CITY OF
HAYWARD
HEART OF THE BAY

September 16, 2005

NOTICE OF PREPARATION
OF A DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT

AND NOTICE OF EIR SCOPING MEETING

pursuant to the California Environmental Quality Act, as amended.

SOUTH HAYWARD BART/MISSION BOULEVARD CONCEPT PLAN

NOTICE IS HEREBY GIVEN that the City of Hayward is undertaking a study to analyze the opportunities and constraints for future redevelopment in the immediate area surrounding the South Hayward BART station and an expanded area extending both north and south along Mission Boulevard generally between Harder Road and Industrial Parkway. The study will result in development of a Concept Design Plan, which will result in amendments to the City of Hayward General Plan and the City of Hayward Zoning Ordinance.

Serving as the Lead Agency, the City of Hayward will be preparing a Program Environmental Impact Report (EIR), which will examine at a general program level the potentially significant environmental effects of potential development that could occur as a result of the study and related amendments, as well as providing alternatives and/or mitigation measures to reduce or avoid those significant impacts. A Draft EIR will be published for public review and comment, and a Final EIR will be prepared to respond to comments received during the review period. The City of Hayward City Council must certify the EIR as a complete, accurate, and objective analysis prior to approving the proposed project. A copy of the Initial Study for the proposed project is attached for your reference.

The Lead Agency needs to know your views as to the scope and content of the EIR. If you represent a public agency, please provide information that is germane to your statutory responsibilities as they may be affected by this project. Responsible and trustee agencies are encouraged to use the EIR that will be prepared by the City when considering approvals they may grant related to the project. A scoping meeting will be held on **October 6 at 10:30 a.m**. in Room 1C at Hayward City Hall, 777 B Street, Hayward, CA 94541.

The project location and general description, as well as a preliminary discussion of the potential environmental effects are contained in the attached materials, which includes the Initial Study. Due to the time limits mandated by State law, your response must be sent **not later than 30 days after receipt of this notice**. Please send your response to:

David Rizk, AICP, Senior Planner
Planning Division
City of Hayward
777 B Street
Hayward, CA 94541

Please provide the name, mailing address, telephone number and e-mail address of a contact person with your response.

Signed: David Rizk Date: September 16, 2005

CITY OF HAYWARD
HEART OF THE BAY

Initial Study Checklist

pursuant to the California Environmental Quality Act

1. **Project title:** South Hayward BART/Mission Boulevard Concept Plan

2. **Lead agency / project sponsor's name and address:** City of Hayward, 777 B Street, Hayward, CA 94541

3. **Contact person and phone number:** David Rizk, AICP, Senior Planner, 510-583-4004

4. **Project location:** The Concept Plan study area comprises approximately 240 acres in the southeastern portion of the City of Hayward (see attached map), and is bordered by the BART tracks on the west (excluding the residential neighborhoods west of East 12th Street and north of Sorenson Road), Industrial Parkway on the south (including the triangular area on the south side), Harder Road on the north, and Mission Boulevard on the east (including properties along the east side of Mission Boulevard between Garin Avenue and Calhoun Street).

5. **General Plan designation:** Various (see attached map showing existing General Plan land use designations)

6. **Zoning:** Various (see attached map showing existing zoning classifications)

7. **Project description**: The Concept Plan will illustrate potential future redevelopment of the study area and will provide an overall circulation pattern with transportation linkages to the South Hayward BART Station. For purposes of analysis, the environmental impact report will address future potential redevelopment of the study area under three alternative land use scenarios/concepts: Suburban Concept, Urban Concept and a Blended Concept (see attached maps and development summary table). Potential net new residential units range from approximately 1,200 to 5,000 units. New significant commercial development could entail redevelopment of the Holiday Bowl site at the southwest corner of Industrial Parkway and Mission Boulevard and the area at the northwest corner of Valle Vista Avenue and Mission Boulevard, where a new grocery store complex is envisioned for two of the scenarios. Mixed Use development is envisioned throughout the study area at selected locations, as well as higher density residential development along portions of Mission Boulevard. The project also includes the following related actions:
    a) Proposed amendments to the City of Hayward General Plan, including the General Plan Land Use Map, for certain parcels within the study area under each scenario, to include new General Plan land use residential density categories of 34.8 to 75 units per net acre and 75 to 100 units per net acre to accommodate higher density housing proposals around the South Hayward BART Station and along Mission Boulevard.
    b) Proposed amendments to the City of Hayward Zoning Ordinance to rezone parcels within the study area under each scenario and proposed amendments to the City of Hayward Zoning Ordinance establishing a new district and related design guidelines for selected portions of the study area.

8. **Existing land uses and setting**: The study area contains a mix of residential and commercial land uses in structures of varied age and condition. Commercial uses are primarily located along Mission Boulevard, while residential uses are found primarily along Dixon Street. In the vicinity of the South Hayward BART Station, opportunities exist within walking distance of the station to encourage transit-oriented development, particularly on vacant and underutilized properties.

9. **Surrounding land uses and setting**: The land uses surrounding the study area include single-family residential neighborhoods and a small industrial area to the west across the BART tracks, Mission Boulevard Auto Row to the north, Mission Hills of Hayward Golf Course and the Twin Bridges neighborhood to the south, and a variety of land uses to the east bordering the foothills (cemetery, private schools, quarry, multifamily complexes and single-family subdivisions).

10. **Other public agencies whose approval may be required**: Bay Area Rapid Transit District, Alameda County Congestion Management Agency, California Department of Transportation, California Regional Water Quality Control Board, Bay Area Air Quality Management District, California Department of Toxic Substances Control.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☒	Aesthetics	☐	Agriculture Resources	☒	Air Quality
☐	Biological Resources	☐	Cultural Resources	☐	Geology & Soils
☒	Hazards & Hazardous Materials	☒	Hydrology & Water Quality	☐	Land Use & Planning
☐	Mineral Resources	☒	Noise	☒	Population & Housing
☒	Public Services & Utilities	☒	Transportation	☒	Mandatory Findings of Significance

DETERMINATION:

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☒ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

David Rizk	September 16, 2005 – Revised April 10, 2006
Signature	Date
David Rizk, AICP	Senior Planner
Printed Name	Title

PRELIMINARY EVALUATION OF ENVIRONMENTAL IMPACTS:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
I. AESTHETICS Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☒	☐	☐	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☒	☐	☐	☐
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Discussion:

a): Undeveloped hillsides to the east of Mission Boulevard and bordering Garin Regional Park provide a scenic backdrop for most of the study area. This vista is broken by the La Vista Quarry site, which has been altered extensively during the past in association with extraction operations, but is being reclaimed and has been approved for residential development of 179 single-family homes. Views of the undeveloped hillsides and the La Vista Quarry site exist from many vantage points throughout the study area, especially those properties near currently vacant parcels. Future development of these undeveloped parcels could impact the visual resources that currently exist in the study area. Maximum densities and height limits proposed for future development would result in obstruction of existing views in some areas. Although appropriate design and massing can be expected to substantially mitigate visual impacts of structures in most instances, the loss of views in some areas may result in a potentially significant impact, which will be analyzed in the EIR.

b): Properties comprising the project area are largely developed and contain no significant scenic resources, including major stands of trees, rock outcrops or similar features.

c): It is anticipated that redevelopment of vacant and underutilized properties within the study area would have a generally beneficial impact on surrounding properties and the visual character of the study area. However, in areas around the BART station, densities are proposed that could result in five to seven-story buildings in an area that contains buildings that are a maximum of three stories. Although the project will entail development of a Concept Design Plan, which will include design guidelines that could help mitigate impacts, such massing could degrade the visual quality of the area by impacting views toward the area from surrounding properties in the vicinity, as well as views towards the eastern hills. This topic could be potentially significant and will be analyzed in the EIR.

d): Lighting associated with new development at greater intensities could result in adverse impacts on nighttime views; however, adherence to the City's Design Guidelines and new Concept Design Plan guidelines, if applicable, should reduce such impacts to less-than-significant levels. Also, the study area

is in an urbanized area with existing development and associated nighttime lighting; so, the addition of new, more intense development in the area would not introduce lighting in an area that does not contain lighting.

e): Proposed commercial and residential land uses are not expected to result in the creation of odors that would impact a substantial number of people.

In summary, the EIR will provide an analysis of visual/aesthetic impacts to the extent they can be addressed at a programmatic level.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
II. AGRICULTURE RESOURCES Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Involve other changes in the existing environment that could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

Discussion:

a): According to the most current California Department of Conservation, Division of Land Resource Conservation's Important Farmland Map for Alameda County, no prime or unique farmland or farmland of Statewide importance exists within the project area.

b): No Williamson Act contracts exist for land within the project area. There are no agricultural zoning designations.

c): There is no known Farmland within the project area, per the map referenced above in (a).

In that the project will have no potential to affect agricultural resources, no further analysis is required.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
III. AIR QUALITY Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☒	☐	☐	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☒	☐	☐	☐
c): Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☒	☐	☐	☐
d): Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e): Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

Discussion:

a-c): On March 12, 2002, the Hayward City Council certified an EIR (SCH #: 2001-072069) and adopted a new City of Hayward General Plan. All three scenarios to be analyzed in the EIR include land use designations that are similar to those shown in the General Plan, as well as two new residential categories that exceed General Plan densities and mixed use categories. As explained on pages 8-12 to 8-16 of the EIR associated with the General Plan Update, development in accordance with the General Plan would create less-than-significant impacts regarding this significance criterion. However, under all three scenarios to be analyzed in the EIR, potential residential development would exceed the densities and intensity of development currently shown in the General Plan. Although the land use pattern and design guidelines would promote transit-oriented development, there may be potential significant impacts resulting from this project that would be expected to be greater than impacts associated with the General Plan, including exceedances of Bay Area Air Quality Management District emission thresholds for project and cumulative conditions. Therefore, further program-level analysis will be conducted for the EIR.

d): There are several known sensitive receptors within or near the study area (e.g., Bowman Elementary School, Cesar Chavez Middle School, Tennyson High School, Moreau Catholic High School, St. Clements School). The EIR for the General Plan Update indicates that short-term construction-related impacts might adversely impact sensitive receptors located in close proximity to such sites, particularly in regards to fine particulate matter (PM_{10}). That EIR concluded on pages 8-19 to 8-21 that strict adherence to required City dust control measures would reduce such construction-related impacts to a less-than-significant level. These measures will be required of individual developments should the project be approved.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☒	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Discussion:

a): The project area is largely developed and does not contain plant or wildlife special-status species, so there would be no impact with regard to this topic.

b): The project study area contains an open drainage channel maintained by the Alameda County Flood Control and Water Conservation District. Potential effects of future development on any riparian habitat will be evaluated as part of the City's development review process for specific development projects. The General Plan EIR contains mitigation measures that adequately address this potential impact at a programmatic level, reducing it to a less-than-significant level.

c-d) The project site, located in an urban setting, contains no wetlands or wildlife corridors since properties comprising the site are largely developed. Future development would be infill development.

e-f); The project area does not contain significant stands of trees nor is it located within a Habitat Conservation Plan boundary. Future developments would be required to comply with the City's Tree Preservation Ordinance.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5 of the CEQA Guidelines?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5 of the CEQA Guidelines?	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Discussion:

The certified EIR for the General Plan Update identifies known historical and archaeological resources and sites in and around the City of Hayward, along with sources consulted in researching such information. No sites that contain historical or archaeological resources were identified within the project study area. Standard procedures for grading operations would be followed during any development projects on undeveloped sites, which require that if any such remains or resources are discovered, grading operations are halted and the resources/remains are evaluated by a qualified professional and, if necessary, mitigation plans are formulated and implemented. These standard measures would be applied to individual development projects should the project be approved.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault?	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☒	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☒	☐	☐
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, creating substantial risks to life or property?	☐	☒	☐	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems?	☐	☐	☐	☒

Discussion:

ai): The active Hayward earthquake fault is located to the east of the study area and poses a significant hazard to the City. The fault is one of the principal seismogenic sources in the eastern San Francisco Bay area, and poses both a surface rupture and strong ground-shaking hazard. Considerable geological and geotechnical work has been conducted along the Hayward fault throughout Hayward over the past several decades, leading to more accurate plotting of the location of the main fault trace and knowledge of its characteristics, as well as information associated with additional active traces of the Hayward fault. No portion of the study area lies within the State Earthquake Fault Zone; thus no additional geologic fault investigations are required for the project, and no further analysis will be incorporated in the EIR.

aii): The severity of ground shaking at a particular site is controlled by several factors, including the distance from the earthquake source, the earthquake magnitude, and the type, thickness and condition of underlying geologic materials. Areas underlain by unconsolidated, recent alluvium and/or man-made fill have been shown to amplify the effects of strong seismic ground shaking. The presence of such deposits and the fact that the active Hayward fault is located just to the east of the study area increase

the chances that severe ground shaking will likely occur during a major seismic event, which could result in loss of life and/or property associated with the project. However, through design and location of developments, such impacts will be reduced to levels of insignificance in accordance with specific project development review and construction through oversight and implementation of recommendations of a registered geotechnical engineer in accordance with the California Building Code and standard geotechnical practices.

aiii): As shown in Appendix L of the City of Hayward General Plan, and as reflected in the State Seismic Hazard Zone Map (Hayward Quadrangle), portions of the study area are located in a liquefaction hazard area. Most of the high and very high hazard areas are located in western Hayward toward the bay lands. However, due to the proximity of the Hayward fault, there may be the potential for liquefaction and other types of ground failures resulting from seismic events that warrant further evaluation. However, through design and location of developments, such impacts will be reduced to levels of insignificance in accordance with specific project development review and construction through oversight and implementation of recommendations of a registered geotechnical engineer in accordance with the California Building Code and standard geotechnical practices.

aiv): The project area is located on relatively flat terrain and there is little or no potential for landslides. No portions of the project area are located within a landslide hazard area, as shown on the State's Seismic Hazard Zone Map (Hayward Quadrangle).

b): Erosion control will be addressed through the established regulatory provisions of the City and regional agencies, including provisions in the City's grading ordinance, best management practices, etc., which will reduce impacts associated with erosion to a less-than-significant level.

c): No such units/soils have been identified in the project area. Additionally, specific project development review would prohibit development in such areas, should they be identified through future site-specific analyses.

d): As shown in Figure 9.3 of the certified EIR associated with the General Plan Update, much of the project area is mantled by clayey soils of the Clear Lake-Omni series, which are expansive soils that have a high shrink-swell potential. Such soils, when exposed to natural seasonal or man-made moisture content changes, can damage structures and other improvements and utilities. However, such impacts will be mitigated to levels of insignificance in accordance with specific project development review and construction through oversight and implementation of recommendations of a registered geotechnical engineer in accordance with the Uniform Building Code and standard geotechnical practices.

e): New development would be required to connect to the City's public sewer system.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
VII. HAZARDS AND HAZARDOUS MATERIALS Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☒	☐	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) Result in a safety hazard for people residing or working within an area subject to an airport land use plan or within two miles of a public airport or public use airport?	☐	☐	☐	☒
f) Result in a safety hazard for people residing or working in the vicinity of a private air strip?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk involving wildland fires?	☐	☐	☒	☐

Discussion:

a, c): The proposed project would include land use changes to allow a revitalization and intensification of residential, commercial and mixed land uses. None of the proposed uses would include uses that would use, store, transport or otherwise handle significant quantities of hazardous materials, which would typically be associated with industrial areas.

b): Demolition of older structures in the project area could release asbestos and/or lead-based paint into the atmosphere, materials that were commonly used for construction in the past. Potential soil and groundwater contamination impacts will be addressed at a programmatic level in the EIR.

d) The project area is not identified as a hazardous materials site on the State of California Department of

Toxic Substances Control list as of August 19, 2005.

e,f): The project are is located at least two miles from Hayward Executive Airport, so there would not be a significant impact with regard to this topic. There are no airstrips within or close to the project area.

g): The Project would involve development on private properties that would be required to be reviewed and approved by the Hayward Fire Department, and would not block any public rights-of-way.

h): A small portion of the study area borders an undeveloped hillside area that contains limited water supply and restricted emergency vehicle access. Strict adherence to the City's "Urban/Wildland Interface Guidelines", including development and implementation of fuel management programs, will help reduce wildland fire hazards once residential development projects are completed. Such measures are typically addressed as project conditions of approval, and required to be implemented prior to the start of construction.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
VIII. HYDROLOGY AND WATER QUALITY Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	☒	☐	☐	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☒	☐	☐	☐
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other	☒	☐	☐	☐

flood hazard delineation map?				
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Discussion:

a, c, f:) New development in the project study area may involve substantial grading and construction activity. Implementation of City grading and erosion control provisions, including utilizing best management practices designed in accordance with applicable provisions of the Alameda County Clean Water Program NPDES permit Section C.3, limiting periods during which grading occurs, and developing stormwater pollution prevention plans (SWPPPs) would reduce such impacts to less-than-significant levels.

b): New development in the project study area may result in a reduction in pervious surface area, with stormwater systems carrying water from the project area to drainage courses and creeks outside the project area. However, the impacts to the groundwater levels associated with such development regarding this significance criterion are expected to be less than significant.

d, e): As indicated in item a) above, new development may involve substantial grading, which will increase stormwater runoff and could negatively impact downstream properties. All major development projects in the project area shall be required to develop storm drainage reports, including storm drain calculations associated with expected runoff and downstream drainage facilities, to determine adequacy of both private and public facilities (managed by the City of Hayward and the Alameda County Flood Control and Water Conservation District). Improvements to existing facilities or construction of new facilities may be required in order to mitigate any potential impacts due to inadequacies. The EIR will provide a general analysis of possible impacts associated with potential development in the project area.

g – j): Small portions ot project area are located within a 100-year flood hazard area, according to federal Flood Insurance Rate Maps, and this will addressed in the EIR. Also, as indicated in plate 6 of Appendix L of the City's General Plan, the project area is not located within a dam failure inundation zone, or in a tsunami inundation area.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
IX. LAND USE AND PLANNING Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☒	☐	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Discussion:

a): The proposed project would be located within an existing urban environment and would not block or divide an existing community. In fact, components of the Concept Design Plan will help facilitate enhanced pedestrian and bike access in the area.

b): The project will involve significant changes to land use designations for certain properties in the project study area. Such changes could potentially conflict with some existing City policies. However, Policy #6 of the General Plan's Land Use Chapter states the City should, "Seek to integrate greater intensity of development and enhance the surrounding neighborhood within a half-mile of the South Hayward BART Station." An analysis of existing City of Hayward General Plan policies, Design Guidelines, and other relevant documents and policies will be undertaken before any changes to land use designations occur, resulting in land uses that would better reflect established policies and regulations.

c): The project is not located in the boundary of a Habitat Conservation Plan.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
X. MINERAL RESOURCES Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site?	☐	☐	☐	☒

Discussion:

There are no known mineral resource sites within the study area.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XI. NOISE Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☒	☐	☐	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐
e) Exposure of people residing or working in the project area to excessive noise levels due to location within an airport land use plan or within two miles of a public airport or public use airport?	☐	☐	☐	☒
f) Exposure of people residing or working in the project area to excessive noise levels due to location within the vicinity of a private airstrip?	☐	☐	☐	☒

Discussion:

a): Noise from vehicular traffic, particularly associated with Mission Boulevard (Route 238) and from BART trains, represent the most significant source of noise in the project area. Appendix M of the City of Hayward General Plan shows existing noise exposure contours for the City, as well as noise contours projected for the year 2025, based on anticipated traffic increases. According to the discussion regarding noise in the General Plan on page 7-19 in the Conservation and Environmental Protection Chapter, noise contours along Mission Boulevard are expected to remain fairly constant. Portions of the project study area along Mission Boulevard are located within the 70 to 74 dBA L_{dn} noise exposure contour. Also, as indicated in Table 1 of Appendix M of the General Plan, noise measurements taken in the rear yards of homes along the BART tracks in the vicinity of the project area (site LT-18) indicate a noise level of 76 dBA L_{dn}. According to the City's "Guidelines for the Review of New Development" (Appendix N of the General Plan), the maximum acceptable exterior noise level in residential areas is an L_{dn} of 55 dB for single-family development and an L_{dn} of 60 dB for multi-family development. The City's "Land Use Compatibility Standards for Community Noise Environments" in Appendix N indicates an L_{dn} of 65 dB is normally acceptable for multi-family residential development, which is the primary type of new residential development envisioned in the three scenarios. Future developments along Mission Boulevard and the BART tracks may be exposed to noise levels that exceed City guidelines and standards, which will be addressed at a programmatic level in the EIR.

b): Operations at the La Vista Quarry property involve heavy truck traffic and mining extraction operations, as well as an asphalt batch plant, which could generate groundborne vibration or noise. The 2000 Addendum to the Alameda County-certified 1988 EIR (SCH #: 86-070101) for the La Vista Quarry surface mining permit indicates on page 15 that noise levels at a distance of about 1,500 feet or more from the center of quarry operations would be about 60 dBA. However, the La Vista Quarry operation is scheduled to close no later than 2007 and, given a residential development was approved recently for that site, the quarry may close sooner than that. However, in the unlikely event new development resulting from this project is to be constructed in close proximity to the quarry while quarry activities are occurring, prior to development occurring on these properties, detailed analysis regarding noise exposure would need to be conducted to confirm noise exposure associated with quarry activities would be in accordance with City standards and guidelines.

c): Future development within the study area would generate additional traffic in neighborhoods in the project study area, which could increase existing ambient noise levels in the study area. However, since the three scenarios to be analyzed all promote transit-oriented development, and the type of traffic generated as a result of the project would be primarily automobile traffic traveling at reduced speeds on local and minor collector streets, noise exposure impacts within existing neighborhoods associated with expected traffic generation from the project are expected to be less than significant.

d): New development in the project area may involve substantial grading and construction activity, including construction of new roadways and residences. However, with proper noise reduction measures (e.g., mufflers on construction equipment and vehicles, restricted construction hours), such short-term impacts are expected to be less than significant. These noise reduction measures will be required for all future development projects within the project area as a condition of approval by the City of Hayward.

e, f): The project area is located more than two miles from the Hayward Executive Airport. There are no private airstrips in the vicinity.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XII. POPULATION AND HOUSING Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☒	☐	☐	☐
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

Discussion:

a): Potential General Plan amendments, especially those associated with the selection of the Urban Scenario, could result in more intensive residential and commercial development along Mission Boulevard and on vacant and underutilized parcels elsewhere in the study area, which would result in a commensurate increase in population and housing in the vicinity. Under the Suburban Scenario, approximately 1,200 net new dwelling units could be constructed. Under the Urban Scenario, approximately 5,000 net new dwelling units could be constructed. Per the Blended Scenario, approximately 3,200 net new dwelling units could be constructed. Given potential development per existing General Plan designations could result in approximately 700 to 1,400 net new dwelling units, this potential number of new housing units could represent a potentially significant impact in regard to City and regional population projections and will be evaluated in the EIR.

b, c): Redevelopment of selected properties within the study area in accordance with the three scenarios may result in some displacement of people and/or housing; however, these numbers are not expected to reach significant levels. If the Redevelopment Agency is involved in specific projects, replacement of housing and relocation assistance must be provided as required by law.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XIII. PUBLIC SERVICES & UTILITIES Would the project result in:				
a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for the following public services:				
Fire protection?	☒	☐	☐	☐
Police protection?	☒	☐	☐	☐
Schools?	☒	☐	☐	☐
Parks/Recreation?	☒	☐	☐	☐
b) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☒	☐	☐	☐
c) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☒	☐	☐	☐
d) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☒	☐	☐	☐
e) Require new or expanded water supplies from existing entitlements and resources?	☒	☐	☐	☐
f) A determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☒	☐	☐	☐
g) Require additional landfill capacity?	☐	☐	☒	☐
h) Comply with federal, state, and local statutes	☐	☐	☒	☐

and regulations related to solid waste?

Discussion:

a):

Fire protection:

The City of Hayward Fire Department provides emergency services associated with major events, including fire, floods, earthquake or hazardous material spills. The fire station nearest to the study area is located on Huntwood Avenue just south of Tennyson Road; however, the northern and southern ends of the study area are within reach of the Harder Road/Bishop Avenue and Mission Boulevard/Blanche Street stations, respectively. According to the General Plan Update EIR, 90% of all emergency calls result in the first Fire Department unit arriving in five minutes or less. As mentioned previously, the City has adopted Urban/Wildland Interface Guidelines that help reduce the potential for damage resulting from wildland fires. Given the three scenarios to be analyzed would exceed development potential envisioned in the General Plan, significant impacts related to fire protection could occur that would require new or upgraded facilities and thus, the EIR will provide further analysis of service and response needs associated with the potential development scenarios.

Police Protection:

According to the General Plan Update EIR, the City of Hayward Police Department maintains a ratio of 1.32 sworn officers per 1,000 population, with a goal of providing 1.5 officers per 1,000 population. The potential development scenarios associated with the project may require additional or expanded police facilities. As with fire protection, the EIR will provide an analysis of police protection needs associated with potential development scenarios envisioned by the proposed General Plan amendment.

Schools:

All of the study area is served by the Hayward Unified School District. Most of the study area is within the Bowman Elementary School attendance area; however, the southernmost portions are within the Treeview Elementary School attendance area. All of the study area is within the attendance boundaries of Chavez Middle School and Tennyson High School. Although current enrollments at the elementary schools appear to be below existing capacities, the EIR will contain an analysis of projected school needs associated with the potential development scenarios. Under the Suburban and Blended Scenarios, the Bowman School site would be expanded and a new school facility would be built; under the Urban Scenario, the Bowman School site is proposed for housing, necessitating identification of a new school site outside the study area. If new or expanded school facilities are determined to be needed, the EIR will provide an analysis of the environmental impacts associated with such new or expanded facilities.

Parks & Recreation:

The Hayward Area Recreation and Park District (HARD) and the East Bay Regional Park District (EBRPD) provide services in or adjacent to the City of Hayward. The Dixon Street area is served by Valle Vista Neighborhood Park. Two other mini-parks, Nuestro Parqecito and Haymont, serve residential neighborhoods in the northern portion of the study area. Garin Regional Park is located to the east of the study area. The potential development associated with any of the scenarios would result in an increased demand for parks, recreational facilities and open space in the City. Under the Suburban Scenario, Valle Vista Park would be relocated to the south and expanded; under the Urban Scenario, two new parks would be provided in conjunction with new housing developments while Valle Vista Park would be expanded with a new community center. The Blended Scenario also envisions a new community center, but does not indicate two new parks in the study area. The EIR will evaluate HARD's and EBRPD's current master plans and provision of local services, and assess park and service needs associated with the three development scenarios, in relation to the City's park dedication ordinance requirements. If necessary, mitigation measures associated with physical impacts to the environment resulting from the provision of such needs will be provided.

b): The City's existing wastewater treatment facility, which complies with the Regional Water Quality Control Board standards, will accommodate development as envisioned in the existing City General Plan. However, as mentioned previously, development shown in the three scenarios may result in significantly more dwelling units than that represented in the existing General Plan. This potential impact will be further evaluated in the EIR.

c): The EIR will provide an analysis at a programmatic level regarding such needs and resulting impacts to the physical environment associated with the development potential under each scenario. However, site-specific measures cannot be formulated until specific development projects are presented for review and analysis.

d): The EIR will provide an analysis of the potential impacts to stormwater drainage facilities associated with development proposed in each scenario and provide mitigation measures to minimize impacts with development in general. However, site-specific measures cannot be formulated unless and until specific development projects are presented for review and analysis.

e): The City's water supply entitlement, which is provided via the Hetch-Hetchy system, can accommodate any new development in the study area. Therefore, no new or expanded water supplies will be needed as a result of the project. While there is a seemingly unlimited water supply, the ability to deliver that supply and any resulting impacts will need to be evaluated, including analysis in the context of the City's Urban Water Management Plan.

f): The EIR will analyze current capacity to confirm the adequacy of existing treatment plant capacity. The wastewater discharge from potential development may exceed the current capacity of a portion of the City's wastewater collection system, which could require construction of new collection facilities.

g, h): County-wide solid waste management plans and facilities will be described and impacts associated with potential impacts resulting from providing, if necessary, expanded landfill capacity due to the proposed project will be assessed, along with compliance with federal, sate and local statues and regulations related to solid waste. However, it is expected that such impacts will be less than significant, due to existing landfill capacity vis a vis projected future development within the City, and current practices regarding solid waste disposal.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XIV. TRANSPORTATION Would the project:				
a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☒	☐	☐	☐
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☒	☐	☐	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Result in inadequate parking capacity?	☐	☒	☐	☐
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☒	☐	☐

Discussion:

a, b): The expiration of the La Vista Quarry surface mining permit in 2008 would result in elimination of truck quarry traffic in the project area, representing a positive impact regarding traffic. However, the development potential of the project area could result in a substantial amount of new traffic in the vicinity, adding to the traffic volume along Mission Boulevard, Tennyson Road, Industrial Parkway and other routes in the area.

The EIR for this project will analyze potential traffic impacts associated with various development scenarios envisioned by this project at various intersections and roadway segments near the project vicinity, including at Mission Boulevard intersections with Harder Road, Calhoun Street, Tennyson Road, Valle Vista Avenue, and Industrial Parkway.

b): Potential increases in vehicular traffic and associated impacts will be analyzed in the EIR in light of Alameda County Congestion Management Agency criteria.

c): The project area is located more than two miles from the Hayward Executive Airport and no impacts to air traffic patterns will occur as a result of the project.

d, e): The EIR will analyze impacts associated with these two significance criteria from a programmatic level, addressing existing standards and policies, and, if necessary, will provide mitigation measures to ensure any future development provides appropriately designed roadways and provides proper emergency access. However, specific measures addressing site-specific deficiencies will not be able to be provided until specific development proposals are submitted and reviewed by the City.

f): Under all of the development scenarios, new parking structures would replace the current surface parking at the South Hayward BART Station. BART is currently evaluating its existing parking replacement policies. The City's parking standards require that all development provide adequate parking. The EIR will analyze impacts associated with parking capacity at a programmatic level, with project-specific impacts to be addressed in the future as part of subsequent analyses.

g): The project would not conflict with adopted City polices and programs regarding alternative forms of transportation, including those contained in the City's Bicycle Master Plan and General Plan Circulation Element. However, it is possible that the existing bus transfer area at the South Hayward BART Station may be relocated or reconfigured. The EIR will assess any physical impacts of such changes.

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

Discussion:

a): As indicated in Section IV related to biological impacts, the project area is within an existing urban environment and would not be expected to contain plant or wildlife special-status species, wetlands, wildlife corridors, nor significant stands of trees. Development envisioned in three scenarios to be analyzed would entail infill development around the South Hayward BART Station and along the Mission Boulevard corridor.

b): The City of Hayward General Plan is a long-range document that addresses desired goals and future development. The project must be determined to be consistent with existing General Plan policies and strategies and, therefore, is not expected to have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals. In addition, the project proposes to significantly increase residential densities near a major transit center, which is consistent with regional planning and transportation goals.

c): The project involves an area in the City that encompasses numerous properties. Three scenarios to be analyzed envision potential development that would exceed that envisioned in the existing Hayward General Plan. Such level of development could generate cumulative significant impacts, especially when viewed in the context of other potential future developments in the area and along Mission Boulevard.

d): As noted in previous sections, the proposed project could generate environmental impacts that would cause substantial adverse effects on human beings associated with impacts resulting from development in visually sensitive areas, development at levels that could impact local air quality, impacts related to demolition of older structures that could contain hazardous materials, impacts related to new development and altered drainage courses that could effect proper drainage, noise impacts associated with new development in close proximity to Mission Boulevard and BART train tracks, and impacts regarding population and housing, public services and utilities and traffic as a result of a substantial number of new dwelling units being constructed in accordance with three development scenarios to be analyzed in the EIR.

INITIAL STUDY PREPARERS

City of Hayward

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References

City of Hayward General Plan

Environmental Impact Report, for the City of Hayward General Plan Update SCH # 2001072069, Lamphier-Gregory Associates, November 2001

Insert Study Area Aerial Map here.

Insert General Plan Map here.

Insert Zoning Map here.

Insert Suburban Scenario Map here.

Insert Blended Scenario Map here.

Insert Urban Scenario Map here.

South Hayward BART/Mission Boulevard Concept Plan
Potential Residential Development of Three Scenarios

"Suburban" Concept	
Total Potential Units	1,238
Current Units	73
Net Additional Potential Units	1,165
"Blended" Concept	
Total Potential Units	3,292
Current Units	73
Net Additional Potential Units	3,219
"Urban" Concept	
Total Potential Units	5,112
Current Units	73
Net Additional Potential Units	5,039