances Control (DTSC) in order to adequately characterize the site. If desired, DTSC's trained environmental experts will review the PEA for a fee. This as known as a Voluntary Cleanup Program (VCP).
- Pave the site with concrete and use expansion joint material between concrete panels that has minimum permeability to the movement of petroleum based fluids.
- Investigate groundwater contamination to assess threats or impacts to the wetlands seasonal ponds and the groundwater.

HYDROLOGY AND WATER QUALITY

- Contain drainage from Pick-Your-Part on-site to prevent contaminated storm water from reaching the adjacent HARD property.
- Implement various management controls in the day-to-day operation of the facility to reduce pollutants at the source.
- Install a complex treatment system which consists of oil/water separation, followed by ion exchange removal of dissolved metals, and ending in an activated carbon filter removal of dissolved organics.
- File an application for a flood map revision/amendment with the Federal Emergency Management Agency (FEMA).
- Contact the U.S. Army Corp of Engineers (USACE) to determine whether the levees conform to Corps standards.
- Correctly identify the drainage ditch located near the southwesterly corner of the site. The Draft EIR incorrectly identifies it as flood control channel "Line A", which is actually located south of West Winton Avenue.

LAND USE AND PLANNING

- Construct an 8-foot high solid fence on the boundary of Pick-Your-Part and Hayward Area Recreation and Park District (HARD) properties to prevent oils from entering the property and to prevent unauthorized access to HARD's property.
- Perform a thorough cleanup of debris found on the HARD property and restore the property's condition.

AESTHETICS/TRAFFIC

- Cars dropped off during non-business hours in parking areas may cause traffic problems and constituting an aesthetic blight. This should be addressed as a condition of approval/mitigation measure.

MITIGATION MONITORING

- Conduct annual inspections of the Pick-Your-Part to continue compliance.

ALTERNATIVES

- On page 3-8 of the Draft EIR, remove sentence "There are no public utilities impacts associated with developing an industrial facility on this site." It depends on the specifics of any future facility.
- The Herrick Site identified in the Draft EIR as an alternative site may be the same site that Berkeley Farms bought. If this is the case, then the Herrick Site should be removed as an alternative.
- On page 3-11, #4 of the Draft EIR, there is doubt that there is existing curb and gutter. Presumably, it will be installed.

PUBLIC SERVICE

- On page 4.7-1 on the Draft EIR, Wastewater Services, the capacity of the sewage plant (Water Pollution Control Facility) is currently 13.1 MGD, not 15 MGD.
- On page 4.7-1 of the Draft EIR, Water Services, mid-paragraph, change the word "entirely" to "mostly" and change the figure "240 miles" to "300 miles".
- On page 4.7-2, Water Services, and page 4.7-3, Wastewater Service of the Draft EIR, there are references to payment of a benefit assessment district fee for water and sewer hook-ups into the Cabot Blvd./ W. Winton Ave. Stormdrain Benefit Assessment District. Please confirm.

SOCIOECONOMIC

- Exclude socioeconomics from analysis, because there are no adverse socioeconomic impacts regarding the project site or alternative sites.

GENERAL

- Add a unit scale to the maps.

3.2 Written Comments

This section includes summaries of comments from letters received during and after the Draft EIR public review period. Each letter is immediately followed by the lead agency's response to substantive comments therein pertaining to the adequacy of the Draft EIR. The original comment letters are attached in Appendix A.

Harry Bruno, Administrative Analyst II, City of Hayward Police Department (10/5/95)

Comment: Acknowledges that there is a problem, but not one that concerns the Police Department.

Response: Comment noted. No substantive environmental issues requiring a response have been raised.

Eric Willyerd, Superintendent of Parks, Hayward Area Recreation and Park District (HARD) (10/5/95)

Comment: Construct an 8-foot high solid fence on the boundary of the Pick-Your-Part yard and HARD to prevent oily residue from coming onto HARD's property and to prevent unauthorized access to HARD's property.

Response: As part of their Use Permit application, Pick-Your-Part is planning to erect fencing along the boundary of Pick-Your-Part and HARD to prevent unauthorized access. The City of Hayward Building Division and Planning Division must approve the fence design.

Pick-Your-Part has been required by the Regional Water Quality Control Board (RWQCB) and the City of Hayward to contain their storm water on-site. As an interim remedial measure, sandbags have been piled along the west-side boundary of the site to prevent storm water from running off onto the adjacent HARD property.

Pick-Your-Part submitted an Interim Remedial Measure Work Plan to the RWQCB in August 1999. The Plan proposes to excavate the contaminated soils on the Pick-Your-Part site and replace it with clean fill. After the contamination is cleaned up to the approval of the RWQCB, the Pick-Your-Part site will be paved and runoff will be contained on-site and treated before it is discharged into the City of Hayward storm water system. Paving of the site and containment and treatment of storm water are proposed in Pick-Your-Part's Use Permit application. When this is done, the Pick-Your-Part site will no longer drain onto the HARD property.

Comment: Drainage from the Pick-Your-Part site should be contained on-site to prevent contaminated storm water from reaching the adjacent HARD property.

Response: After the project site contamination is cleaned up and the site is paved, runoff will be contained on-site and treated before it is discharged into the City of Hayward storm water system. When this is done, the Pick-Your-Part site will no longer drain onto the HARD property.

Comment: Perform a thorough cleanup of debris found on the HARD property and restore the property.

Response: Pick-Your-Part submitted an Interim Remedial Measure Work Plan in August 1999 to the RWQCB. The Plan includes cleaning up debris from the adjacent HARD property. Pick-Your-Part will excavate and remove contaminated soil on the project site. The Plan also states that stained soil will be removed from the adjacent HARD property if:

- HARD and RWQCB would like the material removed
- HARD will allow Pick-Your-Part access to its property
- Necessary permits (e.g., USACE) for work in the wetlands can be obtained so that work can be coordinated with site development work (Geomatrix 1999).

If the material is removed from the HARD property, the removal and backfill methods will comply with permit requirements and any agreement made between Pick-Your-Part and HARD.

Comment: Annual inspections of the Pick-Your-Part site should be conducted to ensure continued compliance.

Response: The Mitigation Monitoring Plan requires that Pick-Your-Part supply the City of Hayward with annual inspection reports. In addition, the City of Hayward Water Pollution Source Control Division will perform an inspection every 12 to 24 months to assure compliance with the approved mitigation measures. Due to the continued compliance problems (see section 4.2 of this document) by Pick-Your-Part the following mitigation measure shall be added to Section 4.4 Hydrology and Water Quality of the Draft EIR.

> **Mitigation Measure:** Pick-Your-Part shall prepare a management plan for its facilities that incorporate the requirements of its SWPPP, General NPDES Permit, and any applicable regulatory requirements. The City of Hayward shall review the management plan at the expense of Pick-Your-Part. A qualified consultant shall be hired by the City of Hayward to review the management plan and inspect the Pick-Your-Part site quarterly for compliance with permit and regulatory requirements. The consultant shall prepare and submit reports of quarterly inspections. Inspections may be reduced to bi-annual if full compliance is demonstrated for four quarters. Pick-Your-Part shall pay for the consultant fees.

Comment: Cleanup all contaminated soil to prevent ground water seepage to HARD's property.

Response: Pick-Your-Part submitted an Interim Remedial Measure Work Plan in August 1999 to the RWQCB. The Plan includes excavation and removal of contaminated soil on the project site. The Plan also states that stained soil will be removed from the adjacent HARD property if:

- HARD and RWQCB would like the material removed
- HARD will allow Pick-Your-Part access to its property
- Necessary permits for work in the wetlands can be obtained so that work can be coordinated with site development work.

Final remediation measures shall be to the approval of the RWQCB.

Comment: Pave the Pick-Your-Part site to prevent further soil contamination.

Response: Pick-Your-Part proposes to pave their site (as stated in their Use Permit application). Fluid drainage, car crushing, and part storage facilities will be contained in buildings to prevent contamination of the site. A drainage plan is also proposed to capture storm water and treat it before it is discharged into the City of Hayward storm water system.

Section 4.8, Hazardous Waste/Materials, of the Draft EIR contains a mitigation measure that requires paving of the site. The measure reads as follows: "The entire lot, with the exception for areas required for landscaping or structures, shall be paved and drained to a properly sized oil/water separator(s), before surface water flows leave the project site in an existing drainage facility to the northwest of the project site." This mitigation measure has been augmented, in response to comments, to add additional treatment (see Section 5, Draft EIR Mitigation Measures with Changes).

Alex Ameri, Deputy Director of Public Works, City of Hayward (10/26/95)

Comment: On page 3-8 of the Draft EIR, remove the sentence "There are no substantial public utilities impacts associated with developing an industrial facility on this site." It depends on the specifics of any future facility.

Response: The sentence within Section 3.3 -7. Public Utilities, on pages 3-8, that reads "There are no substantial public utilities impacts associated with developing an industrial facility on this site." shall be removed.

Comment: On page 4.7-1 of the Draft EIR, Wastewater Services, the capacity of the sewage plant (Water Pollution Control Facility) is currently 13.1 MGD, not 15 MGD.

Response: The sentence within Section 4.7 - Wastewater Services, Existing Setting on page 4.7-1, shall be modified to change the peak treatment capacity in dry weather of the sewage plant from 15 MGD to 13.1 MGD.

Comment: On page 4.7-1 of the Draft EIR, Water Services, mid-paragraph, change the word "entirely" to "mostly". On page 4.7-1 of the Draft EIR, Water Services, mid-paragraph, change the figure "240 miles" to "300 miles".

Response: The sentence, mid-paragraph within Section 4.7 - Existing Setting, Water Services, on Page 4.7-1, shall be modified to change the word "entirely" to "mostly" and change the figure "240 miles" to "300 miles".

Comment: On page 4.7-2, Water Services, and on page 4.7-3, Waste Water Services of the Draft EIR, there are references to payment of a benefit assessment district for water and sewer hook-ups into the Cabot Blvd./ W. Winton Ave. Stormdrain Benefit Assessment District. Please confirm.

Response: A benefit district was created to reimburse Kearney Ventures for the installation of a 12-inch-diameter water main within West Winton Avenue from the Alameda County Flood Control, Line "B" westerly 1,164+ feet. A fee of $20.20 per foot of frontage and $1,190.46 per acre must be paid to the benefit district by Pick-Your-Part at the time of connection to the water main.

Storm drain and sanitary sewer districts also exist. A fee of $8,673.00 per acre, plus interest, must be paid to the benefit district at the time of connection to the storm drain main and a fee of $18.67 per foot of frontage must be paid at the time of connection to the sanitary sewer main.

Marvin J. Carash, Development Inspection Services Administrator, City of Hayward (10/30/95)

Comment: On page 3-9 of the Draft EIR the "Herrick Development Inspection Site" is listed as an alternative site, if this is the same site Berkeley Farms bought, then this section needs to be deleted or modified.

Response: At the time the Draft EIR was prepared, the alternative site the Draft EIR identifies as the Herrick site in Section 3.4.1 was available and no development applications involving this

site had been filed with the City. The Draft EIR analyzed this site for its potential and found it not to be a suitable alternative site. Since that time Berkley Farms developed the southern half of the Herrick site. This is an additional reason why the Herrick site is not a viable alternative.

Comment: On page 3-11, #4 of the Draft EIR which describes the Hydrology and Water Quality of the Herrick site alternative, there is doubt that there is existing curb and gutter on Clawiter Road where surface drainage could go. Presumably it would be installed.

Response: The Herrick property Clawiter Road frontage is currently improved. Berkley Farms developed the southern half of the site and made street improvements (e.g., curb and gutter). The Herrick site was not found to be a suitable alternative in the Draft EIR and is a less viable alternative.

Comment: Mr. Carash identifies concerns about cars being dropped off during non-business hours in parking areas causing traffic problems and constituting an aesthetic blight. This should be addressed as a condition of approval/mitigation measure.

Response: The unauthorized delivery of vehicles during non-business hours is unwanted by both Pick-Your-Part and the City. This is an illegal action and a matter to be dealt with by the City of Hayward Police Department. Although business hours are not addressed in the Draft EIR, the use permit conditions of approval will regulate the hours of operation and limit the delivery of cars to within normal business hours. The parking areas provided by Pick-Your-Part will be secured during non-business hours.

Comment: It seems a finding could be made that there are no adverse socioeconomic impacts regarding the project site or alternative sites, and therefore, the subject could be excluded from this analysis.

Response: The Socioeconomic Impacts/Analysis portion of the Draft EIR is included to emphasize that the existing tax and revenue generated from the site and project will not significantly change even though there will be substantial improvements made to the site and its operations.

T.H. Lindenmeyer , Environmental Specialist, East Bay Regional Park District (EBRPD) (11/1/95)

Comment: Supports the implementation of a number of the mitigation measures identified in the Draft EIR which would reduce or eliminate adverse impacts on the District's adjacent wetlands and parklands. The EBRPD will cooperate with the applicant and appropriate agencies to identify and remediate soil and groundwater contamination that may affect adjacent properties as required by mitigation measures and/or other regulatory requirements.

Response: Comments noted. No substantive environmental issues have been raised that require a response.

Dale Bowyer, Associate Water Resource Control Engineer, California Regional Water Quality Control Board, San Francisco Bay Region (11/1/95)

Comment: Request that various management controls be implemented in the day-to-day operation of the facility to further reduce pollutants at the source.

Response: Pick-Your-Part submitted a revised SWPPP and Storm Water Monitoring Program to RWQCB in April 1999. The RWQCB and the U.S. Environmental Protection Agency (USEPA) required the revision because of the facilities various permit and regulatory violations (see Section 2.2). Several management controls are outlined in the SWPPP including preventative maintenance measures, good housekeeping measures, spill prevention and response measures, and employee training.

Comment: Pave the site with the exception of the areas noted in the Draft EIR.

Response: Section 4.8, Hazardous Waste/Materials, of the Draft EIR contains a mitigation measure that requires paving (see Section 5.3). Pick-Your-Part proposes (in their Use Permit Application) to pave the entire site, except for areas required for landscaping or structure. Fluid drainage, car crushing, and part storage facilities will be contained in buildings to prevent contamination of the site. A drainage plan is also proposed to capture storm water and treat it before it is discharged into the City of Hayward storm water system.

Comment: Provide roofing over the more concentrated pollutant-generating areas, such as the auto crusher, engine block storage, battery storage, and fluid draining areas.

Response: The issue of roof requirements is addressed in the Draft EIR, Section 4.8, Hazardous Waste/Materials, Mitigation Measures, Page 4.8-5, second paragraph, under "Hazardous Waste/Materials/Water Management." The mitigation measure reads as follows: "The area where engines, transmissions, fuel tanks, axles and batteries are stored, fluids drained, and automobiles crushed, shall be located in a containment area in impervious manmade holding basins with a holding tank to enable the removal of waste fluid. These areas shall also have a roof with gutters connected to the storm drain system."

Pick-Your-Part is proposing buildings and containment areas with roofing as part of their Use Permit application. The automobile crusher, engine storage, fluid drainage, and battery storage will be located in the proposed buildings.

Comment: Install a complex treatment system that consists of oil/water separation, followed by ion exchange removal of dissolved metals, and ending in an activated carbon removal of dissolved organics.

Response: Comment noted. Section 4.4, Hydrology and Water Quality in the Draft EIR, requires a number of mitigation measures to be implemented to treat on-site drainage before being released into a public system (see pages 4.4-8 through 4.4-12 in Draft EIR). The applicant shall obtain a NPDES permit and prepare a Storm Water Management Plan (SWMP). The RWQCB and the City of Hayward shall approve a drainage plan for the project. The first mitigation measure in Section 4.8 Hazardous Wastes/Materials (Soil and Groundwater Contamination) describes a method to treat storm water. The measure states, "The entire lot, with exception for areas required for landscaping or structures, shall be paved and drained to a properly sized oil/water separator(s),

before surface water flows leave the project site in an existing drainage facility to the northwest of the project site." To incorporate the recommendation of the comment the mitigation measure shall be modified as follows:

> **Mitigation Measure:** "The entire lot, with the exception for areas required for landscaping or structures, shall be paved and drained to a storm water treatment system before surface water flows leave the project site. The system shall consist of properly sized oil/water separator(s), ion exchange removal of dissolved materials, and activated carbon filter removal of dissolved organics."

Comment: Provide customers with easy to use drip pans to help control dripping liquid contaminates. Customers should be supervised.

Response: The suggestion to issue customers easy-to-use drip pans to reduce unintentional spills that may occur during car dismantling will be added as a mitigation measure to the Hazardous Waste/Materials/Water Management subsection of Section 4.8 Hazardous Waste/Materials as follows:

> **Mitigation Measure:** All customers removing automobile parts shall be provided with a drip pan for the purpose of collecting spills that may occur when dismantling the cars. The site operator shall be responsible for the proper disposal of all contaminates collected in the drip pans at no cost to the customer. The site operator shall inspect customer activities periodically to ensure the drip pans are being used.

Comment: Engine compartments exposed to rain should be minimized. This can be accomplished by keeping hoods down or replacing missing hoods with half sheets of plywood, or some other form of durable covering.

Response: The suggestion to keep car hoods down and covered will be implemented as the following mitigation measure in Section 4.8 Hazardous Waste/Materials, subsection Hazardous Waste/Materials/Water Management.

> **Mitigation Measure:** The engine compartment of all automobiles shall be covered. If there are hoods on the cars they must remain closed during periods of rain; if the automobile is without a hood then an alternative means of cover must be provided, such as a sheet of plywood.

Karen M. Toth, P.E. Unit Chief, Site Mitigation Branch, State of California Department of Toxic Substance Control (DTSC) Region 2 (11/9/95)

Comment: The Technical Appendices volume of the Draft EIR was not provided to DTSC with the Draft EIR. The maps depicting the site have no scale and there is a statement that site dimensions and locations are approximate over these areas.

Response: Upon receipt of the November 9, 1995 letter, a Technical Appendix was mailed to Ms. Toth for review. In a letter dated January 12, 1996, the DTSC states that the DTSC has reviewed the Technical Appendix and has no additional comments on the Draft EIR.

Figure 3.1-4, which depicts the site, has a scale of 1:2400. The site boundary is based on assessor's parcel maps and is accurate. The locations of the facilities on the map are approximate.

Comment: On page 1-9 of the Draft EIR, the sentence "The area where engines, transmissions, fuel tanks, hazardous waste/materials tanks, axles, and batteries are stored, fluids drained, and automobiles crushed shall be located in a containment area covered in impervious manmade holding basins to enable the removal of waste fluid." is unclear if these areas will be covered and protected from the rain. DTSC recommends that roofs be constructed over these areas.

Response: Roofing of areas where a higher contamination of contaminates occur is a common concern. Section 4.8, Hazardous Waste/Materials, Mitigation Measures, Page 4.8-5, second paragraph, under "Hazardous Waste/ Materials/Water Management" has a roofing mitigation measure. The mitigation measure reads, "The area where engines, transmissions, fuel tanks, axles and batteries are stored, fluids drained, and automobiles crushed, shall be located in a containment area in impervious manmade holding basins with a holding tank to enable the removal of waste fluid. These areas shall also have a roof with gutters connected to the storm drain system."

Pick-Your-Part is proposing buildings and containment areas with roofing as part of their Use Permit application. The automobile crusher, fluid drainage, and engine, axle, transmission, and battery storage will be located in proposed buildings. Below-ground tanks are proposed for recyclable fluid storage.

Comment: On page 1-10 of the Draft EIR, the statement "entire lot shall be paved and drained to properly sized oil-water separator(s)" seems to conflict with another statement on the same page, "the existing contamination shall be removed to meet required ... standards and ... requirements ...". Clarify when paving will occur. Paving it before it is characterized would prevent surface sampling and complicate subsequent soil removals.

Response: It is the intent of the RWQCB and the City of Hayward to have areas with heavy soil contamination excavated and removed prior to the paving of the site. Pick-Your-Part submitted an Interim Remedial Measure Work Plan in August 1999 to the RWQCB. The plan includes excavation of contaminated soil on the project site. Contaminated soil will be removed prior to the paving of the site.

Comment: Suggests that soil samples, at depth, be taken from the battery storage area and tested for pH. Samples should also be taken where pools of anti-freeze and oil were found.

Response: Soil samples have been taken to characterize the contamination on-site. The results were used to develop the Interim Remedial Measure Work Plan submitted to the RWQCB by Pick-Your-Part in August 1999. The plan includes excavation and removal of contaminated soil on the project site and replacing soils with clean fill. The plan must be approved by the RWQCB before it is implemented. After cleanup of the site, the site will be paved; dismantling, crushing, drainage and storage facilities will be contained; and storm water will be captured and treated before being discharged into the City of Hayward storm water system. Further soil sampling would not be

necessary once improvements are made to the site. Groundwater monitoring wells will remain at the site and samples will be taken, analyzed, and reported to the RWQCB as required.

Comment: A Preliminary Endangerment Assessment (PEA) should be conducted in order to adequately characterize the site. If desired, trained environmental experts will review the PEA for a fee. This is known as a Voluntary Cleanup Program (VCP).

Response: The extent of soil and groundwater contamination at the site was determined through several subsurface investigations. Four subsurface investigations consisting of 67 soil borings were developed at the site to collect shallow soil data and grab groundwater samples (CCC 1999). Seven groundwater monitoring wells were installed at the site, five on-site and two on the adjacent HARD property. Monitoring of the groundwater has been conducted quarterly since 1996. The analytical results of the samples collected revealed the presence of total petroleum hydrocarbons and volatile organics (BTEX) in both soil and groundwater. The areas of contamination were found to be in the scrap, fluid drainage, crusher, and battery storage areas at the site. Results have been submitted to the RWQCB. Pick-Your-Part is working with the RWQCB regarding cleanup of the site and it would not be necessary for Pick-Your-Part to enter a VCP with the DTSC.

Andrew Otsuka Development Services Dept. County of Alameda Public Works Agency (11/9/95)

Comment: File an application for a map revision/amendment with the Federal Emergency Management Agency if the project site is to be removed from the flood hazard zone. Contact the U.S. Army Corp of Engineers to determine whether the levees conform to Corps standards.

Response: The site's flood zone issue is addressed in the Draft EIR Hydrology and Water Quality mitigation measure section identified as "Flooding" (page 4.4-11) and reads as follows. "The project applicant shall submit a request to the USACE to be removed from the flood zone, indicating that levees are present adjacent to the western border of the site which reduce the potential for flooding. If the USACE finds that the levees are not in compliance with their regulations, provisions shall be made to comply with USACE regulations by improving the levees or by raising to a minimum of 7 feet 6 inches above MSL the floor elevation of the battery, engine, transmission, fuel tank and axle storage area; the car crushing area; and all areas used to store used oil, fuel, and other bulk hazardous wastes/material."

The mitigation measure shall be modified as follows.

> **Mitigation Measure:** The applicant shall request data from the USACE on the status of levees, which provide flood protection to the project site. The project applicant shall submit a request to FEMA to be removed from the flood zone, indicating that levees are present adjacent to the western border of the site which reduce the potential for flooding. If the USACE finds that the levees are not in compliance with their regulations, provisions shall be made to comply with FEMA regulations. Compliance shall be obtained by improving the levees or by raising the floor elevation of the battery, engine, transmission, fuel tank and axle storage area; and all areas used to store used oil, fuel, and other bulk hazardous wastes/materials to a minimum of 7 feet 6 inches above MSL.

Comment: The drainage ditch located near the southwesterly corner of the site adjacent to West Winton Avenue, is incorrectly identified (in the Draft EIR) as flood control channel, Line A. The channel designated as "Line A" is actually located south of West Winton Avenue.

Response: The flood control channel located near the southwesterly corner of the site, adjacent to West Winton Avenue, is incorrectly identified as flood control channel, Line A in Figure 4.4-1. The channel designated as Line A is actually located south of West Winton Avenue. The channel referred to in the Draft EIR is an unnamed drainage ditch that flows toward the HARD property. The correction shall be made to Figure 4.4-1 in Section 4.4 Hydrology and Water Quality of the Draft EIR.

Steve I. Morse, Chief, Toxics Cleanup Division California Regional Water Quality Control Board, San Francisco Bay Region (12/21/95)

Comment: The site should be paved with concrete with properly selected expansion joint material for minimum permeability to the movement of concerned fluids.

Response: Pick-Your-Part proposes in their Use Permit application to pave the open retail sales area with concrete. Customers are allowed to remove parts from automobiles in this area. The first mitigation measure in Section 4.8 Hazardous Wastes/Materials (Soil and Groundwater Contamination) requires paving. The measure states, "The entire lot, with exception for areas required for landscaping or structures, shall be paved and drained to a properly sized oil/water separator(s), before surface water flows leave the project site in an existing drainage facility to the northwest of the project site." The measure shall be modified to include the following.

> **Mitigation Measure:** Where the site is paved with concrete, joint material that provides minimum permeability to movement of concerned fluids shall be installed between concrete slabs. The City Engineer and the RWQCB shall approve the type and installation of this joint material.

Comment: Investigation of groundwater contamination should be conducted to assess threats or impacts to the wetlands' seasonal ponds and the groundwater.

Response: Five groundwater monitoring wells have been installed at the Pick-Your-Part site and two wells have been installed on the adjacent HARD property, west of the drainage ditch. Monitoring of the groundwater has been conducted quarterly since 1996. Results of the sampling have been submitted to the RWQCB. The RWQCB is requiring Pick-Your-Part to install additional monitoring wells within and immediately down-gradient of the areas of heaviest contamination, after excavation and removal of contaminated soil on-site, for future monitoring purposes. The current and proposed wells will be monitored for groundwater contamination and potential impacts to the seasonal wetlands at the adjacent HARD property.

3.3 Hayward Planning Commission Public Meeting Comments

The Draft EIR was reviewed at a public meeting by the Planning Commission on November 2, 1995 to receive comments from the public and the Commissioners. No comments were received

from the public during this meeting; however, two Planning Commissioners had comments. Responses to the comments follow.

Commissioner Caveglia

Comment: The amount of waste handled within the project seems like a hazardous waste problem. He asked if the mitigation measures would really solve the problem.

Response: Table 3.3 lists the quantities and location of significant materials (hazardous and non-hazardous) handled at the project site. Most of this hazardous product is not generated on-site but is a pre-existing condition brought to the site for disposal. The recommended mitigation measures and utilization of best management practices addressed in the Draft EIR would result in the proper handling, storage, use, and disposal of all hazardous materials and fluids. Mitigation monitoring and the required management plan will ensure that the mitigation measures imposed on the facility are enforced. The applicant's Use Permit can be withdrawn if non-compliance continues.

Commissioner Kirby

Comment: Historically automobile dismantlers and dumps were put next to the shoreline and it is important that this facility be designed to contain its waste.

Response: The mitigation measures established in Section 4.8 Hazardous Waste/Materials of the Draft EIR require that:

- Usable portions of the parcel be paved
- Storm water runoff be contained and treated before discharged into the City of Hayward storm water system

Table 3.3: Quantities and Locations of Significant Materials at the Project Site

Item	Quantity	Location	How Received	How Shipped	Frequency
Gasoline	2,000 gal	Impound	In cars	Gas truck	Twice-Monthly
Waste Oil	1,000 gal	Impound	In cars	Truck	Monthly
Batteries	300 units	Impound	In cars	Truck	Monthly
Scrap Metal	1,500 tons	Scrap Area	In cars	Truck	Monthly
Diesel Fuel	1,000 gal	Impound	Truck	Truck	Monthly
Waste Antifreeze	500 gal	Impound	In cars	Truck	Monthly

SOURCE: ESA 1999/ MHA 1999

- Hazardous materials/fluids are properly handed, stored, and disposed of
- Site operations meet the approval of the RWQCB

The mitigation measures as revised in this Supplement will ensure that all drainage and hazardous waste will be confined to the site to properly prevent contamination of adjacent properties. Pick-

Your-Part has proposed improvements as part of their Use Permit application that incorporate the above measures.

4.0 ENVIRONMENTAL SETTING

The purpose of this section is to supplement the existing setting sections of the Draft EIR. A regional setting section is provided which describes the biological resources, soils, geology, climate, public services, utilities, and socioeconomics in the project area. Regulatory and permit requirement changes since the Draft EIR was circulated are reviewed and listed. Lastly, this section defines changes that will be made to existing setting sections in the Draft EIR in response to comment letters on the Draft EIR, changes in regulations, or environmental changes.

4.1 Regional Setting

The City of Hayward is located in Alameda County on the east shore of the San Francisco Bay, 25 miles southeast of San Francisco, 14 miles south of Oakland, 26 miles north of San Jose, and 10 miles west of the Livermore Valley. The City of Hayward encompasses a total of 61 square miles; with 30 square miles of urbanized land, 17 square miles under the San Francisco Bay, 9 square miles of Bay land, and 5 square miles of rangeland.

BIOLOGICAL RESOURCES

Although the City of Hayward is almost fully developed, the section of the City of Hayward near the Bay and near the Pick-Your-Part site contains some 8,500 acres of marshes and former marshes (HASPA 1993). Approximately 5,100 acres of marsh are being used for salt production as saltwater evaporation ponds, and 2,300 acres have been acquired by public agencies for environmental enhancement, recreation, and flood control purposes. The remaining 1,100 acres are held by private parties and are mostly considered surplus, former salt production lands. West of the marsh zone are mud flats and open bay.

The Hayward Shoreline contains an array of highly diverse ecological areas that provide or could provide habitat for numerous species of plants and animals. The mudflats and channel bottoms are valuable habitats for benthic invertebrates, which serve as food for fish and shorebirds. The tidal marshes are dominated by pickleweed (*Salicornia sp.*) with other plants distributed at various tidal

levels. The outer, lower tidal edges of the marshes often consist of cordgrass (*Spartina sp.*). The cordgrass and pickleweed marshes provide habitats for invertebrates, various species of birds, and small mammals. The marsh channels and edges serve as nursery grounds for shellfish and fish. The marshes also provide habitat for rare and endangered species such as the Salt Marsh Harvest Mouse and the Clapper Rail.

Saltwater evaporation ponds provide habitat for a variety of microorganisms, insects, and crustaceans that serve as food for small fish and waterfowl. The levee systems that surround the ponds provide roosting and nesting areas for a variety of birds including the Least Tern (Endangered), Snowy Plover (Species of Special Concern), and many species of waterfowl.

The Hayward Shoreline also contains perennial freshwater ponds, diked vegetated wetlands, seasonal wetlands, and uplands that provide habitat values. The perennial freshwater ponds support a broad range of animal species, with an abundance of waterfowl, and include low salt-tolerant vegetation such as sedges, bulrush, and cattails. The diked-vegetated wetlands and seasonal wetlands provide ideal roosting and nesting sites for birds and habitat for small mammals, including the Salt Marsh Harvest Mouse. Uplands not only provide habitat for upland species, they also provide roosting and nesting sites for waterfowl, and refuge for small mammals.

SOILS AND GEOLOGY

The project area is underlain by bay muds and recent and Pleistocene age alluvial fan deposits of silty sand with a westward-sloping surface (Recon 1995). The upper 60 inches of alluvial soils were deposited by streams originating out of the San Leandro Hills of the Coastal Mountain Range, located to the east of the project site. The subject site is in an area of consolidated tidal lands, made up of typically poorly drained clay, younger Bay Mud, and with a high saline or alkaline salt content (Recon 1995).

The project site is located on land that slopes slightly to the west. Elevations on the project site range from three to five feet above mean sea level (MSL) (Recon 1995).

Seismic shaking is common in the San Francisco Bay Area because of the proximity to crustal plate boundaries. Earthquake faults near the project site include the Hayward Fault, approximately 3.0 miles to the northeast, the San Andreas Fault located 15.0 miles to the southwest, and the Calaveras Fault located 12 to 15 miles northeast of the project site. Potential hazards resulting from earthquakes that threaten structures and the safety of human beings on-site can result from ground shaking, liquefaction, and subsidence or settlement.

CLIMATE

The climate in the City of Hayward is moderate. The average annual temperature is about 55.8°F, with an average annual minimum and maximum temperatures of 47.7°F and 66.0°F respectively. The majority of the precipitation occurs during the winter months. The annual precipitation in the City of Hayward has been recorded to be 17.54 inches.

SOCIOECONOMICS

On January 1, 1999, the total population in the City of Hayward was 127,713 (City of Hayward 1999). Approximately 3.5 million people reside within a thirty-mile radius of the city. The average household income in the city for 1995 was $52,200, with an average number of persons per household of 2.82 (Hayward Chamber of Commerce 1999).

PUBLIC SERVICES AND UTILITIES

The City of Hayward provides various services to its residents. Police services are provided by 268 full-time officers in patrol, investigation and administration. Fire services are provided by 110 department personnel. The Fire Department provides services for fire suppression, emergency medical response, rescue emergencies, hazardous materials incidents, and support services. The majority of Hayward, including the project area, is served by the Hayward Unified School District. The district operates 23 elementary schools, 5 middle schools and 3 high schools. The New Haven Unified School District and San Larenzo Unified School District also serve portions of Hayward. California State University, Hayward and Chabot College are located in the City of Hayward.

Water supply is provided by the City of Hayward, which has a maximum delivery capacity of 32 million gallons per day and an annual average daily consumption of about 18 million gallons per day. About 10% of the City, mostly the northern part generally located north of 'A' Street, is served by the East Bay Municipal Utilities District. Sewer service is provided by the City of Hayward, which has a maximum rated capacity of 13.1 million gallons per day. About 10% of the City, mostly the northern part generally located north of 'A' Street, is served by the Oro Loma Sanitary District. The City of Hayward has a storm water system in the vicinity of the project, and its storm drain line which discharges to the County Flood Control District's line, was sized to accommodate the project site.

4.2 Regulatory and Permit Requirement Changes

This section identifies the regulatory and permit requirement changes that have occurred since the Draft EIR was prepared. Changes are related to the parameter sections biology, hydrology and water quality, and hazardous materials and wastes. Pick-Your-Part has been cited by several agencies for regulatory and permit violations related to hydrology and water quality and hazardous materials and waste. As a result, the agencies with jurisdiction (e.g., City of Hayward, RWQCB, USEPA) have required Pick-Your-Part to implement remedial actions and measures.

BIOLOGY

The project site is devoid of vegetation and currently exhibits no wildlife habitat values due to its development and use as an automobile dismantling yard. The adjacent HARD Parcel No. 2 may contain those sensitive species listed in the Draft EIR. The California Department of Fish and Game and the U.S. Fish and Wildlife Service have listed additional species as sensitive since the preparation and public review of the Draft EIR. However, only one of those newly listed species has the potential to occur at the adjacent HARD property. The California red-legged frog (*Rana aurora draytonii*) was listed as a Federally Threatened species on May 20, 1996. California red-legged frogs are found in marshes, streams, lakes, reservoirs, ponds, and other sources of water that are usually permanent (LSA Associates, Inc. 1998). The adjacent HARD property is comprised of

12 acres of diked wetlands and 28 acres of seasonal ponds, which may serve as habitat for the California red-legged frog.

HYDROLOGY AND WATER QUALITY/HAZARDOUS MATERIALS AND WASTES

Since the preparation of the Draft EIR, Pick-Your-Part has had continued violations of their California General Industrial Activities Storm Water NPDES Permit. The facility has also had ongoing problems with proper storage, handling, and disposal of hazardous materials and waste at the site. The City of Hayward (Water Pollution Source Control and Hazardous Materials offices), RWQCB, and the USEPA have conducted inspections of the Pick-Your-Part site. Violations were observed during the inspections. The following information describes agency actions and Pick-Your-Part's responses.

City of Hayward

On February 22, 1999, City of Hayward Water Pollution Source Control and Hazardous Materials inspectors observed site conditions and activities out of compliance with regulations and NPDES permit requirements at the Pick-Your-Part site. The USEPA, the RWQCB, and the HARD staff visited the site with the City inspectors. According to a March 2, 1999 letter from the City to Pick-Your-Part, the inspection revealed:

- Discharge of hazardous fluids directly onto the ground and flowing directly onto adjoining wetlands (HARD property).
- Improper labeling of hazardous waste containers.
- Hazardous materials containers with no secondary containment.
- No onsite qualified person to monitor hazardous materials and wastes, handling and storage.
- Hazardous materials containers and secondary containment open to rainfall. Some of the containment, such as that for battery storage, was overflowing due to the excess water.
- The vehicle draining area containment pad had a valve in the open position, allowing spilled fluids to drain out of containment onto the ground.
- Extensive ponding of surface water that was draining directly into the adjacent seasonal wetlands.

During a February 26, 1999 meeting with the City of Hayward, Pick-Your-Part agreed to do the following:

- Cease discharge of treated water until approval is obtained from USEPA, RWQCB, and City of Hayward Water Pollution Source Control.
- Contain all runoff on site, and add additional tanks for holding runoff water on the site.
- Aggressively pursue the drafting and completion of a new Environmental Impact Report for the proposed development at the site.
- Maintain a qualified environmental specialist to be available at the site on a 24-hour basis to ensure that further hazardous materials releases are prevented, best management practices are maintained, and various regulations related to hazardous materials and stormwater compliance are monitored and maintain compliance.

- Submit a written time line to the City of Hayward indicating when specific tasks will be accomplished to mitigate hazardous materials release from the site.
- Provide the City with a list of contacts, including emergency contact for hours after the regular hours of operation.

Since the initiation of Pick-Your-Part's Use Permit application and the EIR process, the City of Hayward through the Fire Department has become a Certified Unified Program Agency. The City has now taken on the responsibility of enforcement of the Hazardous Waste programs from Alameda County and the Hazardous Waste Treatment Programs from the State of California Department of Toxic Substance Control. The applicant is now required to maintain and keep current:

- An annual Unified Program Consolidated Permit and Registration for Hazardous Waste and Hazardous Materials
- An annual Auto Wrecking Yard Permit.

Regional Water Quality Control Board

On October 21, 1998, the RWQCB issued Pick-Your-Part Executive Order No. 98-109, Site Cleanup Requirements. The Order prohibits:

- The discharge of wastes or hazardous substances in a manner that will degrade water quality or adversely affect beneficial uses of Waters of the State.
- Further significant migration of wastes or hazardous substances through subsurface transport to Waters of the State.
- Activities associated with the subsurface investigation and cleanup which will cause significant adverse migration of wastes or hazardous substances.

The Order requires Pick-Your-Part to submit an Interim Remedial Action Work Plan, a technical report documenting completion of necessary tasks identified in the work plan, and proposed Final Remedial Actions and Cleanup Standards. The final report would contain:

- Results of the remedial investigation
- Evaluation of the installed interim remedial actions
- Feasibility study evaluating alternative final remedial actions
- Risk assessment for current and post-cleanup standards
- Implementation tasks and time schedule.

On March 12, 1999, the RWQCB issued Pick-Your-Part a Notice of Violation of NPDES Permit CAS000001 (General Permit) and applicable sections of the San Francisco Bay Basin Water Quality Control Plan and the State Water Code. The RWQCB required the submittal of the following:

- Records and/or a report including all required sampling results, visual observations, and all other information required but were not submitted to the RWQCB pursuant to NPDES Permit CAS000001.
- A revised SWPPP that fully complies with the requirements of the General Permit. The SWPPP shall address the violations listed above and shall include a schedule

for implementation of best management practices (BMPs) necessary to provide control or treatment of storm water to the Best Available Technology/Best Control Technology level.

- A report of records, for the period of April 1, 1994 to March 12,1999, including monitoring, sampling, and/or analytical results; all facility inspections and evaluation conducted pursuant to the General Permit but not included in Annual Report.
- A report describing the design and operation of the existing storm water treatment system and the facility's discharge history.

Environmental Protection Agency

In a letter dated February 26, 1999, the USEPA issued a Finding of Violation and an Order for Compliance to Pick-Your-Part for its violations of the General Permit and the Clean Water Act. The Order requires Pick-Your-Part to:

- Cease discharge of contaminated storm water runoff from the Hayward facility's impound and scrap sections.
- Implement certain specific short-term BMPs.
- Revise the facility's SWPPP.
- Submit certain information relating to its compliance with the General Permit.

Pick-Your-Part's Remedial Actions and Measures

Pick-Your-Part has complied with some of the actions and measures required by the City of Hayward, RWQCB, and the USEPA. An Interim Remedial Action Work Plan was submitted in January 1999 to the RWQCB by Pick-Your-Part, as required by Executive Order No. 98-109 (CCC 1999). The interim remedial actions are as follows:

- Construction of containment for the fluid drainage, aboveground tanks, and crushing areas at the site.
- Construction of a containment wall (using sandbags) along the western boundary of property to prevent run-off.
- Provide holding tanks for storm water during the wet season.
- The training of employees in the proper handling and storage of hazardous materials and waste.
- Daily clean up of spills and discharge to ground surface in the retail section of the facility.
- Containment of drainage, aboveground tanks, drums, and crusher.

An Ecological Risk Assessment (ERA) report was included in the Interim Remedial Action Work Plan at the request of the RWQCB. The purpose of the report was to evaluate the potential adverse impacts on biological receptors, resulting from exposures to contaminants originating from the Pick-Your-Part facility. The assessment demonstrated that the contaminants from the facility have potentially impacted the neighboring seasonal wetland area on the adjacent HARD property. It was concluded in the report that any efforts to remove the impacted soil and groundwater from the adjacent HARD property would be expected to have a more significant impact on biological receptors than leaving the low-level contaminates in place.

Pick-Your-Part prepared a revised SWPPP and SWMP in April 1999 (ESA 1999). The revisions were made to meet the requirements of the General Permit, address violations noted by the RWQCB and the USEPA (see above), and address compliance issues raised by the City of Hayward (see above). The document includes some of the measures from the October 1995 SWPPP addendum, measures from the January 1999 document, and new measures to address the concerns of regulatory agencies. Many of the new measures have been adapted from BMPs recommended for automotive-related industries by the Alameda County Urban Runoff Clean Water Program.

In August 1999, an Interim Remedial Measure Work Plan (IRM) was prepared by Pick-Your-Part as part of the requirements of the RWQCB Order No. 98-108. The plan proposes soil remediation on the project site via the excavation and removal of the upper 1 to 2 feet of surface stained soils and back-filling with clean fill. The extent of excavation will be determined by visual observations. The plan also states that stained soil will be removed from the adjacent HARD property if:

- HARD and RWQCB would like the material removed
- HARD will allow Pick-Your-Part access to its property
- Necessary permits for work in the wetlands can be obtained so that work can be coordinated with site development work.

Pick-Your-Part proposes to coordinate the measures of the IRM with site development activities. The excavation of on-site and off-site contaminated soil will be performed during removal of current features in the western portion of the site and prior to installing the paved parking lot. A technical report documenting the completion of the measures of the plan will be submitted to the RWQCB within six weeks of its completion.

The RWQCB reviewed the IRM and accepted it with the following conditions.

- Expand the soil excavation activity to include all grossly contaminated soils along the western edge of the property between the ground surface and the water table.
- Provide existing soil sample data for polynuclear aromatic compounds (PNAs) to the RWQCB.
- Provide a post-IRM soil impact map in the final IRM report submitted to the RWQCB. The map clearly depicts areas of impacted soil left in place in the vadose zone and in the capillary fringe zone above the interim cleanup criteria of 100 mg/kg and 1 mg/kg total volatile organic compounds (VOCs).
- Following the back-filling of excavations, install additional monitoring wells within and immediately downgradient of the areas of heaviest contamination for future monitoring purposes.

The RWQCB may require Pick-Your-Part to apply for an Individual NPDES Permit instead of a General Permit because of previous compliance problems. Pick-Your-Part would be treated as a point source discharger and would have specific limits on discharges under an Individual NPDES Permit.

4.3 Sections with No Changes to Existing Setting in Draft EIR

Some sections do not require changes in the Existing Setting of the Draft EIR because there were no comment letters, changes in regulations, or environmental changes that related to that parameter. The parameters with no changes are the following:

- Section 4.1 Land Use
- Section 4.3 Soils, Topography, Geology and Seismicity
- Section 4.6 Noise
- Section 4.9 Socioeconomics

4.4 Sections with Changes to Existing Setting in Draft EIR

This section outlines changes to existing setting that will be made to parameter sections in the Draft EIR in response to comment letters on the Draft EIR, changes in regulations, or environmental changes.

DRAFT EIR SECTION 3.0 PROJECT ALTERNATIVES

Figure 3.1-3 Project Site in the Draft EIR will be modified to add the small parcel on the easterly edge of the project labeled "Not A Part" to project site. Since the Draft EIR, this small parcel [APN 438-30-6, 0.23 acres] has been added to project site in the Use Permit application. The Pick-Your-Part Site Plan (Figure 3) includes development on the small parcel on the easterly edge of the project.

The sentence within Section 3.3 -7. Public Utilities, on pages 3-8, that reads "There are no substantial public utilities impacts associated with developing an industrial facility on this site." shall be removed.

DRAFT EIR SECTION 4.2 VEGETATION AND WILDLIFE

Two sensitive species may occur at the adjacent HARD Parcel No. 2 that were not listed in the Draft EIR, the California black rail and California red-legged frog. The California black rail is state-listed as threatened and is a federal species of concern. According to the California Department of Fish and Game (CDFG) Natural Diversity Data Base (1999), the California black rail (*Laterallus Jamaicensis Coturniculus*) was sited at Arrowhead Marsh just north of the Oakland International Airport on November 21, 1995. The site is approximately 5 miles north of the adjacent HARD property. The California black rail mainly inhibits salt-marshes bordering larger bays, brackish marshes (marshes heavily filled with pickelweed), and freshwater.

The California red-legged frog (*Rana aurora draytonii*) was listed as a Federally Threatened species on May 20, 1996. California red-legged frogs are found in marshes, streams, lakes, reservoirs, ponds, and other sources of water that are usually permanent (LSA Associates, Inc. 1998). The adjacent HARD property is comprised of 12 acres of diked wetlands and 28 acres of seasonal ponds, which may serve as habitat for the California red-legged frog.

DRAFT EIR SECTION 4.4 HYDROLOGY AND WATER QUALITY

The flood control channel located near the southwesterly corner of the site, adjacent to West Winton Avenue, is incorrectly identified as flood control channel, Line A in Figure 4.4-1. The channel designated as Line A is actually located south of West Winton Avenue. The channel referred to in the Draft EIR is an unnamed drainage ditch that flows toward the HARD property. The corrected Figure 4.4-1 is included in this supplement.

DRAFT EIR SECTION 4.5 AIR QUALITY

The attainment status for the San Francisco Bay Area Air Basin has changed since the Draft EIR was prepared in 1995. Ozone (O_3) and particulate matter less than 10 microns (PM_{10}) were given non-attainment status at both the state and federal level during the preparation of the Draft EIR. As of April 1999, the Basin was still non-attainment for O_3 at both the state and federal level (BAAQMD 1999). The Basin was attainment for PM_{10} at the federal level but non-attainment at the state level (BAAQMD 1999) as of April 1999.

DRAFT EIR SECTION 4.7 PUBLIC SERVICES AND UTILITIES

The sentence within Section 4.7 - Wastewater Services, Existing Setting on page 4.7-1, is modified to change the peak treatment capacity in dry weather of the sewage plant from 15 MGD to 13.1 MGD.

The sentence, mid-paragraph within Section 4.7 - Existing Setting, Water Services, on Page 4.7-1, is modified to change the word "entirely" to "mostly" and change "240 miles" to "300 miles".

5.0 IMPACTS AND MITIGATION MEASURES

5.1 Parameters with No Changes to Impacts in the Draft EIR

All of the parameter sections in the Draft EIR, except Sections 4.2 Vegetation and Wildlife and 4.6 Noise, have no changes to impacts.

5.2 Parameters with Changes to Impacts in the Draft EIR

VEGETATION AND WILDLIFE

The Draft EIR identified noise impacts from a car crusher located on the west side of the property. The noise impact from car crusher was determined to potentially affect the wildlife on the adjacent HARD property (see Section 4.2 Vegetation and Wildlife of the Draft EIR). The car crusher was recently removed from the project site and is no longer creating noise impacts on the adjacent HARD property.

Pick-Your-Part submitted site plans as part of their Use Permit application. They propose to locate the car crusher on the east side of the property and enclose it in a building. This location would avoid noise impacts from the car crusher to wildlife on the adjacent HARD property. However, the new location of the car crusher could result in noise impacts on adjacent properties, that can be mitigated.

NOISE

Section 4.6 Noise is modified regarding noise impacts from the car crusher. The car crusher was removed from the project site due to violations. Pick-Your-Part submitted site plans as part of their Use Permit application and proposes to locate a car crusher on the east side of the property and enclose it in a building. The location would avoid noise impacts from the car crusher to the adjacent HARD property. However, noise impacts may occur to the property on the east side of the site if the car crusher is moved to the east side of the site as proposed.

5.3 Mitigation Measures

This section lists the mitigation measures defined in the Draft EIR, changes to the Draft EIR mitigation measures as a result of the Supplement, and new mitigation measures proposed in this Supplement.

DRAFT EIR MITIGATION MEASURES

This section contains reproductions of the mitigation measures from the Draft EIR prepared in 1995. The mitigation measures are listed by sections from the Draft EIR.

Draft EIR Section 4.1 Land Use

The Project Applicant shall implement Resolution # 77-403, "Development Standards For Automobile Wrecking and Salvage Yards," as adopted by the Planning Commission.

Setbacks. A minimum 10 foot setback shall be provided along the full frontage of the property.

Fencing. In the event materials are to be stored outside of a building, the following conditions shall apply:

- A painted masonry or concrete tilt-up wall with recessed decorative panels shall be constructed and maintained along the front of the property behind the required setback. The wall shall be sunk a minimum of 8 inches below grade and constructed to a height of 10 feet above grade and designed to withstand a 15-pound per square feet wind load.
- The rear and side property lines shall be enclosed and maintained with a chain-link fence with wood batts or a masonry or concrete wall shall be constructed to a minimum height of 8 feet above grade, designed to withstand a 15-pound per square feet wind load.
- Materials shall be stacked no higher than the height of the fence nor shall materials be stacked within 10 feet of the fence.

Parking. Minimum off-street parking requirements shall apply as follows:

- 5 spaces plus;
- 1 space for each 20,000 square feet under use, plus;
- 1 space of adequate size shall be provided for each item of rolling stock equipment stationed on the premises.
- Parking area shall be paved with 2 inches Asphaltic Concrete over 6 inches aggregate base or shall be paved in concrete.
- Each parking space shall be provided with a Class "B" Portland Cement concrete bumper block or continuous concrete curb not less than 6 inches in height above the finished pavement.
- All parking spaces and circulation areas shall comply with the minimum Parking Ordinance Standards as to location, dimension, drainage, surfacing and marking.

- Parking spaces shall remain open and clear for visitors or customers use and shall not be used for storage or the unloading of abandoned or wrecked vehicles, parts, or other materials associated with the proposed use.

Paving. Entire remaining area of lot shall be paved with concrete or asphalt or 4 inches of crushed rock.

Access Aisles. A minimum 10 foot wide access aisles shall be provided which shall divide material storage areas into aisles not exceeding 35 feet in width.

Drainage. Prior to installation of paving, a grading and drainage plan shall be approved by the City Engineer and the Alameda County Flood and Water Conservation District (see Section 4.4, Drainage and Water Quality, for more mitigation measures relating to this Development Standard).

Landscaping. The required 10 foot front yard setback shall be landscaped with trees, shrubs and groundcover except where driveways are located. Mounding of earth and other desirable landscape features will be incorporated wherever feasible. Landscaping plans shall be prepared by a licensed landscape architect. Additional landscape planters and/or tree wells shall be located in unused portions of parking areas and adjacent to the front 10 foot-high masonry or concrete tilt-up wall.

Where any landscaped area adjoins driveways and/or parking areas, Class "B" Portland Cement concrete curbs shall be constructed to a height to 6 inches above the finished pavement. Required landscaped areas shall be watered, fertilized, weeded, pruned, sprayed, or otherwise maintained, including replacement as needed.

Irrigation. Within all required landscape areas, a complete automatic sprinkler system with an automatic on/off mechanism shall be installed.

Others. New operations shall comply with conditions prior to commencement of the use and/or storage of any vehicle.

All operations and physical improvements shall be conducted in accordance with the requirements of all Municipal, County, State, and Special District codes and regulations.

No loading or unloading shall take place on public streets.

Curb, gutter, and half-street pavement improvements and sidewalks with appropriate transitions shall be installed along project frontage on West Winton, within six months of Use-Permit issuance.

Draft EIR Section 4.2 Vegetation and Wildlife

Prior to commencement of offsite soil remediation, the applicant shall prepare a Mitigation Plan acceptable to HARD, CDFG, U.S. Fish and Wildlife Service and the USACE for all off-site areas that will be subject to soil remediation or removal. This Mitigation Plan shall include regrading and revegetation, which shall include replacement of similar wetlands at a 1:1 ratio.

Adherence to the Storm water Management and Urban Runoff Control Ordinance and Hazardous Materials Storage Ordinance is required to minimize the probability of spills occurring on site.

Draft EIR Section 4.3 Soils/Topography/Geology and Seismicity

Any future foundations planned for the site and paving or slabs required as mitigation shall be designed by a qualified geotechnical engineer to reduce liquefaction, differential settlement and shrink-swell impacts. This design shall include removal and reengineering of foundations and/or slabs.

A structural study of existing structures shall be prepared by a qualified individual to determine the safety of the existing structures on-site and measures shall be implemented to bring the structures up to the applicable Uniform Building Code structural requirements, within 2 years of use permit issuance.

Seismic design requirements of the applicable Uniform Building Code shall be satisfied for any new construction in order to reduce the effects of ground shaking.

Draft EIR Section 4.4 Hydrology and Water Quality

Drainage. Prior to connecting with the off-site storm drain system, the project applicant is required to submit an application to the State Water Resources Control Board for a General Industrial Storm Water Permit. Connection to the off-site storm drain system shall be required as a condition of Use Permit issuance.

Measures proposed to prevent storm water contamination shall include water quality control measures to ensure minimized contaminants in waters discharged to the city drain at the northwest corner of the project. The water quality control measures shall address both construction and operation periods. The measures shall be implemented in the proposed project as a condition of Use Permit issuance and during the life of the project. Fluvial erosion related to construction shall be controlled by a construction erosion control program, which shall be filed with the city and kept current throughout any site development phase. The erosion control program shall include the following best management practices:

- Minimize long, unbroken flow paths by placing transverse sandbag lines across flow paths.
- Make drainage swales broad and flat to reduce hydraulic efficiency.
- Control off-site drainage and route it around newly graded areas.
- Provide berms along the tops of slopes to prevent water from running uncontrolled down the slopes.
- Collect the water in these berms and take it down the slopes in an erosion-proof drainage system.
- Provide energy dissipaters and erosion control pads at the bottom of downdrains.
- Direct site drainage into a sediment control basin before releasing it from the site.
- Install permanent landscaping and paving, as soon as practical, after the completion of grading.

- Maintain facilities in operable condition at all times.
- Inspect facilities at the end of each work day to ensure they are ready for service.

Sediment control basins to capture eroded sediments and contain them on the project site shall incorporate the following design criteria:

- Provide 15 cubic yards of sediment storage per acre of tributary drainage area.
- Provide an erosion-proof spillway from the basin to a protected outlet.
- Do not provide a drain in the basin, since this would allow some sediment to escape.
- If site conditions permit, build an oversized basin so it will not have to be cleaned out during the life of the grading project.
- Maintain and clean out basin, as necessary.
- Inspect basin at end of each work day to assure it is in working order.

A SWMP shall be prepared for the operation of the project and shall be utilized to obtain an NDPES Permit. The SWMP shall utilize measures selected from the following:

- Educate employees and the public regarding the problem of contaminates in urban runoff and solutions they can utilize to reduce the amount of contaminants in urban runoff.
- Promote efficient and safe housekeeping practices when handling cleaning solutions, paint products, and automotive products. These substances should be utilized and stored according to labels, instructions and permits, and shall not be disposed of in a manner that will allow them to contaminate storm flows.
- Minimize the use of and utilize the least harmful fertilizers, pesticides, cleaning solutions, automotive, and paint products where alternatives exist.
- Hazardous materials shall be stored as follows: in the minimum amount necessary; in designated areas; utilizing secondary containment; and shall be subject to regular inspections. The proposed project shall meet the requirements of the locally adopted Uniform Fire Code and Hazardous Materials Storage Ordinance.
- Employees and contractors shall be trained in appropriate storage methods and procedures for cleanup of spills.
- Discourage illegal dumping by stenciling elements of the drainage system with a sign prohibiting dumping and indicating the reason for the sign.
- Set up used oil disposal facilities which arrange for recycling of bulk used oil.
- Project operators shall ensure that vehicle maintenance occurs in appropriate facilities and that spills are reduced, contained, and cleaned up before they contaminate urban runoff.
- Discharge of pollutants to storm water from aboveground storage tanks shall be minimized by installation of secondary containment, regular inspections, and training in spill cleanup techniques.
- Reduce the discharges of pollutants from roadway, vehicle storage, and parking lot surfaces by conducting street cleaning on a regular basis.
- Maintain storm water inlets on a regular basis to remove pollutants.

- Regularly remove illegally dumped items and materials from storm drainage channels.
- Retention/detention basins or other infiltration devices shall be utilized in drainage systems where conditions permit.
- Wet ponds (i.e., permanent water pools used to treat incoming storm water) or constructed wetlands shall be utilized where warranted and conditions permit.
- Oil/water separators shall be installed and maintained.
- Vehicle fueling and washing facilities, including steam cleaning, shall utilize concrete floors, protected from the rain and drained to a sump to assure contaminates are contained and shall comply with the adopted Uniform Fire Code and Uniform Building Code.
- Outdoor container storage of liquids and outdoor equipment shall include a dike to contain spills and storm water and be covered to minimize storm water in the area. Depending on the size of the covering and the occupancy classification of the covering, sprinkler protection may be required and shall comply with the adopted Uniform Fire Code and Uniform Building Code.
- Hazardous waste/materials stored outdoors shall be covered, or have secondary containment and be designed to prevent storm water run-on and shall comply with the adopted Uniform Fire Code and Uniform Building Code.

The project operations shall continue and augment procedures which ensure that engine, gear box, transmission and axle oil, coolant, transmission fluid, wiper washer fluid, power steering fluids, and brake fluid are drained from vehicles accepted for disposal at the site. All vehicles shall be drained of fluids in a facility designed to ensure that spills are contained, prior to allowing the public to dismantle vehicles for parts. This activity shall be conducted in an area that is covered with a roof and designated for this purpose. All fluids drained shall either be collected and stored for pick up for recycling or disposal at an appropriate hazardous waste/materials disposal facility. Permits for storage, transportation, and disposal of hazardous fluids shall be kept up to date and shall be adequate to address the quantities and types of substances. In addition, an information document shall be prepared and provided to all employees and customers indicating the reasons that oil and fluid spills shall be contained and outlining procedures to clean up or alert management to the need for cleanup.

Flooding. The project applicant shall submit a request to the USACE to be removed from the flood zone, indicating that levees are present adjacent to the western border of the site which reduce the potential for flooding. If the USACE finds that the levees are not in compliance with their regulations, provisions shall be made to comply with USACE regulations by improving the levees or by raising to a minimum of 7 feet 6 inches above MSL the floor elevation of the battery, engine, transmission, fuel tank and axle storage area; the car crushing area; and all areas used to store used oil, fuel, and other bulk hazardous wastes/material. (*This measure is modified in response to a comment made on the Draft EIR. See Draft EIR Mitigation Measures with Changes section below.*)

The storm drain system shall be in compliance with City of Hayward drainage standards, and the RWQCB permit requirements.

The project site shall provide a drainage easement to allow adjacent properties to drain across the project site to connect with the Hayward storm water system.

The applicant shall have a survey completed by a qualified engineer to identify areas on the site at an elevation below the mean high tide elevation. A Section 10 USACE permit shall be obtained prior to any construction occurring in these areas.

Draft EIR Section 4.5 Air Quality

Areas of soil redistribution shall be watered down twice daily to form a crust or as necessary to trap fugitive dust and particulates during construction until plant material, paving, soil binder, or building coverage reduce the need for such measures.

If water is limited, soil binders such as soil cement may be spread in conjunction with watering, or sheet coverings such as burlap may be used on small areas. Areas with soil binders shall be turned over prior to revegetation.

During periods of wind speeds higher than 15 mph, grading activities shall be temporarily suspended.

Disturbed areas shall be revegetated or paved, as soon as possible, to reduce dust during construction activities.

The applicant shall obtain a permit from the Bay Area Air Quality Management District (BAAQMD) for fuel transferred on-site and shall utilize equipment to ensure that vapor loss of reactive organic gasses is minimized.

Draft EIR Section 4.6 Noise

Construction Noise. All construction vehicles and equipment shall be properly muffled. California State Noise Standards for Delivery Motor Vehicles shall be met.

The public shall be informed of proposed construction timelines to minimize potential annoyance related to construction noise.

Facility Noise. (*Note the following noise mitigation measures no longer apply due to current conditions at the project site (i.e., removal of car crusher) and due to improvements proposed in the Use Permit application (i.e., enclose car crusher in building on east side of site). See Draft EIR Mitigation Measures with Changes section below.)*

A sound shielding structure shall be installed to mitigate noise from the car crusher facility on the western edge of the property (see Draft EIR Figure 4.6-1, Schematic Drawing of Noise Enclosure Around Car Crusher). This structure shall be a partial enclosure around the crusher and associated equipment, including the diesel engine and pumps. The structure is open to the east, and shall be 20 feet high and shall have a distance of ten feet from any part of the equipment to allow for ample clearance and forklift access. The enclosure sides are to be angled 45° and shall extend at least five

feet beyond the equipment. The enclosure shall not be in contact with the equipment through piping, conduits or any walls.

The enclosure walls are to have a surface density of at least 2 pounds per square foot and shall be constructed from 3/4-inch thick exterior-grade plywood or a similar material. The inside surfaces of the wall (facing the equipment) shall be treated with acoustic absorptive material such as 1-5/8-inch thick Pyroc (or similar), having an absorption rating of a minimum 0.7 Noise Reduction Coefficient (NRC).

Alternatively, noise generated by the car crusher can be reduced to meet City standards by locating and operating the car crusher more than 120 feet from any property line.

Forklift vehicles servicing the crusher facility shall be equipped with properly operating, maintained and effective mufflers or shall be powered by electricity.

Draft EIR Section 4.7 Public Services and Utilities

The project applicant shall provide hookup to the water main along West Winton Avenue, to provide a capacity of 6400 gallons per employee per day.

The project applicant shall provide hookup to the sewer line, which runs along West Winton, to provide a capacity of 5700 gallons per employee per day.

The applicant shall provide all sinks, drinking fountains, toilets, and other fixtures as required by the City of Hayward Municipal Code Section 11.3.215.

Draft EIR Section 4.8 Hazardous Wastes/Materials

The entire lot, with exception for areas required for landscaping or structures, shall be paved and drained to a properly sized oil/water separator(s), before surface water flows leave the project site in an existing drainage facility to the northwest of the project site. (*This measure is modified in response to comments made on the Draft EIR. See Draft EIR Mitigation Measures with Changes section below.*)

Groundwater monitoring wells shall be developed on the project site in order to investigate the extent of contamination in the groundwater and in order to develop appropriate abatement and remedial actions for the soils and groundwater in the contaminated area. Abatement and remedial actions shall be implemented that are acceptable to appropriate regulatory agencies, such as the RWQCB, San Francisco Bay Region; Alameda County Health Agency, Department of Environmental Health; Wastewater Discharge Regulations, and City of Hayward Fire Department, Hazardous Materials Office, to ensure that the public and adjacent plant and animal life are not subjected to levels of hazardous wastes/materials in excess of state and federal standards.
The project applicant shall comply with the Hazardous Materials Storage Ordinance (Hayward Fire Department, Hazardous Materials Office), Uniform Fire Code (Fire Prevention Offices of the Hayward Fire Department), and the requirements of the Alameda County Health Agency, Department of Environmental Health.
The area where engines, transmissions, fuel tanks, axles, and batteries are stored, fluids drained, and automobiles crushed shall be located in a containment area covered in impervious manmade

holding basins with a holding tank to enable removal of waste fluid. These areas shall also have a roof with gutters connected to the storm drain system. The City of Hayward does not allow above-ground tanks with a capacity greater than 60 gallons. If allowed, provisions of the Uniform Building Code and Uniform Fire Code may require special construction techniques, designs and precautions if a roof is located over the storage tanks. In addition, rain surface water shall be diverted away from these areas in order to prevent the rain water from mixing with the waste fluids. This would reduce to insignificance impacts associated with drainage of hazardous waste/material fluids from the crusher and storage areas to the adjacent property and eliminate the primary source of groundwater contamination. Waste fluid shall then be hauled away and disposed of properly by recycling or other approved hazardous wastes/materials techniques.

Specific additional subsurface investigation as recommended by the November 30, 1994 CCC Report shall identify the vertical and horizontal extent of soil and groundwater contaminates at the subject site. When the extent of the contamination has been characterized, the existing contamination shall be removed to meet required Alameda County Health Agency, Department of Environmental Health; City of Hayward, and RWQCB standards.

Draft EIR Section 4.9 Socioeconomics

None required.

DRAFT EIR MITIGATION MEASURES WITH CHANGES

This section presents the changes to mitigation measures in the Draft EIR. These changes were made in response to comment letters and changes in the existing setting of the project.

Draft EIR Section 4.4 Hydrology and Water Quality

The site's flood zone issue is addressed in the Draft EIR Hydrology and Water Quality mitigation measure section identified as "Flooding" (page 4.4-11) and reads as follows. "The project applicant shall submit a request to the USACE to be removed from the flood zone, indicating that levees are present adjacent to the western border of the site which reduce the potential for flooding. If the USACE finds that the levees are not in compliance with their regulations, provisions shall be made to comply with USACE regulations by improving the levees or by raising to a minimum of 7 feet 6 inches above MSL the floor elevation of the battery, engine, transmission, fuel tank and axle storage area; the car crushing area; and all areas used to store used oil, fuel, and other bulk hazardous wastes/material." The mitigation measure shall be modified in response to a comment letter as follows.

> **Mitigation Measure:** The applicant shall request data from the USACE on the status of levees, which provide flood protection to the project site. The project applicant shall submit a request to FEMA to be removed from the flood zone, indicating that levees are present adjacent to the western border of the site which reduce the potential for flooding. If the USACE finds that the levees are not in compliance with their regulations, provisions shall be made to comply with FEMA regulations. Compliance shall be obtained by improving the levees or by raising the floor elevation of the battery, engine, transmission, fuel tank and axle storage area; and all areas used to store used oil, fuel, and other bulk hazardous wastes/materials to a minimum of 7 feet 6 inches above MSL.

Draft EIR Section 4.6 Noise

This section defines a noise impact related to the car crusher being on the west side of the project site. This impact does not apply currently. The car crusher has been removed from the site. Pick-Your-Part plans to have the car crusher enclosed in a building on the east side of the site as part of the proposed improvements in their Use Permit application. Therefore, the Mitigation Measures for Facility Noise in Section 4.6 Noise of the Draft EIR (see above) would no longer apply for the proposed Use Permit improvements. A new mitigation measure has been developed to address the new proposed location of the car crusher. The new mitigation measure is provided in the section New Mitigation Measures below.

Draft EIR Section 4.8 Hazardous Waste/Materials

Section 4.8 in the Draft EIR contains a mitigation measure under Soil and Groundwater Contamination that requires paving most of the site (page 4.8-5). The measure reads as follows: "The entire lot, with the exception for areas required for landscaping or structures, shall be paved and drained to a properly sized oil/water separator(s), before surface water flows leave the project site in an existing drainage facility to the northwest of the project site." The measure will be modified in response to comment letters and will read as follows:

> **Mitigation Measure:** The entire lot, with the exception for areas required for landscaping or structures, shall be paved and drained to a storm water treatment system before surface water flows leave the project site. The system shall consist of properly sized oil/water separator(s), ion exchange removal of dissolved materials, and activated carbon filter removal of dissolved organics. Where the site is paved with concrete, joint material that provides minimum permeability to movement of concerned fluids shall be installed between concrete slabs. The City Engineer and the RWQCB shall approve the type and installation of this joint material.

NEW MITIGATION MEASURES

This section presents additions to mitigation measures in the Draft EIR. These additions are in response to comment letters and changes in the existing setting of the project.

Draft EIR Section 4.4 Hydrology and Water Quality

Due to the continued compliance problems (see section 4.2 of this document) by Pick-Your-Part and the cost this places on the City of Hayward's departments, the following mitigation measure is added to Section 4.4 Hydrology and Water Quality of the Draft EIR.

> **Mitigation Measure:** Pick-Your-Part shall prepare a management plan for its facilities that incorporate the requirements of its SWPPP, General NPDES Permit, and any other applicable regulatory requirements. The City of Hayward shall review the management plan at the expense of Pick-Your-Part. A qualified consultant shall be hired by the City of Hayward to review the management plan and inspect the Pick-Your-Part site quarterly for compliance with permit and regulatory requirements. The consultant shall prepare and submit reports of quarterly inspections. Inspections may be reduced to bi-annual if full compliance is determined for four quarters. Pick-Your-Part shall pay for the consultant fees.

Draft EIR Section 4.6 Noise

The car crusher has been removed from the site. Pick-Your-Part plans to have the car crusher enclosed in a building on the east side of the site as part of the proposed improvements in their Use Permit application. This change in the location of the car crusher and enclosure in a building will require a new mitigation measure to make sure that noise impacts to the adjacent property on the east side will be less than significant. The following mitigation measure shall be added to Section 4.6 Noise of the Draft EIR for changes proposed to the car crusher facility.

> **Mitigation Measure:** A qualified acoustical engineer shall be hired to ensure that the building that contains the car crusher is designed to provide adequate noise attenuation and that off-site noise levels meet the City of Hayward Standards.

Draft EIR Section 4.8 Hazardous Waste/Materials

A commentator on the Draft EIR suggested that Pick-Your-Part issue customers easy-to-use drip pans to reduce unintentional spills that may occur during car dismantling. This measure is added as a mitigation measure to the Hazardous Waste/Materials/Water Management subsection of Section 4.8 Hazardous Waste/Materials as follows.

> **Mitigation Measure:** All customers removing automobile parts shall be provided with a drip pan for the purpose of collecting spills that may occur when dismantling the cars. The site operator shall be responsible for the proper disposal of all contaminates collected in the drip pans at no cost to the customer. The site operator shall inspect customer activities periodically to ensure the drip pans are being used.

A suggestion was made in a comment letter on the Draft EIR to keep car hoods down and covered. It will be implemented as the following mitigation measure in Section 4.8 Hazardous Waste/Materials, subsection Hazardous Waste/Materials/Water Management.

> **Mitigation Measure:** The engine compartment of all automobiles shall be covered. If there are hoods on the cars they must remain closed during periods of rain; if the automobile is without a hood then an alternative means of cover must be provided, such as a sheet of plywood.

6.0 PREPARERS AND PERSONS & ORGANIZATIONS CONTACTED

6.1 Preparers

MHA Environmental Consulting, Inc.
Laurie McClenahan, Principal
Michael Berman, Senior Planner
Elena Mandia, Environmental Scientist
Mark Greenlee, Document Manager

City of Hayward, Department of Community and Economic Development
Richard Patenaude, Associate Planner
Tim Koonze, Development Services Specialist

6.2 Persons & Organizations Contacted

Alex Ameri, City of Hayward, Department of Public Works

Karen Bates, Department of Fish and Game, Natural Diversity Database Wildlife Conservation Division.

Dale Bowyer, San Francisco Bay Regional Water Quality Control Board, North Bay Watershed Management Division.

Roger Brewer, San Francisco Bay Regional Water Quality Control Board, Toxics Cleanup Division.

California Health Service Department, Environmental Health Investigation Branch.

Chuck Headlee, San Francisco Bay Regional Water Quality Control Board, Toxics Cleanup Division.

Steve Jolly, City of Hayward, Fire Department

Keith Lichten, San Francisco Bay Regional Water Quality Control Board, North Bay Watershed Management Division.

Steve Morse, San Francisco Bay Regional Water Quality Control Board, Toxics Cleanup Division.

Hugh Murphy, City of Hayward, Fire Department, Hazardous Materials Office.

Karen Toth, State of California Department of Toxic Substance Control, Site Mitigation Branch.

Gayle Tupper, City of Hayward, Department of Public Works/Water Pollution Source Control.

7.0 REFERENCES

Bay Area Air Quality Management District, Public Information and Outreach Office. 1999. Bay Area Attainment Status as of November 1999.

California Department of Fish and Game, Wildlife Conservation Division. 1999. Natural Diversity Database.

City of Hayward. 1999. Website http://www.ci.hayward.ca.us

Contamination Clean-up of California, Inc. 1999. Interim Remedial Action Work Plan for Pick Your Part Auto Wrecking Facility.

Environmental Science Associates. 1999. Storm Water Pollution Prevention Plan and Storm Water Monitoring Program for Pick Your Part Auto Wrecking.

Geomatrix Consultants. 1999. Interim Remedial Measure Work Plan, Pick Your Part Auto Wrecking.

Hayward Area Shoreline Planning Agency. 1994. Hayward Area Shoreline Planning Program, A Shared Vision.

Hayward Chamber of Commerce. 1999. Website http://www.hayward.org

LSA Associates, Inc. 1998. Wildlife Assessment San Mateo Shoreline Master Plan Area San Mateo, San Mateo County, California.

Recon Environmental Corp. 1995. Draft Environmental Impact Report for Use Permit Application 90-81 for the Pick-Your-Part Automobile Dismantling Yard. State Clearinghouse #92053039

APPENDIX A: COMMENT LETTERS ON THE DRAFT EIR

92053039

Notice of Completion *Supplementary Document M*

Mail to: State Clearinghouse, 1400 Tenth Street, Sacramento, CA 95814 916/445-0613

See NOTE below

SCH # [redacted]

Project Title: Pick-Your-Part Auto Dismantling

Lead Agency: City of Hayward — Contact Person:

Street Address: 25151 Clawiter Road — Phone: (510) 293-5277

City: Hayward — Zip: 94545 — County: Alameda

Project Location

County: Alameda — City/Nearest Community: Hayward

Cross Streets: Cabot Boulevard — Zip Code: 94545 — Total Acres: 2014.25

Assessor's Parcel No. 438-30-1-2.1-3.1-4 — Section: ____ Twp. ____ Range: ____ Base: ____

Within 2 Miles: State Hwy # 92 9-2,15 — Waterways: ____

Airports: Hayward — Railways: Southern Pacific — Schools: ____

Document Type

CEQA: ☐ NOP ☐ Early Cons ☐ Neg Dec ☒ Draft EIR ☐ Supplement/Subsequent ☐ EIR (Prior SCH No.) ____ ☐ Other ____

NEPA: ☐ NOI ☐ EA ☐ Draft EIS ☐ FONSI

Other: ☐ Joint Document ☐ Final Document ☐ Other ____

Local Action Type

☐ General Plan Update ☐ General Plan Amendment ☐ General Plan Element ☐ Community Plan ☐ Specific Plan ☐ Master Plan ☐ Planned Unit Development ☐ Site Plan ☐ Rezone ☐ Prezone ☒ Use Permit ☐ Land Division (Subdivision, Parcel Map, Tract Map, etc.) ☐ Annexation ☐ Redevelopment ☐ Coastal Permit ☐ Other ____

Development Type

☐ Residential: Units ____ Acres ____
☐ Office: Sq.ft. ____ Acres ____ Employees ____
☐ Commercial: Sq.ft. ____ Acres ____ Employees ____
☒ Industrial: Sq.ft. ____ Acres ____ Employees ____
☐ Educational ____
☐ Recreational ____

☐ Water Facilities: Type ____ MGD ____
☐ Transportation: Type ____
☐ Mining: Mineral ____
☐ Power: Type ____ Watts ____
☐ Waste Treatment: Type ____
☐ Hazardous Waste: Type ____
☐ Other: ____

Project Issues Discussed in Document

☒ Aesthetic/Visual ☐ Agricultural Land ☐ Air Quality ☐ Archeological/Historical ☐ Coastal Zone ☒ Drainage/Absorption ☐ Economic/Jobs ☐ Fiscal
☐ Flood Plain/Flooding ☐ Forest Land/Fire Hazard ☐ Geologic/Seismic ☐ Minerals ☐ Noise ☐ Population/Housing Balance ☒ Public Services/Facilities ☐ Recreation/Parks
☐ Schools/Universities ☐ Septic Systems ☐ Sewer Capacity ☐ Soil Erosion/Compaction/Grading ☐ Solid Waste ☒ Toxic/Hazardous ☒ Traffic/Circulation ☒ Vegetation
☐ Water Quality ☒ Water Supply/Groundwater ☐ Wetland/Riparian ☒ Wildlife ☐ Growth Inducing ☒ Landuse ☒ Cumulative Effects ☒ Other Wet Lands

Present Land Use/Zoning/General Plan Use

Project Description

Continue the operation of a automobile dismantling yard on a 14.8 acre site. Hydrocarbon contamination has been discovered on the site.

State Clearinghouse Contact: Mr. Chris Belsky (916) 445-0613

State Review Began: 9.28.95

Dept. Review to Agency: 11.6

Agency Rev to SCH: 11.10

SCH COMPLIANCE: 11.13

Please note SCH Number on all Comments: 92053039

Please forward late comments directly to the Lead Agency

AQMD/APCD 2 (Resources: 9,30)

Project Sent to the following State Agencies

☒ Resources
1 Boating
____ Coastal Comm
____ Coastal Consv
____ Colorado Rvr Bd
☒ Conservation
☒ Fish & Game # 3
____ Delta Protection
____ Forestry
____ Parks & Rec/OHP
☒ Reclamation
____ BCDC
☒ DWR
____ OES
____ Bus Transp Hous
____ Aeronautics
____ CHP
☒ Caltrans # 4
____ Trans Planning
____ Housing & Devel
____ Health & Welfare
____ Drinking H20
____ Medical Waste

State/Consumer Svcs
____ General Services
Cal/EPA
☒ ARB
☒ CA Waste Mgmt Bd
____ SWRCB: Grants
____ SWRCB: Delta
____ SWRCB: Wtr Quality
____ SWRCB: Wtr Rights
☒ Reg. WQCB # 2
____ DTSC/CTC

Yth/Adlt Corrections
____ Corrections
Independent Comm
____ Energy Comm
____ NAHC
____ PUC
____ Santa Mn Mtns
☒ State Lands Comm
____ Tahoe Rgl Plan
____ Other: ____

10/5/95
Activity # 8814

RECEIVED
OCT 6 1995
PLANNING DEPT.

Tim,

THIS FOLLOWS UP ON MY VOICEMAIL CALL TO YOU. RATHER THAN "TRASH" THE REPORT I FELT IT SHOULD SEND IT BACK TO YOU TO HANDLE AS YOU WISH.

I HAVE READ THE DEIR AND FEEL THERE'S A DEFINITE PROBLEM, HOWEVER, THE POLICE DEPARTMENT IS NOT INVOLVED (UNLESS YOU WANT THE POLICE TO ARREST SOMEONE). ANYWAY, THANKS FOR INCLUDING US IN YOUR REVIEW.

Harry

ATTACHMENT

HAYWARD AREA RECREATION AND PARK DISTRICT

1099 'E' Street, Hayward, California 94541-5299 • Telephone (510) 881-6700 FAX (510) 881-1716

RECEIVED
NOV - 9 1995
PLANNING DEPT.

October 5, 1995

Tim R. Koonze, Development Service Specialist
Department of Community and Economic
Development
City of Hayward
25151 Clawiter Road
Hayward, CA 94545

RE: DEIR USE PERMIT APPLICATION 90-81
PICK YOUR PART AUTOMOBILE DISMANTLING YARD

Dear Mr. Koonze:

We have received the draft EIR that is being coordinated by the City of Hayward. Last week, we inspected the area and have found continuing problems with this site. There is still debris (auto parts, tools, trash, etc.) being accumulated on HARD's property. There is also evidence of oil stains coming from the fenced area channeled to HARD's property. In some sections of the fence, it appears to have been pried open to allow drainage onto HARD's property. It would appear no responsible action has been taken to correct these serious and ongoing problems by the current property owner.

When Permit #70-78 was being considered for Pick Your Part Auto Dismantling Yard back in 5/29/92, these items were discussed in a letter that is part of the DEIR. The Park District is concerned and alarmed that no action has been taken and we would recommend at a minimum that the following be included as requirements for Pick Your Part Auto Dismantling Yard to continue in this area:

1) A solid fence 8-feet high be constructed on the boundary of Pick Your Part and HARD. The purpose of this fence is two-fold:
   a) To prevent oily residue from coming onto HARD's property
   b) To prevent unauthorized access to HARD's property

BOARD OF DIRECTORS
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Harry R. Francis
Douglas F. Morrisson
Carol. A. Pereira
Richard H. Sheridan

GENERAL MANAGER
Wes Asmussen

2) The Pick Your Part drainage be contained on site to prevent contaminated storm water from reaching HARD's property

3) A complete and thorough clean up and restoration of debris found on HARD's property

4) The site be independently inspected annually for continued compliance

5) A complete clean up of all contaminated soil to prevent ground water seepage to HARD's property

6) Pave Pick Your Part yard to prevent further contamination of soil.

If this requires further clarification or if you have any questions regarding our specific concerns beyond this outlined response, please call me at (510) 881-6715.

Sincerely,

Eric Willyerd
Superintendent of Parks

EW:ga

ewpkypt2.doc

REGIONAL PARKS

EAST BAY REGIONAL PARK DISTRICT

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General Manager

November 1, 1995

NOV 07 1995

PLANNING DEPT.

Mr. Tim R. Koonze
Hayward Community and Economic Development Dept.
25151 Clawiter Road
Hayward, CA 94545

Subject: Draft EIR for the Pick-Your-Part Auto Dismantling Yard

Dear Mr. Koonze:

The EBRPD has reviewed the subject document and strongly supports the implementation of a number of the mitigation measures identified therein which would reduce or eliminate adverse impacts on the District's adjacent wetlands and parklands. This specifically includes water quality control measures employing the Best Management Practices to protect both surface water and ground water from contamination by oil, gasoline and other pollutants involved in this industry. The EBRPD also supports noise mitigation and hazardous materials mitigation measures intended to minimize impacts upon its adjacent park and recreation uses. The EBRPD will be pleased to cooperate with the applicant, the Hayward Recreation and Park District, the City of Hayward, the Regional Water Quality Control Board and other appropriate agencies and individuals to identify and remediate surface soil and ground water contamination affecting adjacent property as required by mitigation measures and/or other regulatory requirements.

The EBRPD appreciates the opportunity to review and comment on the subject project.

Very truly yours,

T.H. Lindenmeyer
Environmental Specialist

THL/tl

cc: Rick Wilyerd - Hayward Recreation & Park District
Hayward Planning Commission

C:\WPFILES\TOM\KOONZE.LTR

2950 Peralta Oaks Court P.O. Box 5381 Oakland, CA 94605-0381 Tel. 510 635-0135 TDD: 510 633-0460 Fax: 510 569-4319

STATE OF CALIFORNIA

PETE WILSON, Governor

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION
2101 WEBSTER STREET, Suite 500
OAKLAND, CA 94612
Tel: (510) 286-1255
FAX: (510) 286-1380

File No. 1535.68(DCB)

Mr. Ron Gushue
Hayward Planning Department
25151 Clawiter Road
Hayward, CA 94545

Subject: Draft EIR for the Use Permit Application 90-81 for Pick-Your-Part in Hayward

Dear Mr. Gushue:

I have reviewed the subject draft Environmental Impact Report and have a few comments related to the issue of storm water runoff quality. The types of structural controls necessary to eliminate pollutants from storm water runoff from a facility of this type are included in the DEIR with only a few exceptions.

In addition to structural controls, various management controls must be in place for the day to day operation of the facility to further reduce pollutants at the source. The entire site must be paved with the exceptions noted in the DEIR, and the more concentrated pollutant generating areas such as the auto crusher, engine block storage, battery storage and fluid draining areas should be roofed.

Pick-Your-Part's current mode of extracting maximum worth from the older automobiles salvaged is to leave them outdoors for parts retrieval for four weeks. In the proposed facility configuration, this will be the part of the operation which will contribute the most pollutants to storm water.

At Pick-Your-Part's facility in Stanton California, adjacent to Anaheim, a similar facility to that proposed for Hayward, the yard is paved, and the polluted runoff from the part picking area is treated prior to discharge. As I understand it the treatment consists of oil/water separation, followed by ion exchange removal of dissolved metals, and followed up with activated carbon removal of dissolved organics. In my opinion, a complex treatment system equivalent to this will be necessary to render the storm water runoff from this facility harmless to State waters. The only real alternative to this approach is the roofing of the entire site, which is probably economically infeasible.

Post-It™ brand fax transmittal memo 7671	# of pages ▸ 2
To Tim Koenze	From Dale Bowyer
Co. Hayward	Co. RWQCB
Dept. Planning	Phone # 510-286-1357
Fax # 293-5108	Fax #

The type of additional management measures which will reduce the load of pollutants that the treatment system must remove include:

1. Aggressive control of dripping liquids from cars being dismantled by customers in the open area. This can best be accomplished by providing easy to use drip pans, and by staff supervision. One interesting suggestion is that the customer might risk losing a deposit if a significant mess is left at the site of the part removal.

2. Engine compartments exposed to rain should be minimized. This can be accomplished by keeping hoods down and possibly by replacing missing hoods with some durable, cheap alternative, such as a half sheet of plywood.

In my opinion this business use for this site will not have a significant impact on water quality if it is constructed in the manner described in the DEIR with the above minor additions. This facility when completed will represent a new state-of-the-art for auto dismantling facilities. If you have any questions, contact me a 510-286-1357.

Sincerely,

Dale Bowyer

Dale Bowyer
Associate Water Resource
Control Engineer

ATE OF CALIFORNIA — ENVIRONMENTAL PROTECTION AGENCY

PETE WILSON, *Governor*

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
EGION 2
0 HEINZ AVE., SUITE 200
ERKELEY, CA 94710-2737
(510) 540-3724

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NOV 1 5 1995
PLANNING DEPT.

November 9, 1995

Mr. Tim R. Koonze
City of Hayward
Department of Community and Economic Development
Development Review Services Division
25151 Clawiter Road
Hayward, California 94545

Dear Mr. Koonze:

DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PICK-YOUR-PART AUTO DISMANTLING YARD, STATE CLEARINGHOUSE NUMBER 92053039

The city of Hayward provided the Department of Toxic Substances Control (DTSC) with a copy of the Draft Environmental Impact Report (Draft EIR) for the above project. DTSC has reviewed the report and with this letter transmits its comments.

DTSC's primary focus in the review of this document is the issue of the release of hazardous material and waste to the environment. Unfortunately, DTSC could not conduct a complete review of this project because the Technical Appendices Volume of the EIR was not included with the EIR provided to DTSC. Maps depicting the Site in the report have no scale and there is a statement that the dimensions and locations are approximate. The depth of DTSC's review of this document is limited by the quality and scope of information provided in the Draft EIR (absent the Technical Appendices Volume).

Page 1-9 states, "The area where engines, transmissions, fuel tanks, hazardous wastes/materials tanks, axles, and batteries are stored, fluids drained, and automobiles crushed shall be located in a containment area covered in impervious manmade holding basins to enable the removal of waste fluid." It is unclear if these areas will be covered and protected from rain water. To prevent rain water from contacting spills of hazardous substances/wastes, DTSC recommends that a roof be constructed over these areas in addition to berms and other surface water control measures. If only berms are present, then the uncovered areas will collect and contaminate rain water.

Page 1-10 of the report states that the "entire lot shall be paved and drained to properly sized oil-water separator(s)." While DTSC concurs with this mitigation measure, it seems to conflict with a statement on the same page of the report which states, "the existing contamination shall be removed to meet

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required ... standards and ... requirements...". Please clarify if the paving will occur after the removals. Paving the Site before it is characterized would prevent targeted surface sampling (stains or other signs of a release would be covered) and it would complicate subsequent removals.

As a mitigation measure, page 1-10 states that a subsurface investigation shall identify the horizontal and vertical extent of contamination. Further, the passage states that the existing contamination shall be removed to meet required Alameda County Health Care Agency standards and the requirements of the California Regional Water quality Control Board and Hayward Fire Department. Conceptually, DTSC concurs with these mitigation measures for soil contamination; however, since location and chemical specific sampling is not detailed in the report, DTSC provides the following suggestions:

- Soil samples from the battery storage area should be tested for pH. Page 4.8-1 of the EIR noted that this soil "appeared to have a whiter tint than surrounding soils", indicating that acids are present in the soil. The rationale for sampling this material is based on the relationship between lead and acidity, in that the lower the pH, the higher the mobility of the lead will be.

- The sampling should be statistically defensible.

- In light of the above lead mobility issues, this sampling should be conducted at depth.

- The area where pools of anti-freeze and oil were observed should be sampled at depth.

In order to adequately characterize the Site, DTSC strongly suggests that a Preliminary Endangerment Assessment be conducted. Enclosed is an order form for DTSC's Preliminary Endangerment Assessment (PEA) Guidance Manual which details the site characterization procedure. Should the city of Hayward or the project proponent desire, DTSC can enter into an agreement whereby DTSC's trained environmental experts will review the PEA for a fee. This is known as the Voluntary Cleanup Program (VCP).

DTSC offers other oversight services under the VCP. Prudent businesses employ these services to responsibly manage releases of hazardous substances (and their associated liabilities) while controlling, via an agreement with DTSC, the kind of regulatory services they desire. A fact sheet describing the Voluntary Cleanup Program is enclosed.

If you have any questions, you may call Ben Hargrove at (510) 540-3845.

Sincerely,

Karen M. Toth
Unit Chief
Site Mitigation Branch

Enclosures

cc: (without enclosure)
Guenther Moskat
Department of Toxic Substances Control
Planning and Environmental Analysis Section
P.O. Box 806
Sacramento, California 95812-0806

State Clearinghouse
1400 Tenth Street
Sacramento, California 95812

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
TECHNICAL GUIDANCE DOCUMENTS PURCHASING PROCESS

Twelve technical guidance documents are available for purchase through the Department of General Services Publications Office. Copies of any or all documents can be obtained by completing this order form and SENDING A CHECK OR MONEY ORDER to:

Department of General Services
Publications Office
P. O. Box 1015 or 4675 Watt Avenue
North Highlands, CA 95660

Please phone (916) 574-2200 to verify document availability and current document price.

Name: _____

Address: _____

City, State, Zip Code: _____

TITLE	STOCK NUMBER	PRICE PER COPY*	# OF COPIES	TOTAL COST
Guidelines for Hydrogeologic Characterization at Hazardous Substances Release Sites: Vol I Field Investigation	7540-958-1039-7	$17.90		
Guidelines for Hydrogeologic Characterization at Hazardous Substances Release Sites: Vol II Project Management Manual	7540-958-1041-5	$17.90		
Representative Sampling of Ground Water for Hazardous Substances Release Sites	7540-958-1031-2	$17.90		
Drilling, Coring, Sampling, and Logging at Hazardous Substances Release Sites	7540-958-1032-4	$17.90		
Application of Surface Geophysics at Hazardous Substances Release Sites	7540-958-1033-6	$17.90		
Application of Borehole Geophysics at Hazardous Substances Release Sites	7540-958-1034-8	$17.90		
Aquifer Testing for Hydrogeologic Characterization	7540-958-1035-0	$17.90		
Ground Water Modeling for Hydrogeologic Characterization	7540-958-1036-1	$17.90		
Monitoring Well Design and Construction for Geologic Characterization	7540-958-1037-3	$17.90		
Reporting Hydrogeologic Characterization Data from Hazardous Substances Release Sites	7540-958-1038-5	$17.90		
Guidance for Preparation of Transportation Plans for Hazardous Substances Release Sites	7540-958-1030-0	$17.90		
Preliminary Endangerment Assessment Guidance Manual	7540-958-1022-1	$17.80		
TOTAL COST				

*Prices include shipping and handling charges.

California Environmental Protection Agency
Department of Toxic Substances Control

The Voluntary Cleanup Program

The California Environmental Protection Agency's Department of Toxic Substances Control (DTSC) has introduced a streamlined program to protect human health, cleanup the environment and get property back to productive use. Corporations, real estate developers, and local and state agencies entering into Voluntary Cleanup Program agreements will be able to restore properties quickly and efficiently, rather than having their projects compete for DTSC's limited resources with other low-priority hazardous waste sites. This fact sheet describes how the Voluntary Cleanup Program works.

Prior to initiation of the Voluntary Cleanup Program, project proponents had few options for DTSC involvement in cleaning up low-risk sites. DTSC's statutory mandate is to identify, prioritize, manage and cleanup sites where releases of hazardous substances have occurred. For years, the mandate meant that, if the site presented grave threat to public health or the environment, then it was listed on the State Superfund list and the parties responsible conducted the cleanup under an enforcement order, or DTSC used state funds to do so. Because of staff resource limitations, DTSC was unable to provide oversight at sites which posed lesser risk or had lower priority.

DTSC long ago recognized that no one's interests are served by leaving sites contaminated and unusable. The Voluntary Cleanup Program allows motivated parties who are able to fund the cleanup -- and DTSC's oversight -- to move ahead at their own speed to investigate and remediate their sites. DTSC has found that working cooperatively with willing and able project proponents is a more efficient and cost-effective approach to site investigation and cleanup. There are four steps to this process:

- √ Eligibility and Application
- √ Negotiating the Agreement
- √ Site Activities
- √ Certification and Property Restoration

The rest of this fact sheet describes those steps and gives DTSC contacts.

July 1995

The Voluntary Cleanup Program

Step 1: Eligibility and Application

Most sites are eligible. The main exclusions are if the site is listed as a Federal or State Superfund site, is a military facility, or if it falls outside of DTSC's jurisdiction, as in the case where a site contains only petroleum products or waste. Another possible limitation is if another agency currently has oversight, e.g., a county (for underground storage tanks), the Regional Water Quality Control Board (for contamination that is primarily limited to groundwater), etc. The current oversight agency must consent to transfer the cleanup responsibilities to DTSC before the proponent can enter into a Voluntary Cleanup Program agreement. Additionally, DTSC can enter into an agreement to work on a specified element of a cleanup (risk assessment or public participation, for example), if the primary oversight agency gives its consent. The standard application is attached to this fact sheet.

If neither of these exclusions apply, the proponent submits an application to DTSC, providing details about site conditions, proposed land use and potential community concerns. No fee is required to apply for the Voluntary Cleanup Program.

Step 2: Negotiating the Agreement

Once DTSC accepts the application, the proponent meets with experienced DTSC professionals to negotiate the agreement. The agreement can range from services for an initial site assessment, to oversight and certification of a full site cleanup, based on the proponent's financial and scheduling objectives.

The Voluntary Cleanup Program agreement specifies the estimated DTSC costs, scheduling for the project, and DTSC services to be provided. Because every project must meet the same legal and technical cleanup requirements as do State Superfund sites, and because DTSC staff provide oversight, the proponent is assured that the project will be completed in an environmentally sound manner.

In the agreement, DTSC retains its authority to take enforcement action if, during the investigation or cleanup, it determines that the site presents a serious health threat, and proper and timely action is not otherwise being taken. The agreement also allows the project proponent to terminate the Voluntary Cleanup Program agreement with 30 days written notice if they are not satisfied that it is meeting their needs.

Step 3: Site Activities

Prior to beginning any work, the proponent must have: signed the Voluntary Cleanup Program agreement; made the advance payment; and committed to paying all project costs, including those associated with DTSC's oversight. The project manager will track the project to make sure that DTSC is on schedule and within budget. DTSC will bill its costs quarterly so that large, unexpected balances will not occur.

Once the proponent and DTSC have entered into a Voluntary Cleanup Program agreement, initial site assessment, site investigation or cleanup activities may begin. The proponent will find that DTSC's staff includes experts in every vital area. The assigned project manager is either a highly-qualified Hazardous Substances Scientist or Hazardous Substances Engineer. That project manager has the support of well-trained DTSC toxicologists, geologists, industrial hygienists and specialists in public involvement.

The project manager may call on any of these specialists to join the team, providing guidance, review, comment and, as necessary, approval of individual documents and other work products. That team will also coordinate with other agencies, as appropriate, and will offer assistance in complying with other laws, such as the Resource Conservation and Recovery Act.

Step 4: Certification and Property Restoration

When remediation is complete, DTSC will issue either a site certification of completion or a "No Further Action" letter, depending on the project circumstances. Either means that what was, "The Site," is now property that is ready for productive economic use.

To learn more about the Voluntary Cleanup Program, contact the DTSC representative in the Regional office nearest you:

Southern California
Don Johnson
1011 Grandview Avenue
Glendale, California 91201
(818) 551-2862

Central California
Eric Garcia
10151 Croydon Way, Suite 3
Sacramento, CA 95827
(916) 255-3709

North Coast California
Lynn Nakashima
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2737
(510) 540-3839

Central California – Fresno Satellite
Tom Kovac
1515 Tollhouse Road
Clovis, California 93612
(209) 297-3939

COUNTY OF ALAMEDA
PUBLIC WORKS AGENCY
399 Elmhurst Street • Hayward, CA 94544-1395
(510) 670-5480

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November 9, 1995

Zone 4, Line B

Mr. Tim R. Koonze
Development Services Specialist
City of Hayward
25151 Clawiter Road
Hayward, CA 94545-2731

Dear Mr. Koonze:

Subject: Draft EIR For Pick-Your-Part Auto Dismantling Yard

Reference is made to the Draft Environmental Impact Report for the Pick-Your-Part Auto Dismantling Yard. We have reviewed the document and offer the following comments:

1. If the project site is to be removed from the flood hazard zone, a request for map revision/amendment should be made with the Federal Emergency Management Agency. The U.S. Army Corps of Engineers would be contacted to determine whether the levees conform to Corps standards.

2. The drainage ditch located near the southwesterly corner of the site, adjacent to West Winton Avenue, is incorrectly identified as flood control channel, Line A. The channel designated as "Line A" is actually located south of West Winton Avenue.

Very truly yours,

Andrew Otsuka
Development Services Department

AO:rbr

B32872

STATE OF CALIFORNIA

PETE WILSON, Governor

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION
1101 WEBSTER STREET, Suite 500
OAKLAND, CA 94612
Tel: (510) 286-1255
FAX: (510) 286-1380

December 21, 1995
File No.: 2199.9259 (ES)

DEC 2 0 1995
PLANNING DEPT.

Mr. Tim Koonze
City of Hayward
Department of community and
Economic Development
25151 Clawiter Road
Hayward, CA 94545-2731

Re: Draft EIR for the Use Permit Application 90-81 for Pick-Your-Part Facility at 2557 W. Winton Avenue, Hayward

Dear Mr. Koonze:

This Division has reviewed the above-referenced Environmental Impact Report (EIR) which we received on November 16, 1995. You advised us that the stormwater runoff issue cited in the EIR had been addressed separately by the other Division of this Board. This letter comments primarily focus on the soil and groundwater pollution issue and the recommended mitigation measures in the EIR. Instead of treating the Board's comments on the surface water runoff and the subsurface pollution individually, we would recommend you to consider the two issues as a whole since either of these may affect the other.

The recommended mitigation measures to avoid further pollution to the soil and groundwater during the proposed automobile crushing and dismantling include: (i) paving most of the site, (ii) providing impermeable secondary containment or berm structures to prevent uncontrolled spillage of hazardous waste/material; (iii) installing groundwater wells to investigate the extent of pollution; and (iv) developing appropriate abatement and remedial actions for the soils and groundwater in the polluted areas. In particular, those areas where engines, transmissions, fuel tanks, hazardous waste/material tanks, axles, and batteries stored, fluids drained, and automobiles crushed are recommended to be in a containment area covered in impervious manmade holding basins with holding tanks for the removal of waste fluid. These proposed mitigation measures are considered acceptable to us, with the following comments that require your attention.

1. Pavement of Site Area

While we believe that paving the site is a good idea to prevent further surface spills from impacting the soil and groundwater, it is the type of pavement that concerns us. The frequent rolling of heavy equipment and trucks across the site and the dynamic impacts resulted from the loading and unloading of the dismantled automobiles on ground surface may rapidly deteriorate the integrity of the asphaltic pavement, which could develop cracks easily under such conditions and could not serve its intended purpose. Although concrete may be an alternative to the asphalt, it is typically the expansion joint material (between two concrete parcels) to be more conducive to fluid seepage into the underlying soil. In light of the automobile dismantling, crushing and recycling processes, the expansion joint materials, if used for the concrete pavement, should be properly selected to offer the maximum permeability to the movement of the concerned fluids.

2. Site Investigation and Remediation

The EIR cites Contamination Clean-Up of California, Inc. (CCC)'s November 30, 1995 report which proposes additional investigation of the site based on previous field findings. To keep you update of this issue, the Board has received and completed the review of CCC's "Phase II Subsurface Investigation Report of Soil and Groundwater Contamination at Pick Your Part Facility" dated August 15, 1995. This report documents additional soil sampling and analysis of grab groundwater samples collected from both on- and off-site areas. The findings from this investigation further confirm the presence of soil contamination by petroleum hydrocarbons and, probably, lead as well. As no monitoring well was installed during this phase of investigation, CCC proposed to submit a Phase III work plan to describe the scope of groundwater investigation. Upon discussing with the staff, CCC agreed to submit to include a proposal to address our concern of the engine and transmission storage areas. Despite our calls to CCC twice since August 18, 1995 regarding the submittal date of the work plan, and CCC's repeated agreement for the submittal, we have not received any proposal for the said investigation to-date. Because the property to the immediate west of the site consists of diked wetlands, seasonal ponds and uplands, the shallow groundwater detected on the northwestern portion of the site may be in an interacting mode with the surface water in the seasonal ponds and wetlands. Although none of the 33 bird species on the referenced wetlands is listed as threatened or endangered by the federal or state governments, the wetlands do provide habitats for these birds. Therefore, an expeditious investigation of the groundwater quality below and in the vicinity of the site is important to assess if threats or impacts to the wetlands and groundwater exist or not.

Due to the inaction from Pick-Your-Part and its consultant, CCC, in response to our request for further groundwater and soil investigations, this Board is currently considering a cleanup and abatement order to require Pick-Your-Part to expedite its action. We believe that without properly characterizing the site pollution extent and developing the appropriate abatement measures, any pavement proposal for the automobile dismantling activities on site will not serve the best interest of any parties concerned. We will keep you informed of our Order processing progress.

If you have further questions, please contact Eddy So at (510) 286-4366.

Sincerely,

Loretta Barsamian
Executive Officer

Stephen I. Morse

Steve I. Morse, Chief
Toxics Cleanup Division

cc: Hugh Murphy, Hayward Fire Department
Dale Bowyer, RWQCB

Pick Your Part
c/o Thomas Twillie
Contamination Clean-Ups of California, Inc.
1301 E. Orangewood, Suite 130
Anaheim, CA 92805

CITY OF HAYWARD

DEPARTMENT OF PUBLIC WORKS

INTEROFFICE MEMORANDUM

October 26, 1995

TO: Tim Koonze, Development Services Specialist

FROM: Alex Ameri, Deputy Director of Public Works

SUBJ: Comments on DEIR For Pick-Your-Part

Joe Lucia and I have reviewed the DEIR for Pick-Your-Part auto dismantling yard located at 2557 West Winton Avenue. We find that the document contains adequate information on the adverse environmental impacts of the existing and proposed use. The following are our comments:

1. On page 3-8, Public Utilities, it is stated that "There are no substantial public utilities impacts associated with developing an industrial facility on this site". Actually, it depends on the specifics of any future facility. Please have that sentence removed.

2. On page 4.7-1, Wastewater Services, the capacity of the sewage plant (Water Pollution Control Facility) is currently 13.1 MGD, and not 15 MGD. On the same page, Water Services, mid-paragraph, change the word "entirely" to "mostly", and "240 miles" to "300 miles".

3. On page 4.7-2, Water Services, and on page 4.7-3, Wastewater Services, there are references to payment of a benefit assessment district for water and sewer hookups into the Cabot/W. Winton Ave. Stormdrain Benefit Assessment District (Rohrer, 1995). Please check with Rich (when he returns from vacation) to confirm the reference to the *stormdrain* district.

If you have any questions, please call Joe at 7960, or me at 5452.

cc: Joe Lucia

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OCT 27 1995

CITY OF HAYWARD
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

DATE: October 30, 1995

TO: Tim Koonze

FROM: Marvin J. Carash MJC

SUBJECT: DEIR - Pick-Your-Part

The following are my comments on the DEIR:

1. Page 3-9 - Herrick Site
   Is this the site Berkeley Farms bought? If so, this section needs to be deleted or modified.

2. Page 3-11, #4 - I don't believe there is any curb or gutter existing, Presumably it would be installed.

3. Page 8-1 - Aesthetics
   I recall that at various times in the past concerns were voiced about the aesthetic impact of cars being dropped off all hours of the night in parking areas, causing traffic problems and constituting an aesthetic blight. This may no longer be the case (or else it was another site). Perhaps this should be addressed as a condition of approval/mitigation measure.

4. Socio-economic Impacts/Analysis
   Although it does not matter, it seems a finding could be made there are no potential adverse socio-economic impacts regarding the project site or alternative sites, and therefore this subject could be excluded from the analysis.

THE USE AND PUBLICATION OF THESE PLANS, SPECIFICATIONS, AND DESIGNS SHALL BE RESTRICTED TO THE ORIGINAL SITE AND PHASE FOR WHICH THEY WERE PREPARED AND TITLE THERETO REMAINS IN THE LANDSCAPE ARCHITECT. USE WITHOUT WRITTEN CONSENT OF THE LANDSCAPE ARCHITECT IS PROHIBITED. VISUAL CONTACT CONSTITUTES ACCEPTANCE OF THESE RESTRICTIONS.

PICK YOUR PART HAYWARD

USE PERMIT NO. 96-160-15

2885 WEST WINTON AVENUE

GENERAL NOTES

ALL RECOMMENDED MITIGATION MEASURES SPECIFIED IN THE ROUGH DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) DATED SEPTEMBER 1995 SHALL BE ADDRESSED AND REALIZED. THIS SHALL INCLUDE ALL ON-SITE AND OFF-SITE IMPROVEMENTS FOR THE PICK YOUR PART AUTO RECYCLING FACILITY LOCATED ALONG WEST WINTON AVENUE, HAYWARD, CALIFORNIA.

THE FOLLOWING MITIGATION MEASURES SHALL BE ADHERED TO BY APPLICANT: THIS LIST IN NO WAY REPRESENTS THE FULL EXTENT OF MEASURES, JUST A SMALL OVERVIEW.

1. ANY FUTURE FOUNDATIONS AND PAVING OR SLABS REQUIRED AS MITIGATION SHALL BE DESIGNED BY A GEOTECHNICAL ENGINEER TO REDUCE LIQUEFACTION SHRINK-SWELL IMPACTS. THIS DESIGN SHALL INCLUDE SPECIFICATION FOR THE REMOVAL OF SOILS AND ENGINEERING OF FOUNDATIONS AND /OR SOILS.
2. CONNECTION TO THE OFF-SITE STORM DRAIN SYSTEM SHALL BE REQUIRED AS A CONDITION OF USE PERMIT ISSUANCE. MEASURES PROPOSED TO PREVENT STORM WATER CONTAMINATION SHALL INCLUDE: WATER QUALITY CONTROL MEASURES TO ENSURE MINIMIZED CONTAMINANTS IN WATER DISCHARGED TO THE DRAIN AT THE NORTH WEST CORNER OF THE PROJECT CONTROLLED BY ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT. PURIFIERS SHALL MEET THE APPROVAL OF THE APPROVAL OF THE STATE OF CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD (RWQC).
3. ALL CONSTRUCTION VEHICLES AND EQUIPMENT SHALL BE PROPERLY MUFFLED.
4. THE PUBLIC SHALL BE INFORMED OF PROPOSED CONSTRUCTION TIMELINES TO MINIMIZE POTENTIAL ANNOYANCE RELATED TO CONSTRUCTION NOISE.
5. FORKLIFT VEHICLES SERVICING THE CRUSHER FACILITY SHALL BE EQUIPPED WITH PROPERLY OPERATING, MAINTAINED, AND EFFECTIVE MUFFLERS.
6. EXISTING GROUNDWATER WELLS SHALL BE MAINTAINED AND MONITORED AS REQUIRED. (SEE CIVIL'S PLANS FOR LOCATION)
7. THE ENTIRE LOTS SHALL BE PAVED AND DRAINED TO PROPERLY SIZED OIL/WATER SEPARATOR(S) OF A DESIGN THAT MEETS THE APPROVAL OF THE RWQCB.
8. THE REAR AND SIDE PROPERTY LINES SHALL BE ENCLOSED AND MAINTAINED WITH A CHAIN-LINK FENCE WITH WOOD BATTS, STEEL FENCE, OR MASONRY / CONCRETE WALL THAT SHALL BE CONSTRUCTED TO A MINIMUM HEIGHT OF 8' ABOVE GRADE, AND DESIGNED TO WITHSTAND A 15-POUND PER SQUARE FOOT WIND LOAD.
9. MATERIALS SHALL BE STACKED NO HIGHER THAN THE HEIGHT OF THE FENCE, NOR SHALL MATERIALS BE STACKED WITHIN 10' OF THE FENCE.
10. PARKING AREA SHALL BE PAVED WITH 2" ASPHALTIC CONCRETE OVER A 6" AGGREGATE BASE OR SHALL BE PAVED IN CONCRETE.
11. IRRIGATION: WITHIN ALL REQUIRED LANDSCAPE AREAS, A COMPLETE AUTOMATIC SPRINKLER SYSTEM WITH A AUTOMATIC ON/OFF MECHANISM SHALL BE INSTALLED.
12. ALL OPERATIONS AND PHYSICAL IMPROVEMENTS SHALL BE CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF ALL MUNICIPAL, COUNTY, STATE AND SPECIAL DISTRICT CODES AND REGULATIONS.
13. MATERIAL COLORS FOR THE PROJECT SHALL BE AS FOLLOWS:

STUCCO	'PEACH CREAM'
W.I. FENCING	'PEACH CREAM'
STEEL WALL	'PEACH CREAM'
ROOF SHINGLES	'AUTUMN BROWN'

COLOR BOARD PROVIDED SEPERATELY.

CONTACTS

CLIENT:

PICK YOUR PART AUTO WRECKING
dba PICK YOUR PART AUTOMOBILE RECYCLING
1301 E. ORANGEWOOD
ANAHEIM, CA 92805
CONTACT: PAUL SEGAL - (714) 385-1200

LANDSCAPE ARCHITECT:

URBAN ARENA
LANDSCAPE ARCHITECTURE & PLANNING
710 13TH STREET, SUITE 201
SAN DIEGO, CA 92101
PHONE: (619) 234-9444
FAX: (619) 234-1201
CONTACT: KEITH MITTEMEYER

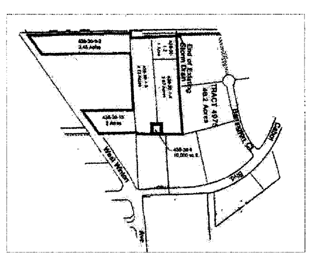
CIVIL ENGINEER:

FUSCOE ENGINEERING
16735 VON KARMAN AVE., SUITE 100
IRVINE, CA 92714
CONTACT: JOHN OLIVIER - (949) 474-1960

CODE COMPLIANCE:

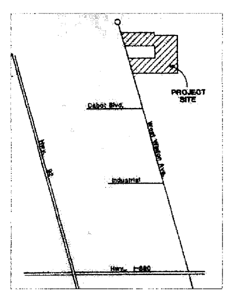
SCHIRMER ENGINEERING CORPORATION
21221 S. WESTERN AVE, SUITE 100
TORRANCE, CA 90501
CONTACT: JOHN YOUNGHUSBAND - (310) 782-0850

KEY MAP



NORTH (NTS)

VICINITY MAP



NORTH (NTS)

SHEET INDEX

SHEET TITLE	SHEET NUMBER
TITLE SHEET	T1
PRELIMINARY SITE PLAN	S1
CONCEPTUAL GRADING, UTILITY & DRAINAGE PLAN	C1
EXISTING CONDITIONS PLAN	C2
ARCHITECTURAL SITE PLAN	A1
ENTRY / EXIT OVERHEAD AND SALES OFFICE FLOOR PLAN AND ELEVATIONS	A2
MAINTENANCE SHOP BUILDING, FLUID DRAINAGE BUILDING, AND FUEL DISPENSING BUILDING FLOOR PLANS AND ELEVATIONS	A3
SCRAP/DISMANTLING BUILDING FLOOR PLAN AND ELEVATIONS	A4
VENDOR BUILDING / TRASH ENCLOSURE	A5
PRELIMINARY LANDSCAPE PLAN	L1
LANDSCAPE ELEMENTS	L2

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San Diego - Newport Beach

LICENSES

CALIFORNIA	#4192
	#3905
ARIZONA	#32522
UTAH	#377520-5301
NEVADA	#539

LICENSED LANDSCAPE ARCHITECT
KEITH MITTEMEYER LICENSE NO. 3085
STATE OF CALIFORNIA

REVISIONS

ACAD FILE:	PYPtitle
JOB NO.:	02-033
SCALE:	NOT TO SCALE
DATE:	06-10-03

CLIENT

PICK YOUR PART
1301 EAST ORANGEWOOD, SUITE 130
ANAHEIM, CALIFORNIA 92805
TEL: (714) 385-1522
FAX: (714) 634-0520

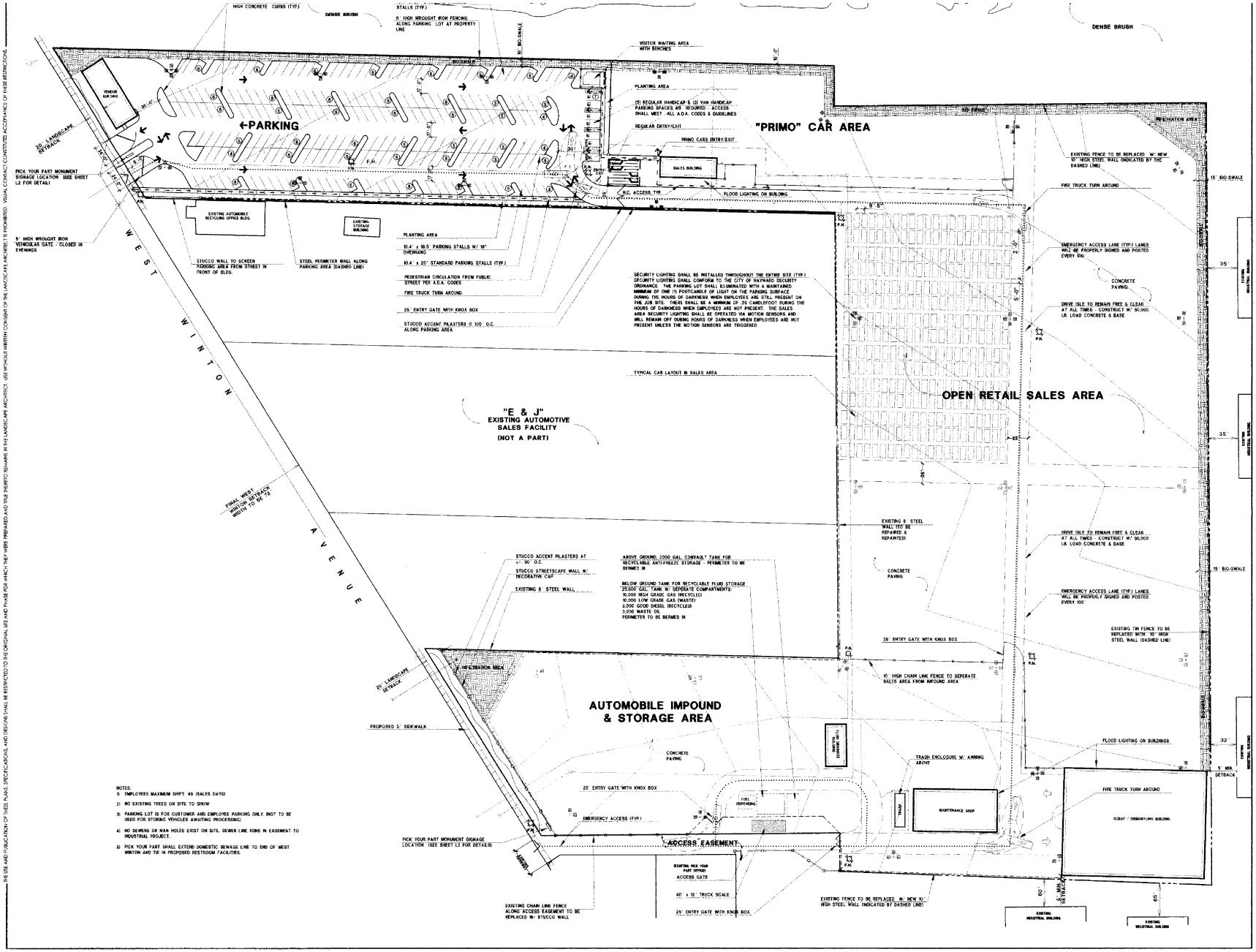
PROJECT

PICK YOUR PART
2885 WEST WINTON AVENUE
HAYWARD, CALIFORNIA

SHEET TITLE

TITLE SHEET

SHEET T1



NOTES:
1) EMPLOYEES MAXIMUM SHIFT: 49 (SALES DAYS)
2) NO EXISTING TREES ON SITE TO SHOW
3) PARKING LOT IS FOR CUSTOMER AND EMPLOYEE PARKING ONLY (NOT TO BE USED FOR STORING VEHICLES AWAITING PROCESSING)
4) NO SEWERS OR MAN HOLES EXIST ON SITE. SEWER LINE RUNS IN EASEMENT TO INDUSTRIAL PROJECT.
5) PICK YOUR PART SHALL EXTEND DOMESTIC SEWAGE LINE TO END OF WEST WINTON AND TIE IN PROPOSED RESTROOM FACILITIES.

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LICENSES

CALIFORNIA	#4192
ARIZONA	#3905
UTAH	#32322
NEVADA	#377020-5301
	#539

REVISIONS

ACAD FILE:	pysite/plan
JOB NO.:	02-033
SCALE:	1" = 40'-0"
DATE:	06-10-03

CLIENT

PICK YOUR PART
1301 EAST ORANGEWOOD, SUITE 130
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TEL: (714) 385-1522
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PROJECT

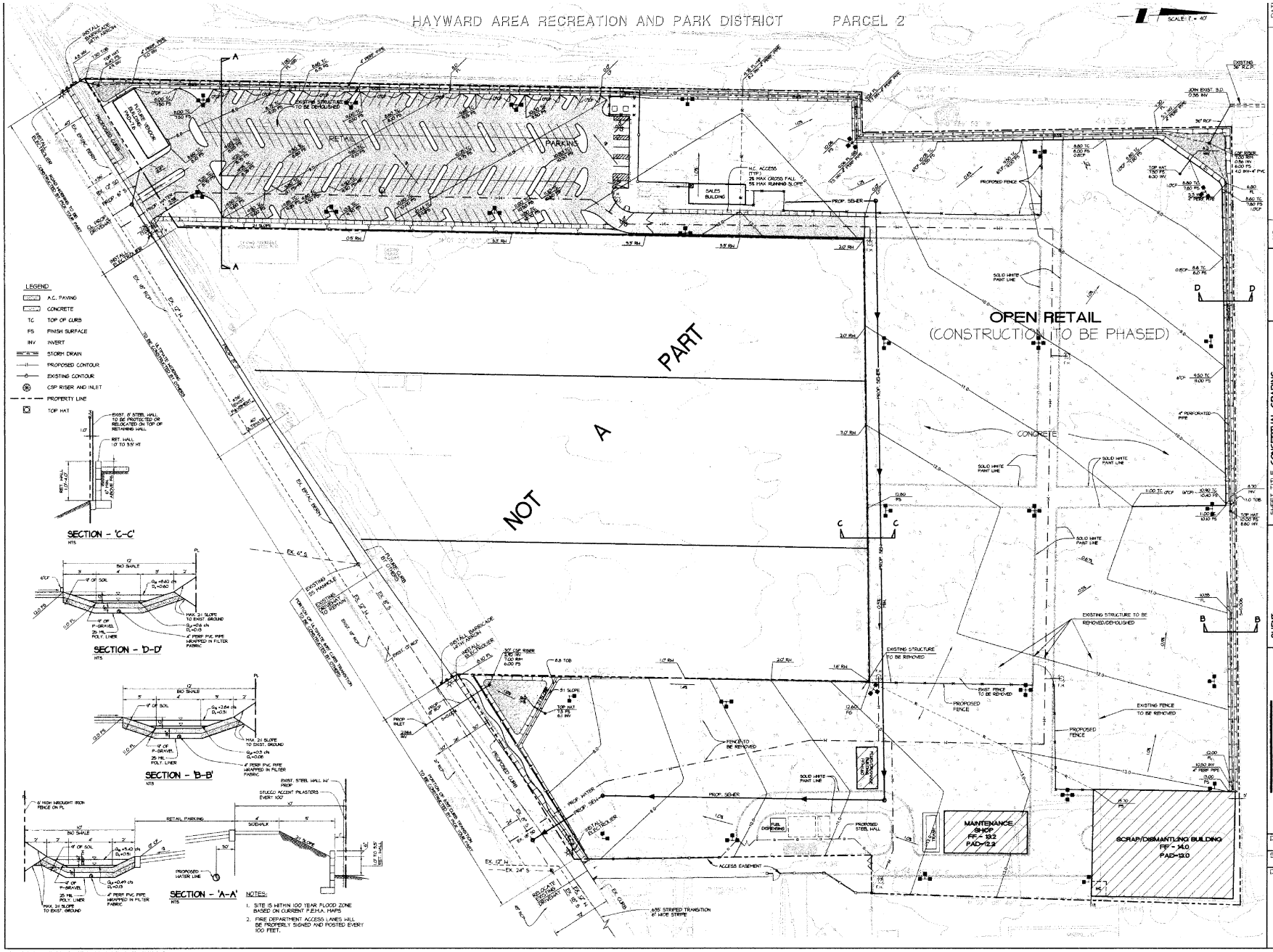
PICK YOUR PART
2885 WEST WINTON AVENUE
HAYWARD, CALIFORNIA

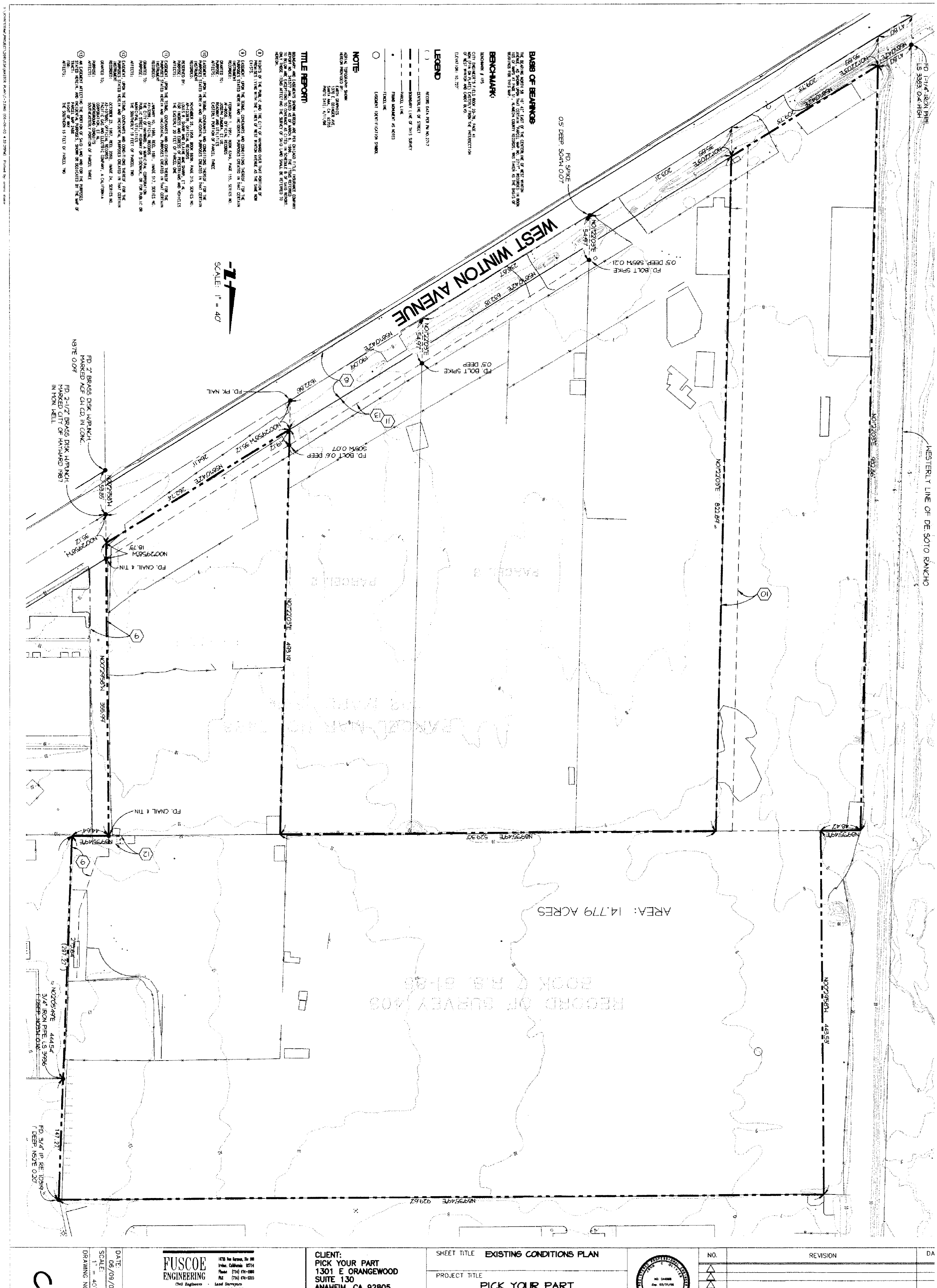
SHEET TITLE

PRELIMINARY SITE PLAN

SHEET S1

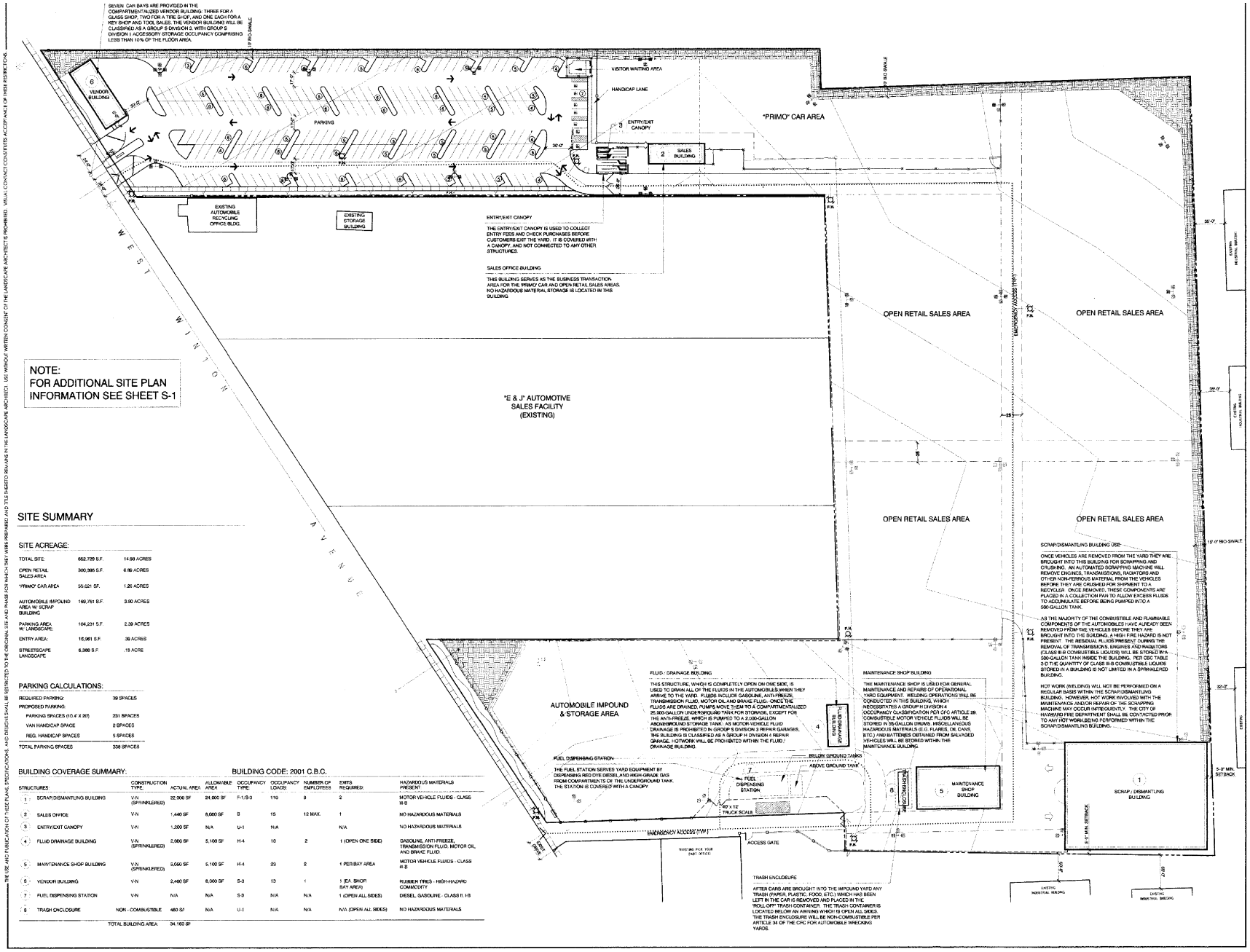
NORTH


HAYWARD AREA RECREATION AND PARK DISTRICT PARCEL 2
SCALE: 1" = 40'
NOT A PART
OPEN RETAIL
(CONSTRUCTION TO BE PHASED)
RETAIL
PARKING
SALES BUILDING
CONCRETE
MAINTENANCE SHOP
FF - 13.2
PAD-12.2
SCRAP/DISMANTLING BUILDING
FF - 14.0
PAD-13.0
LEGEND
A.C. PAVING
CONCRETE
TC TOP OF CURB
FS FINISH SURFACE
INV INVERT
STORM DRAIN
PROPOSED CONTOUR
EXISTING CONTOUR
CSP RISER AND INLET
PROPERTY LINE
TOP HAT
SECTION - 'C-C'
SECTION - 'D-D'
SECTION - 'B-B'
SECTION - 'A-A'
NOTES:
1. SITE IS WITHIN 100 YEAR FLOOD ZONE BASED ON CURRENT F.E.M.A. MAPS
2. FIRE DEPARTMENT ACCESS LANES WILL BE PROPERLY SIGNED AND POSTED EVERY 100 FEET.
SHEET TITLE CONCEPTUAL GRADING, UTILITY AND DRAINAGE PLAN
PROJECT TITLE PICK YOUR PART WEST WINTON AVENUE HAYWARD, CA
CLIENT: PICK YOUR PART 1301 E ORANGEWOOD SUITE 130 ANAHEIM, CA 92805 PHONE (714) 385-1522 FAX (714) 634-0520
FUSCOE ENGINEERING
DATE: 06/09/03
SCALE: 1" = 40'-0"
DRAWING NO.
C1



DATE: 06/09/03 SCALE: 1" = 40'-0" DRAWING NO. C2	FUSCOE ENGINEERING Civil Engineers · Land Surveyors PROJ. NO. 268.03A · DWN. BY: OS · ACAD FILE: DSN. BY: · CHK. BY: JO · APP. BY:	CLIENT: PICK YOUR PART 1301 E ORANGEWOOD SUITE 130 ANAHEIM, CA 92805 PHONE (714) 385-1522 FAX (714) 634-0520	SHEET TITLE EXISTING CONDITIONS PLAN PROJECT TITLE PICK YOUR PART WEST WINTON AVENUE HAYWARD, CA	NO. · REVISION · DA

THE USE AND PUBLICATION OF THESE PLANS, SPECIFICATIONS, AND DESIGNS SHALL BE RESTRICTED TO THE ORIGINAL SITE AND PHASE FOR WHICH THEY WERE PREPARED AND TITLE THERETO REMAINS IN THE LANDSCAPE ARCHITECT. USE WITHOUT WRITTEN CONSENT OF THE LANDSCAPE ARCHITECT IS PROHIBITED. VISUAL CONTACT CONSTITUTES ACCEPTANCE OF THESE RESTRICTIONS.



SITE SUMMARY

SITE ACREAGE:

TOTAL SITE:	652,729 S.F.	14.98 ACRES
OPEN RETAIL SALES AREA	300,395 S.F.	6.89 ACRES
"PRIMO" CAR AREA	55,021 SF.	1.26 ACRES
AUTOMOBILE IMPOUND AREA W/ SCRAP BUILDING	169,761 S.F.	3.90 ACRES
PARKING AREA W/ LANDSCAPE:	104,231 S.F.	2.39 ACRES
ENTRY AREA:	16,961 S.F.	.39 ACRES
STREETSCAPE LANDSCAPE	6,360 S.F.	.15 ACRE

PARKING CALCULATIONS:

REQUIRED PARKING:	39 SPACES
PROPOSED PARKING:	
PARKING SPACES (10.4' x 20')	231 SPACES
VAN HANDICAP SPACE	2 SPACES
REG. HANDICAP SPACES	5 SPACES
TOTAL PARKING SPACES	338 SPACES

BUILDING COVERAGE SUMMARY:

BUILDING CODE: 2001 C.B.C.

	STRUCTURES:	CONSTRUCTION TYPE:	ACTUAL AREA:	ALLOWABLE AREA:	OCCUPANCY TYPE:	OCCUPANCY LOADS:	NUMBER OF EMPLOYEES:	EXITS REQUIRED:	HAZARDOUS MATERIALS PRESENT:
1	SCRAP/DISMANTLING BUILDING	V-N (SPRINKLERED)	22,000 SF	24,000 SF	F-1/S-3	110	5	2	MOTOR VEHICLE FLUIDS - CLASS III-B
2	SALES OFFICE	V-N	1,440 SF	8,000 SF	B	15	12 MAX.	1	NO HAZARDOUS MATERIALS
3	ENTRY/EXIT CANOPY	V-N	1,200 SF	N/A	U-1	N/A		N/A	NO HAZARDOUS MATERIALS
4	FLUID DRAINAGE BUILDING	V-N (SPRINKLERED)	2,000 SF	5,100 SF	H-4	10	2	1 (OPEN ONE SIDE)	GASOLINE, ANTI-FREEZE, TRANSMISSION FLUID, MOTOR OIL, AND BRAKE FLUID
5	MAINTENANCE SHOP BUILDING	V-N (SPRINKLERED)	5,060 SF	5,100 SF	H-4	23	2	1 PER BAY AREA	MOTOR VEHICLE FLUIDS - CLASS III-B
6	VENDOR BUILDING	V-N	2,400 SF	8,000 SF	S-3	13	1	1 (EA. SHOP BAY AREA)	RUBBER TIRES - HIGH-HAZARD COMMODITY
7	FUEL DISPENSING STATION	V-N	N/A	N/A	S-3	N/A	N/A	1 (OPEN ALL SIDES)	DIESEL, GASOLINE - CLASS II, I-B
8	TRASH ENCLOSURE	NON - COMBUSTIBLE	480 SF	N/A	U-1	N/A	N/A	N/A (OPEN ALL SIDES)	NO HAZARDOUS MATERIALS
		TOTAL BUILDING AREA:	34,160 SF						

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LICENSES

CALIFORNIA	#4192
ARIZONA	#3905
UTAH	#37/521-5301
NEVADA	#339

REVISIONS

ACAD FILE:	sitplan/plan
JOB NO.:	02-030
SCALE:	1" = 40' 0"
DATE:	06-10-03

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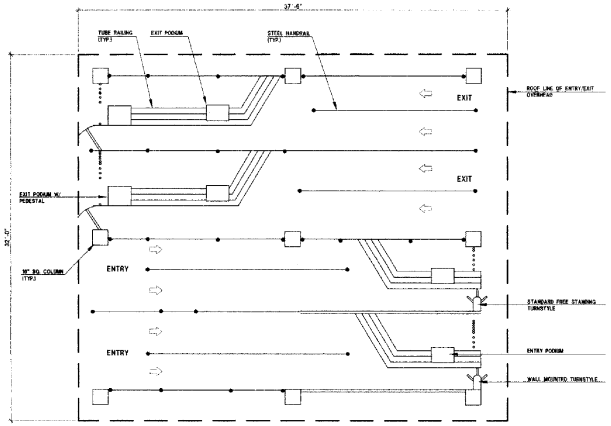
PROJECT

PICK YOUR PART
2885 WEST WINTON AVENUE
HAYWARD, CALIFORNIA

SHEET TITLE

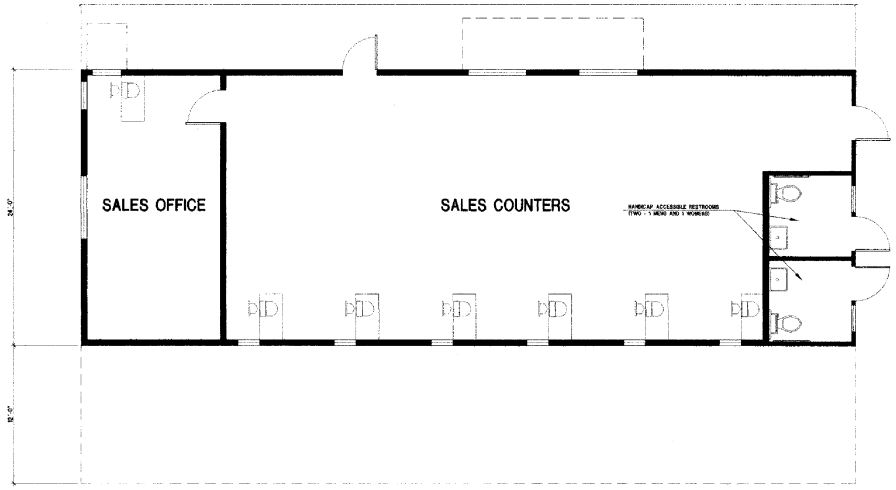
ARCHITECTURAL SITE PLAN

SHEET A1 NORTH



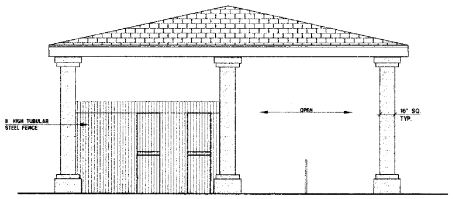
ENTRY/EXIT FLOOR PLAN OVERHEAD VIEW

SCALE 1/4"=1'-0"



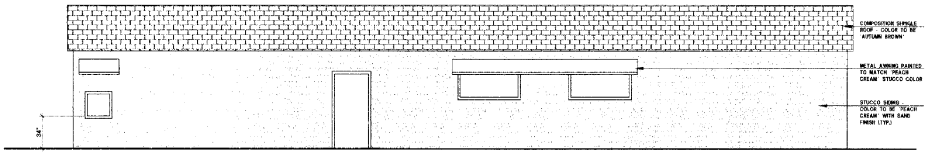
SALES BUILDING FLOOR PLAN

SCALE 1/4"=1'-0"



ENTRY/EXIT NORTH / SOUTH ELEVATION

SCALE 1/4"=1'-0"



SALES BUILDING WEST ELEVATION

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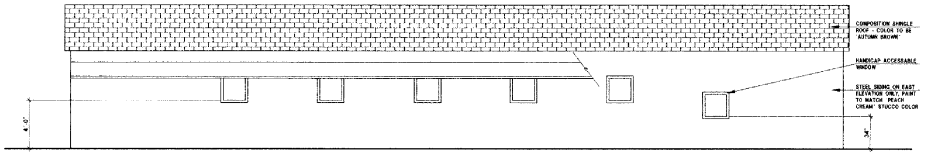

SALES BUILDING EAST ELEVATION

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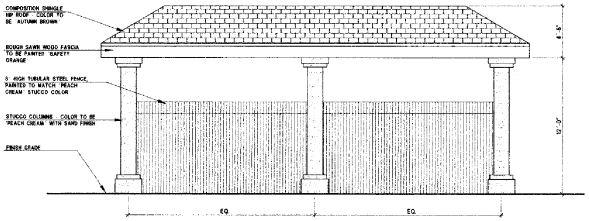
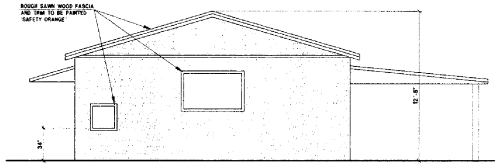


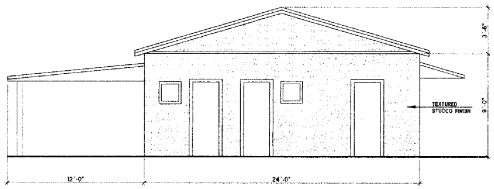
ENTRY/EXIT EAST / WEST ELEVATION

SCALE 1/4" = 1'-0"



SALES BUILDING SOUTH ELEVATION

SCALE 1/4"=1'-0"



SALES BUILDING NORTH ELEVATION

SCALE 1/4"=1'-0"

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LICENSES

CALIFORNIA	#4192
	#3905
ARIZONA	#32522
UTAH	#377520-5301
NEVADA	#529

LICENSED LANDSCAPE ARCHITECT
STATE OF CALIFORNIA

REVISIONS

ACAD FILE: ENTRY EXIT FLOOR&ELEV
JOB NO.: 02-033
SCALE: 1/4"=1'
DATE: 06-10-03

CLIENT

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ANAHEIM, CALIFORNIA 92805
TEL: (714) 385-1522
FAX: (714) 634-0520

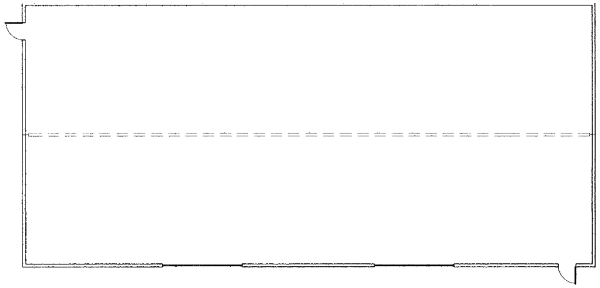
PROJECT

PICK YOUR PART
2885 WEST WINTON AVENUE
HAYWARD, CALIFORNIA

SHEET TITLE

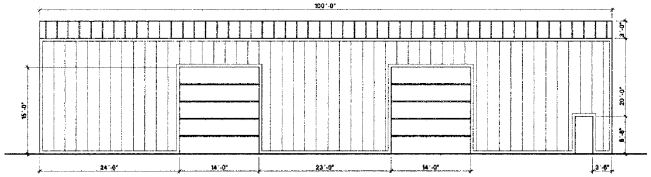
ENTRY / EXIT OVERHEAD AND SALES OFFICE FLOOR PLAN & ELEVATIONS

SHEET
A2



MAINTENANCE SHOP BUILDING / FLOOR PLAN

SCALE 1/8"=1'-0"



MAINTENANCE SHOP BUILDING / EAST ELEVATION

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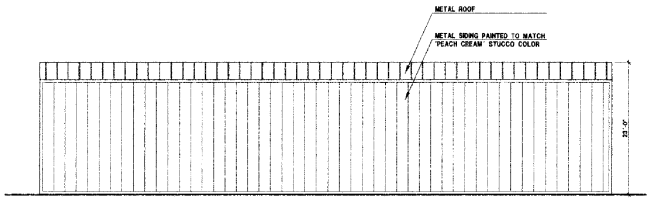

MAINTENANCE SHOP BUILDING / WEST ELEVATION

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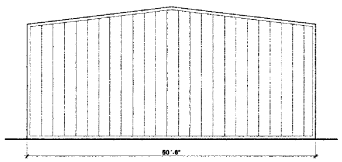

MAINTENANCE SHOP BUILDING / SOUTH ELEVATION

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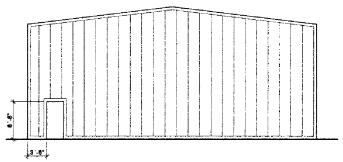

MAINTENANCE SHOP BUILDING / NORTH ELEVATION

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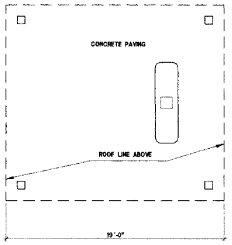

FUEL DISPENSING CANOPY / PLAN

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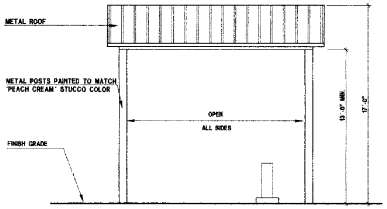

FUEL DISPENSING CANOPY / ELEVATION

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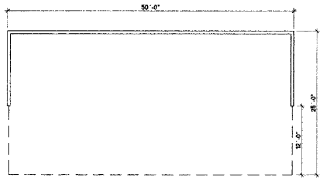

FLUID DRAINAGE BUILDING FLOOR PLAN

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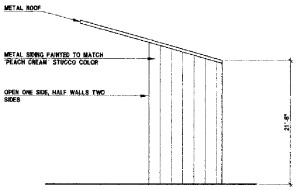

FLUID DRAINAGE BUILDING NORTH/SOUTH ELEVATION

SCALE 1/8"=1'-0"

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NEVADA	#539

REVISIONS

ACAD FILE:	B&T SALES OVERHEAD
JOB NO.:	02-033
SCALE:	VARIES
DATE:	06-10-03

CLIENT

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FAX: (714) 634-0520

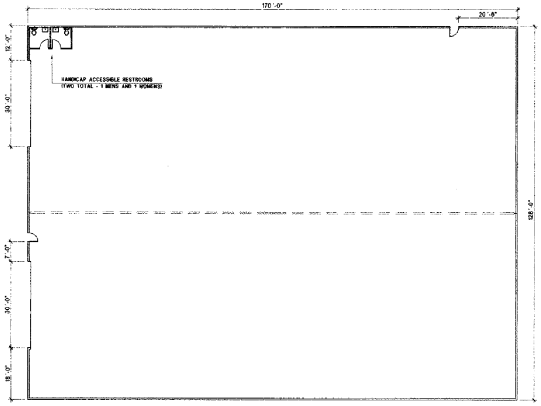
PROJECT

PICK YOUR PART
2885 WEST WINTON AVENUE
HAYWARD, CALIFORNIA

SHEET TITLE

MAINTENANCE SHOP BUILDING
FLUID DRAINAGE BUILDING
FUEL DISPENSING BUILDING
FLOOR PLANS & ELEVATIONS

SHEET
A3



SCRAP/DISMANTLING BUILDING FLOOR PLAN

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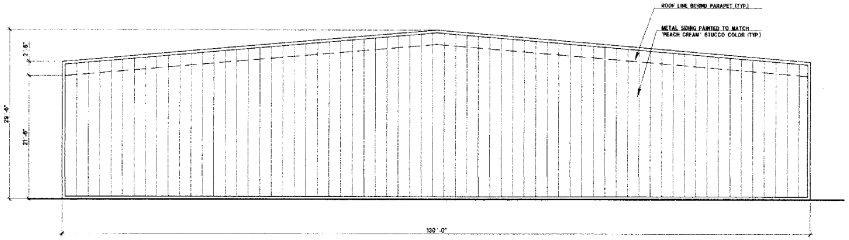

SCRAP/DISMANTLING BUILDING NORTH ELEVATION

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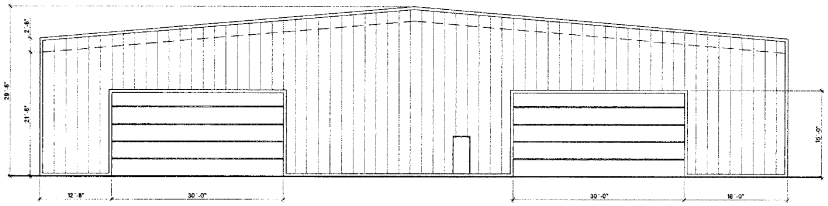

SCRAP/DISMANTLING BUILDING SOUTH ELEVATION

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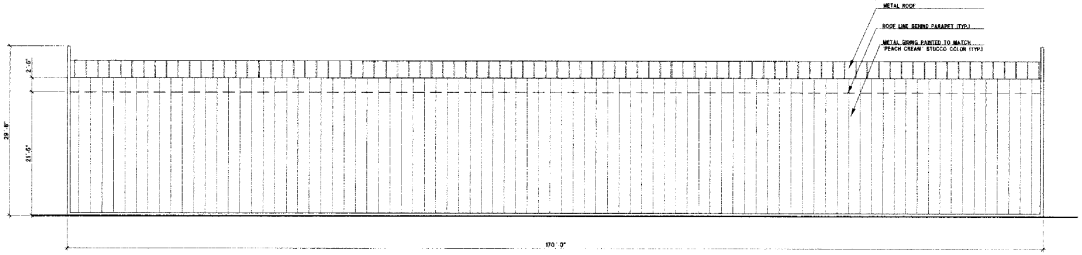

SCRAP/DISMANTLING BUILDING - EAST ELEVATION

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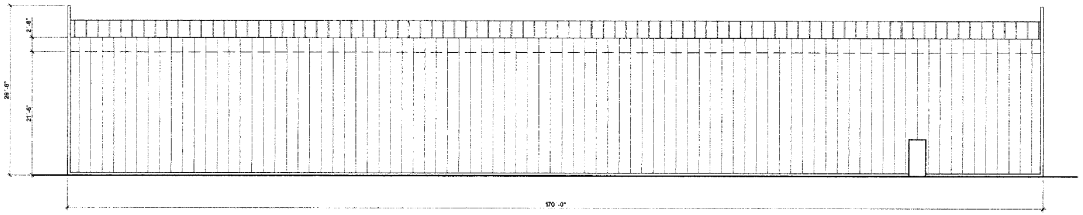

SCRAP/DISMANTLING BUILDING - WEST ELEVATION

SCALE 1/8"=1-0"

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San Diego - Newport Beach

LICENSES

CALIFORNIA	#4192
ARIZONA	#3905
UTAH	#32522
NEVADA	#539

REVISIONS

ACAD FILE:	dismantling build
JOB NO.:	02-233
SCALE:	VARIES
DATE:	06-10-03

CLIENT

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PROJECT

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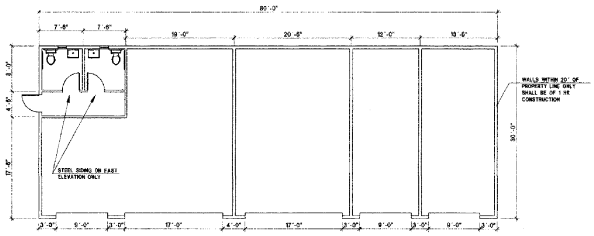
2885 WEST WINTON AVENUE
HAYWARD, CALIFORNIA

SHEET TITLE

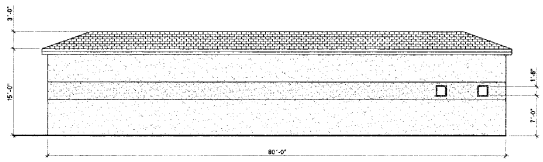
SCRAP / DISMANTLING BUILDING FLOOR PLAN AND ELEVATIONS

SHEET
A4



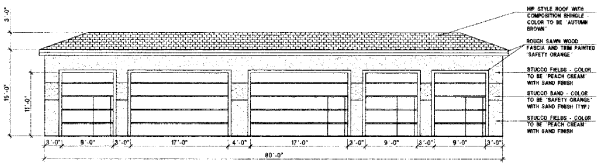
VENDOR BUILDING SITE PLAN

SCALE 1/8"=1'-0"



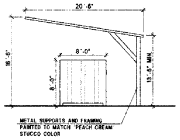
SOUTH ELEVATION

SCALE 1/8"=1'-0"



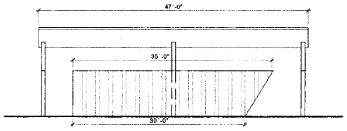
NORTH ELEVATION

SCALE 1/8"=1'-0"



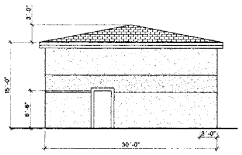
TRASH ENCLOSURE SOUTH ELEVATION

SCALE 1/8"=1'-0"



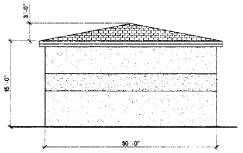
TRASH ENCLOSURE WEST ELEVATION

SCALE 1/8"=1'-0"



EAST ELEVATION

SCALE 1/8"=1'-0"



WEST ELEVATION

SCALE 1/8"=1'-0"

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LICENSES

CALIFORNIA	#4192
	#3905
ARIZONA	#32522
UTAH	#377530-3301
NEVADA	#339

REVISIONS

ACAD FILE:	PYP-VendorBuild.dwg
JOB NO.:	02-003
SCALE:	VARIES
DATE:	06-10-03

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PROJECT

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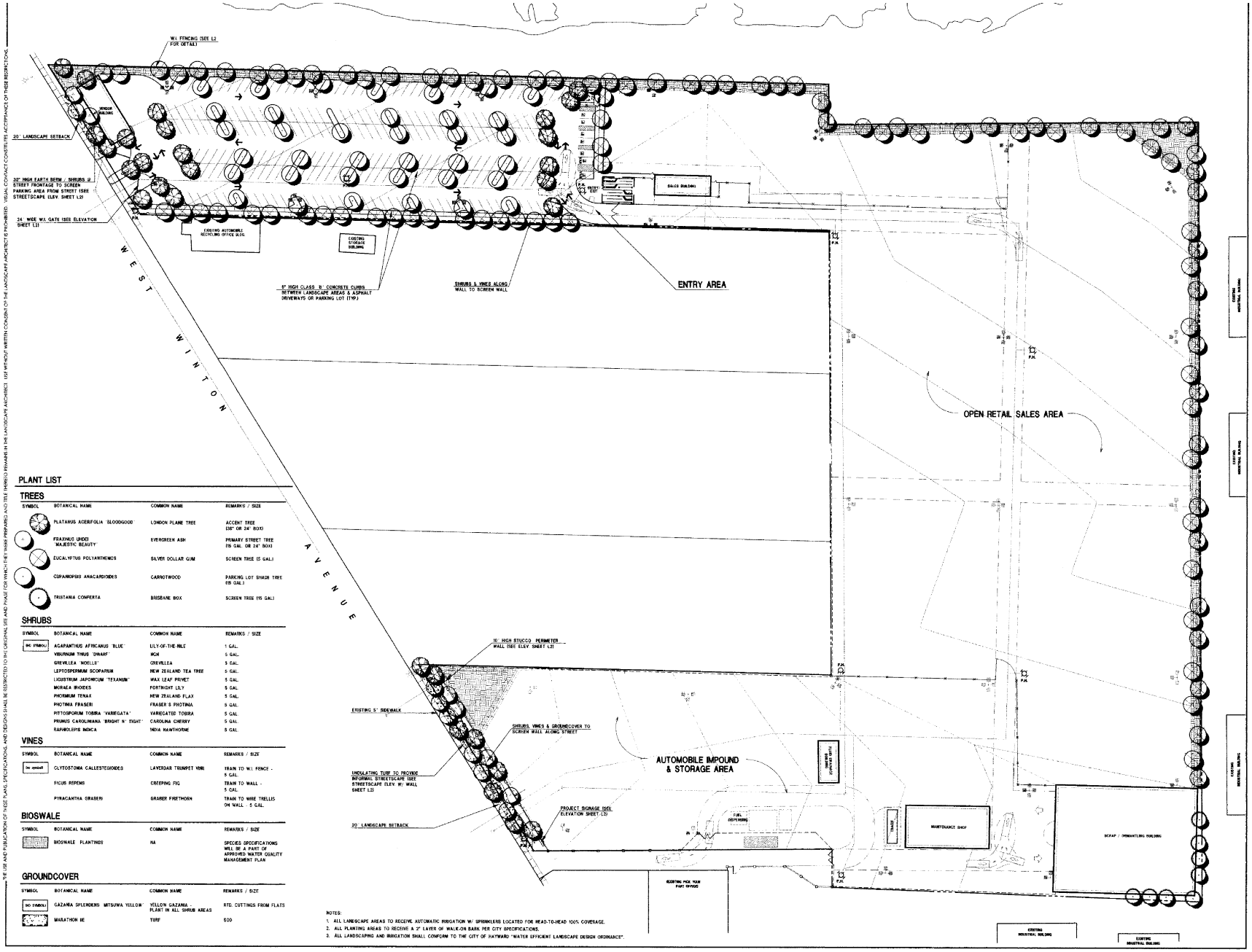
2885 WEST WINTON AVENUE
HAYWARD, CALIFORNIA

SHEET TITLE

VENDOR BUILDING TRASH ENCLOSURE

SHEET
A5

THE USE AND PUBLICATION OF THESE PLANS, SPECIFICATIONS, AND DESIGNS SHALL BE RESTRICTED TO THE ORIGINAL SITE AND PHASE FOR WHICH THEY WERE PREPARED AND THE THEREON REMAIN IN THE LANDSCAPE ARCHITECT. USE WITHOUT WRITTEN CONSENT OF THE LANDSCAPE ARCHITECT IS PROHIBITED. VISUAL CONTACT CONSTITUTES ACCEPTANCE OF THESE RESTRICTIONS.



PLANT LIST

TREES

SYMBOL	BOTANICAL NAME	COMMON NAME	REMARKS / SIZE
	PLATANUS ACERIFOLIA 'BLOODGOOD'	LONDON PLANE TREE	ACCENT TREE (36" OR 24" BOX)
	FRAXINUS UHDEI 'MAJESTIC BEAUTY'	EVERGREEN ASH	PRIMARY STREET TREE (15 GAL. OR 24" BOX)
	EUCALYPTUS POLYANTHEMOS	SILVER DOLLAR GUM	SCREEN TREE (5 GAL.)
	CUPANIOPSIS ANACARDIOIDES	CARROTWOOD	PARKING LOT SHADE TREE (15 GAL.)
	TRISTANIA CONFERTA	BRISBANE BOX	SCREEN TREE (15 GAL.)

SHRUBS

SYMBOL	BOTANICAL NAME	COMMON NAME	REMARKS / SIZE
(SC SYMBOL)	AGAPANTHUS AFRICANUS 'BLUE'	LILY-OF-THE-NILE	1 GAL.
	VIBURNUM TINUS 'DWARF'	MOH	5 GAL.
	GREVILLEA 'NOELLE'	GREVILLEA	5 GAL.
	LEPTOSPERMUM SCOPARIUM	NEW ZEALAND TEA TREE	5 GAL.
	LIGUSTRUM JAPONICUM 'TEXANUM'	WAX LEAF PRIVET	5 GAL.
	MORAEA IRIOIDES	FORTNIGHT LILY	5 GAL.
	PHORMIUM TENAX	NEW ZEALAND FLAX	5 GAL.
	PHOTINIA FRASERI	FRASER'S PHOTINIA	5 GAL.
	PITTOSPORUM TOBIRA 'VARIEGATA'	VARIEGATED TOBIRA	5 GAL.
	PRUNUS CAROLINIANA 'BRIGHT N' TIGHT'	CAROLINA CHERRY	5 GAL.
	RAPHIOLEPIS INDICA	INDIA HAWTHORNE	5 GAL.

VINES

SYMBOL	BOTANICAL NAME	COMMON NAME	REMARKS / SIZE
(Sc symbol)	CLYTOSTOMA CALLESTEGIOIDES	LAVENDAR TRUMPET VINE	TRAIN TO W.I. FENCE - 5 GAL.
	FICUS REPENS	CREEPING FIG	TRAIN TO WALL - 5 GAL.
	PYRACANTHA GRABERI	GRABER FIRETHORN	TRAIN TO WIRE TRELLIS ON WALL - 5 GAL.

BIOSWALE

SYMBOL	BOTANICAL NAME	COMMON NAME	REMARKS / SIZE
	BIOSWALE PLANTINGS	NA	SPECIES SPECIFICATIONS WILL BE A PART OF APPROVED WATER QUALITY MANAGEMENT PLAN

GROUNDCOVER

SYMBOL	BOTANICAL NAME	COMMON NAME	REMARKS / SIZE
(SC SYMBOL)	GAZANIA SPLENDENS MITSUWA 'YELLOW'	YELLOW GAZANIA - PLANT IN ALL SHRUB AREAS	RTD. CUTTINGS FROM FLATS
	MARATHON II	TURF	SOD

NOTES:
1. ALL LANDSCAPE AREAS TO RECEIVE AUTOMATIC IRRIGATION W/ SPRINKLERS LOCATED FOR HEAD-TO-HEAD 100% COVERAGE.
2. ALL PLANTING AREAS TO RECEIVE A 2" LAYER OF WALK-ON BARK PER CITY SPECIFICATIONS.
3. ALL LANDSCAPING AND IRRIGATION SHALL CONFORM TO THE CITY OF HAYWARD "WATER EFFICIENT LANDSCAPE DESIGN ORDINANCE".

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LICENSES

CALIFORNIA	#4192
ARIZONA	#32522
UTAH	#377500-5301
NEVADA	4539

REVISIONS

ACAD FILE: PYP-Prelim-02-033.dwg
JOB NO.: 02-033
SCALE: 1"=40'-0"
DATE: 06-10-03

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PROJECT

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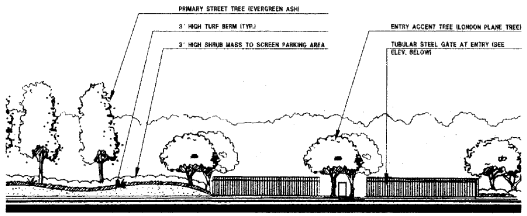
2685 WEST WINTON AVENUE
HAYWARD, CALIFORNIA

SHEET TITLE

PRELIMINARY LANDSCAPE PLAN

SHEET L1
NORTH

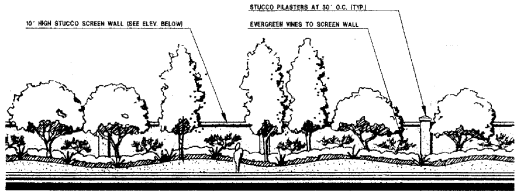


STREETSCAPE ELEVATION W/O WALL BY PARKING LOT

SCALE 1" = 10'-0"

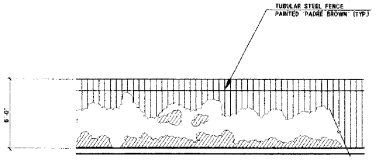
TRASH ENCLOSURE

N.T.S.



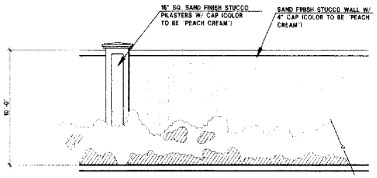
STREETSCAPE ELEVATION W/WALL

SCALE 1" = 10'-0"



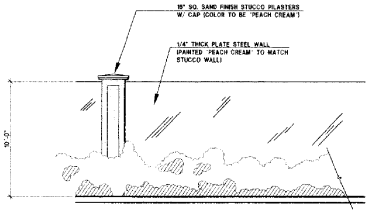
TUBULAR STEEL FENCE

SCALE 1/4" = 1'-0"



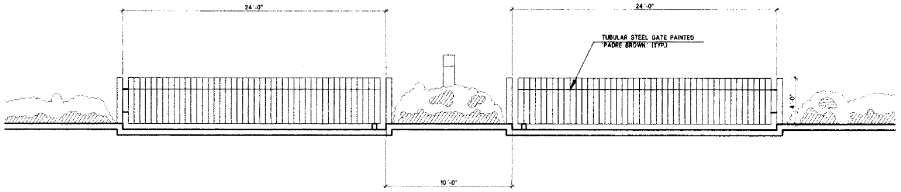
WALL W/ PILASTERS

SCALE 1/4" = 1'-0"



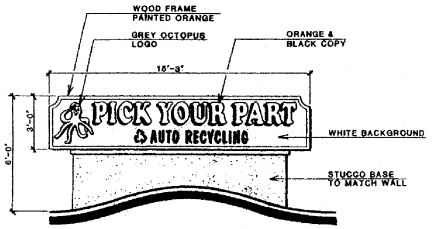
STEEL WALL

SCALE 1/4" = 1'-0"



TUBULAR STEEL GATE @ ENTRY AND EXIT

SCALE 1/4" = 1'-0"



SIGNAGE

SCALE 3/8" = 1'-0"

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LICENSES

CALIFORNIA	#4192
	#3906
ARIZONA	#32522
UTAH	#377520-5301
NEVADA	#539

REVISIONS

ACAD FILE: LANDSCAPE ELEMENTS
JOB NO.: 02-033
SCALE: VARIES
DATE: 06-10-03

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FAX: (714) 634-0520

PROJECT

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HAYWARD, CALIFORNIA

SHEET TITLE

LANDSCAPE ELEMENTS

SHEET
L2