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# **ES EXECUTIVE SUMMARY**

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This chapter provides a summary of the Lincoln Landing project in the City of Hayward, identification of the alternatives evaluated in this Draft Environmental Impact Report (DEIR or Draft EIR), a discussion of areas of controversy, and a summary of the environmental impacts of the project.

### **ES.1 PURPOSE AND SCOPE OF THE ENVIRONMENTAL IMPACT REPORT**

This DEIR provides an analysis of the potential physical environmental effects associated with project implementation, pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000–21177).

The analysis focuses on the physical environmental impacts that could arise from project implementation through demolition of the historic pump house. The Lincoln Landing Draft EIR is an environmental impact report focusing on resources as determined by the prepared Initial Study, per CEQA Guidelines Section 15063(c) (3):

### **ES.2 PROJECT CHARACTERISTICS**

The project applicant is seeking a Site Plan Review and Tentative Tract Map for the development of a large-scale mixed-use development consisting of 476 multi-family residential units above 80,500 square feet of commercial uses with a combination of surface and structured parking (**Appendix PLANS**). The existing 335,000-square-foot office building and 5,310-square-foot commercial building would be demolished to accommodate the project. The existing four-story parking structure at the southwestern corner of the site would be retained and rehabilitated to provide parking for the proposed development.

### **ES.3 PROJECT ALTERNATIVES SUMMARY**

CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the project which could feasibly attain the basic objectives of the project and avoid and/or lessen the environmental effects of the project. Further, CEQA Guidelines Section 15126.6(e) requires that a “no project” alternative be evaluated in an EIR. The Draft EIR evaluates the following alternatives:

- **Alternative 1 No Project Alternative.** Under this alternative, the proposed project would not be implemented. The existing buildings would remain and a mixed-use development with housing and retail would not be developed on the site. The project site would not undergo site improvements, like landscaping and repaving of the parking lot.
- **Alternative 2 – Reduced Development Alternative A.** Reduced Development Alternative A would include 200 apartments and approximately 45,500 square feet of retail space, which represents a reduction from the proposed project of 276 residential units and 35,000 square feet of commercial space. This alternative would eliminate the entire 35,000-square-foot supermarket use assumed in the traffic analysis for the proposed project.
- **Alternative 3 – Reduced Development Alternative B.** Alternative 3 would include 100 apartments and approximately 45,500 square feet of retail space. The alternative was devised to reduce the traffic impacts identified under cumulative conditions. This alternative represents a reduction from the proposed project of 376 residential units and elimination of the entire 35,000 square feet of supermarket use.

- **Alternative 4 – Adaptive Reuse Alternative/Residential Use.** Alternative 4 would entail the implementation of the project on an alternate site. The proposed project site at 22301 Foothill Boulevard is identified as a catalyst site in the downtown area. The site was selected as a catalyst site because of its vacant and underused status, its high visibility in the downtown core, and its size. Alternative 4 would entail the development of the other catalyst site in the downtown core that could accommodate development which approaches the level proposed for the project.

### ES.4 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

In accordance with CEQA Guidelines Section 15082, the City of Hayward prepared and distributed a Notice of Preparation (NOP) for this project that was circulated for public review from July 8, 2015 to August 8, 2015. The NOP included a summary of probable effects on the environment from the project implementation. Written comments received in response to the NOP were considered in the Draft EIR preparation. Areas of controversy and issues raised to date regarding the project, and the sections where they were discussed in the Draft EIR, include the following:

- Scenic vistas in the City (Section 3.0)
- Pedestrian safety in the project area (Section 3.1)
- Water supplies (Section 3.0)
- Compliance with General Plan Policies (Section 3.0)
- Parking availability (Appendix TRA)
- Project massing impacts on existing visual character (Section 3.0)
- Transportation Demand Management (Section 3.1 and Appendix TRA)
- Bicycle parking (Section 3.1 and Appendix TRA)
- Water conservation (Section 3.0)
- Cumulative conditions (Sections 3.0 and 3.1)
- Cultural resources and Native American burial sites (Section 3.0)
- Ambient noise levels (Section 3.0)
- Impacts on public services like police, fire and schools (Section 3.0)
- Historic cultural resources (Section 3.0 and Appendix CUL)
- AB 52 consultation (Section 3.0 and Appendix CUL)

These issues have been analyzed and addressed in the appropriate sections of this EIR, as indicated above.

**ES.5 SUMMARY OF ENVIRONMENTAL IMPACTS**

**Table ES-1** displays a summary of project impacts and proposed mitigation measures that would avoid or minimize potential impacts. In the table, the level of significance is indicated both before and after the implementation of each mitigation measure.

For detailed discussions of these environmental impacts, refer to the appropriate environmental topic section (i.e., Sections 3.1 through 3.4 and Section 4.0).

Project implementation has the potential to generate one significant and unavoidable impact associated with cultural resources. CEQA Guidelines Section 15126.2(b) requires an EIR to discuss unavoidable significant environmental effects, including those that can be mitigated but not reduced to a level of insignificance. Throughout this EIR, the terms “project” and “proposed project” are used to refer to the development of a large-scale mixed-use development. The term “cumulative” refers to development as outlined in the City of Hayward General Plan EIR.

**TABLE ES-1  
DRAFT LINCOLN LANDING IMPACTS AND PROPOSED MITIGATION MEASURES**

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
<b>Aesthetics</b>			
<b>AES-1</b> The project site is located in an urban area and does not contain unique visual features that would distinguish it from surrounding areas, nor is it located within a designated scenic vista.	NI	None required.	NI
<b>AES-2</b> There are no state scenic highways in the vicinity of the project site, and the project site is not visible from any scenic highways.	NI	None required.	NI
<b>AES-3</b> The proposed project would alter the existing visual character of the site, but it would be generally consistent with the type and scale of development envisioned for the site. Therefore, the proposed project would not substantially degrade the existing visual character or quality of the project site and its surroundings.	LS	None required	LS
<b>AES-4</b> The proposed project would create additional sources of light and glare; however, these sources would not be substantial and would not adversely affect day or nighttime views in the area.	LS	None required.	LS
<b>Agricultural and Forest Resources</b>			
<b>AG-1</b> The project site is currently developed and is surrounded by existing urban development. There are no agricultural or forestland resources in the vicinity of the project site or in the surrounding area.	NI	None required.	NI
<b>Air Quality</b>			
<b>AQ-1</b> The project would not conflict or obstruct implementation of applicable air quality plans.	LS	None required.	LS

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<b>AQ-2</b> The project would not result in emissions either during construction or operation that would exceed BAAQMD thresholds or expose sensitive receptors to substantial pollutant concentrations.	LS	None required.	LS
<b>AQ-3</b> The project's contribution to cumulative increases of criteria pollutants for which the BAAQMD is in nonattainment would be less than cumulatively considerable.	LCC	None required.	LCC
<b>AQ-4</b> The proposed project would not create objectionable odors or subject people to objectionable odors.	NI	None required.	NI
<b>Biological Resources</b>			
<b>BIO-1</b> The project site does not provide suitable habitat for the majority of special-status species identified in the project vicinity; however, tree removal associated with the project does have the potential to impact migratory birds, raptors, and bats.	PS	<p><b>MM BIO-1a Preconstruction Surveys for Migratory Birds and Raptors.</b> If clearing and/or construction activities occur during the migratory bird and raptor nesting season (February 1–September 1), preconstruction surveys for active nest sites shall be conducted by a qualified biologist, within 14 days prior to initiation of construction activities. The qualified biologist shall survey the construction zone and a 200-foot radius surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds.</p> <p>If active nest(s) in trees or structures are identified during the preconstruction survey, a qualified biologist shall monitor the nest(s) to determine when the young have fledged. Monthly monitoring reports, documenting nest status, shall be submitted to the City Planning Division until the nest(s) is deemed inactive. The biological monitor shall have the authority to cease construction if there is any sign of distress to a raptor or migratory bird. Reference to this requirement and to the Migratory Bird Treaty Act shall be included in the construction specifications.</p> <p><i>Timing/Implementation:</i> Prior to construction</p> <p><i>Enforcement/Monitoring:</i> City of Hayward Planning Division</p>	LS

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		<p><b>MM BIO-1b Surveys of Potential Bat Roosts.</b> Prior to demolition of structures on the project site, a qualified wildlife biologist shall conduct preconstruction surveys. If bats are identified as present on the site, bats shall be absent or flushed from roost locations prior to demolition of buildings. If flushing of bats from buildings is necessary, it shall be done by a qualified biologist during the non-breeding season from October 1 to March 31. When flushing bats, structures shall be moved carefully to avoid harming individuals, and torpid bats given time to completely arouse and fly away. During the maternity season from April 1 to September 30, prior to building demolition or construction, a qualified biologist shall determine if a bat nursery is present at any sites identified as potentially housing bats. If an active nursery is present, disturbance of bats shall be avoided until the biologist determines that breeding is complete and young are reared.</p> <p><i>Timing/Implementation: Prior to demolition of structures</i>  <i>Enforcement/Monitoring: City of Hayward Planning Division</i></p>	
<p><b>BIO-2</b> No wetlands or sensitive habitats occur on or adjacent to the project site.</p>	<p>NI</p>	<p>None required.</p>	<p>NI</p>
<p><b>BIO-3</b> The project would not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors.</p>	<p>LS</p>	<p>None required.</p>	<p>LS</p>
<p><b>BIO-4</b> The project would not conflict with any adopted or proposed local policies or ordinances protecting biological resources or with any adopted or proposed habitat conservation plans, natural community conservation plans, or other approved local, regional, or state habitat conservation plans.</p>	<p>LS</p>	<p>None required.</p>	<p>LS</p>

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<b>Cultural Resources</b>			
<b>CUL-1</b> The proposed project would result in development that affects a historic property, but components included in the proposed project would mitigate potential effects, so the project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.	LS	None required.	LS
<b>CUL-2</b> Implementation of the project could result in the potential disturbance of currently undiscovered archaeological resources.	PS	<p><b>MM CUL-2</b> In the event an archaeological resource is encountered during project construction activities, the construction contractor shall halt construction within 25 feet of the find and immediately notify the City of Hayward. The City shall notify a qualified archaeologist meeting the Secretary of Interior’s Professional Qualifications Standards in prehistoric or historical archaeology immediately to evaluate the resource(s) encountered and recommend the development of mitigation measures for potentially significant resources consistent with Public Resources Code Section 21083.2(i). Construction activities may continue in other areas provided that there is no evidence of archeological resources. The archaeologist shall evaluate the find and recommend appropriate mitigation measures for the inadvertently discovered cultural resources. The City and the project applicant shall consider the recommendations of the qualified archaeologist and consult and agree upon implementation of a measure or measures that the City, the qualified archaeologist, and the project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project applicant, the qualified project archaeologist, and the City, as well as the Native American tribal representative if relevant, as to the appropriate preservation or mitigation measures.</p> <p><i>Timing/Implementation:</i> During ground-disturbing activities  <i>Enforcement/Monitoring:</i> City of Hayward Planning Division</p>	SU

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<p><b>CUL-3</b> No human remains have been identified within the project site; however, construction of the proposed project could result in the accidental disturbance of currently undiscovered human remains. Any discovery of human remains would trigger state law governing the treatment of human remains.</p>	LS	None required.	LS
<p><b>CUL-4</b> No indication of tribal resources were found on the site and the AB 52 consultation process did not indicate the presence of tribal resources on the site.</p>	LS	None required.	LS
<p><b>CUL-5</b> Implementation of the project could result in the potential disturbance of currently undiscovered paleontological resources.</p>	PS	<p><b>MM CUL-5</b> In the event any paleontological resources (i.e., fossils) are uncovered during project construction activities, all work in the immediate vicinity shall be halted or diverted to other areas on the site and the City of Hayward shall be immediately notified. A qualified paleontologist shall be retained to evaluate the find and recommend appropriate mitigation measures for the inadvertently discovered paleontological resources. The City and the project applicant shall consider the qualified paleontologist’s recommendations and consult and agree upon implementation of a measure or measures that the City, the qualified paleontologist, and the project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project applicant, qualified paleontologist, and the City as to the appropriate preservation or mitigation measures.</p> <p><i>Timing/Implementation:</i> During ground-disturbing activities</p> <p><i>Enforcement/Monitoring:</i> City of Hayward Planning Division</p>	LS

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<b>Geology and Soils</b>			
<b>GEO-1</b> The proposed project could expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death, resulting from seismic hazards. The project would implement all recommendations including in the geotechnical study prepared for the project.	LS	None required.	LS
<b>GEO-2</b> The proposed project would not create substantial erosion or contribute to the loss of topsoil.	LS	None required.	LS
<b>GEO-3</b> The topography of the project site is level, and areas surrounding the project site do not have the potential for landslides.	NI	None required.	NI
<b>GEO-4</b> The project's geotechnical investigation identified a moderate risk of liquefaction and lateral spreading at the project site due to underlying unstable soils.	LS	None required.	LS
<b>GEO-5</b> No septic tanks or alternative wastewater disposal systems would be utilized on the project site. Therefore, the project would have no impact associated with soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems.	NI	None required.	NI
<b>Greenhouse Gas Emissions</b>			
<b>GHG-1</b> The project would generate greenhouse gas emissions over the short term from construction activities and would also contribute to long-term regional emissions associated with new project-related vehicle trips and indirect source emissions.	LCC	None required.	LCC
<b>GHG-2</b> The project's contribution to cumulative greenhouse gas (emissions would be less than significant with compliance with the City's Climate Action Plan and AB 32.	LS	None required.	LS

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<b>Hazards and Hazardous Materials</b>			
<p><b>HAZ-1</b> The proposed project would not create a significant hazard to the public or to the environment through the routine transport, use, or disposal of hazardous materials.</p>	LS	None required.	LS
<p><b>HAZ-2</b> The proposed project would not be expected to create a significant hazard to the public or to the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. However, discovery of potential unknown contamination at the site during project construction could impact construction workers.</p>	PS	<p><b>MM HAZ-2a</b> Prior to development of the project site, all impacted soils shall be removed as described in the Phase I and II Environmental Site Assessment and Tank Removal Report prepared for the project site by Applied Water Resources Corporation dated April 2015. Additionally, a qualified environmental professional shall be present to observe the building demolition and soil excavation and grading to oversee the removal of the impacted soil and in the event additional impacted areas are encountered when the buildings and other current improvements are removed.</p> <p><i>Timing/Implementation:</i> Prior to issuance of a building permit and throughout project demolition and grading</p> <p><i>Enforcement/Monitoring:</i> City of Hayward Planning Division</p> <p><b>MM HAZ-2b</b> A survey for asbestos-containing building materials, lead-based paint, polychlorinated biphenyl, or other potentially hazardous building materials shall be conducted prior to initiation of demolition of any existing structures on the project site. If hazardous building materials are present at levels that require special handling and/or disposal, removal of the materials shall be completed by qualified professionals in accordance with applicable laws and regulations (including Bay Area Air Quality Management District requirements) prior to any activity that would involve demolition.</p> <p><i>Timing/Implementation:</i> Survey shall be submitted and approved prior to issuance of a building permit</p> <p><i>Enforcement/Monitoring:</i> City of Hayward Building Division and Planning Division</p>	LS

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<p><b>HAZ-3</b> Project implementation would not result in significant hazardous emissions or significant handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.</p>	LS	None required.	LS
<p><b>HAZ-4</b> The proposed project site is not located on or in the vicinity of a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, the proposed project would not create a significant hazard to the public or to the environment.</p>	NI	None required.	NI
<p><b>HAZ-5</b> Project implementation would not result in a safety hazard associated with people residing or working in the vicinity of a public or private airport.</p>	NI	None required.	NI
<p><b>HAZ-6</b> Because the proposed project would generate traffic trips during construction that may impact service levels at intersections located in the project area, this impact is <b>potentially significant</b> with regard to adopted emergency response plans or evacuation plans.</p>	PS	<p><b>MM HAZ-6</b> Prior to the issuance of grading and building permits for the proposed project, a Construction Traffic Control Plan (CTCP) shall be submitted for review and approval by the City of Hayward Public Works–Engineering and Transportation Department. The CTCP shall include a schedule of construction and anticipated methods of handling traffic for each phase of construction to ensure the safe flow of traffic and adequate emergency access, including maintaining an open lane for vehicle travel at all times. The applicant shall obtain an encroachment permit(s) consistent with the CTCP if any project related work will occur within public right-of-way. The CTCP shall be circulated to emergency service providers prior to any street closure or construction. All traffic control measures shall conform to Caltrans standards, as applicable.</p> <p>Timing/Implementation: Prior to issuance of grading permits</p> <p>Enforcement/Monitoring: City of Hayward Public Works–Engineering and Transportation Department</p>	LS
<p><b>HAZ-7</b> Implementation of the proposed project would not expose people and structures to hazards involving wildland fires.</p>	NI	None required.	NI

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<b>Hydrology and Water Quality</b>			
<b>HYDRO-1</b> Compliance with the requirements of the City's Municipal Code and the Municipal Regional Stormwater NPDES Permit would minimize the potential for water quality degradation and ensure that the project would not contribute to a violation of water quality standards.	LS	None required.	LS
<b>HYDRO-2</b> The project's domestic water demands will be met by surface water supplies provided by the East Bay Municipal Utility District rather than groundwater resources. The project would not impact groundwater recharge.	LS	None required.	LS
<b>HYDRO-3</b> The project would not substantially alter the existing drainage pattern of the site or area, nor would it exceed the capacity of existing or planned stormwater drainage systems or generate of substantial additional sources of polluted runoff.	LS	None required.	LS
<b>HYDRO-4</b> Project implementation would not place any housing or other structures within a flood hazard area.	NI	None required.	NI
<b>HYDRO-5</b> The project would not expose people or structures to a significant risk of loss, injury, or death involving flooding as a result of a failure of a levee or dam.	LS	None required.	LS
<b>HYDRO-6</b> The project site is not subject to potential inundation by seiche, tsunami, or mudflow.	NI	None required.	NI
<b>Land Use and Planning</b>			
<b>LAN-1</b> The project would not result in the physical division of an established community.	NI	None required.	NI
<b>LAN-2</b> The project would not conflict with the City's General Plan or other land use plan, policy, or regulation intended to reduce environmental effects.	LS	None required.	LS

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<b>LAN-3</b> The project site is not subject to an adopted or proposed habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan	NI	None required.	NI
<b>Mineral Resources</b>			
<b>MIN-1</b> The project would not affect mineral resources.	NI	None required.	NI
<b>Noise</b>			
<b>NOISE-1</b> Although the project could exceed the City of Hayward's acceptable noise levels during construction, the project would implement best management practices as required by the City.	LS	None required.	LS
<b>NOISE-2</b> Project construction and operation would not result in a substantial temporary increase in ambient noise levels and groundborne vibration in the project vicinity above levels existing without the project.	LS	None required.	LS
<b>NOISE-3</b> The project would not result in a permanent increase in ambient noise levels over existing levels.	LS	None required.	LS
<b>NOISE-4</b> The project would not expose people residing or working in the project area to excessive noise levels associated with airport operation.	LS	None required.	LS
<b>Population and Housing</b>			
<b>POP-1</b> The proposed project would generate approximately 1,542 new residents on the project site. This would not be considered substantial population growth.	LS	None required.	LS
<b>POP-2</b> The proposed project would not displace substantial numbers of people or housing.	NI	None required.	NI

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<b>Public Services</b>			
<b>PUB-1</b> The proposed project would not result in substantial adverse physical impacts associated with the provision of public services, nor would it increase the use of existing public service and recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated.	LS	None required.	LS
<b>Recreation</b>			
<b>REC-1</b> The proposed project would not increase the use of existing recreational facilities such that substantial physical deterioration of facilities would occur.	LS	None required.	LS
<b>REC-2</b> The proposed project does not include nor would it require the construction of recreational facilities that may have an adverse impact on the environment.	LS	None required.	LS
<b>Utilities</b>			
<b>UTL-1</b> The proposed project would not exceed wastewater treatment requirements of the Regional Water Quality Control Board.	LS	None required.	LS
<b>UTL-2</b> The proposed project would be adequately served by existing water and wastewater infrastructure and would not require or result in the construction of new or expanded water or wastewater treatment facilities.	LS	None required.	LS
<b>UTL-3</b> The proposed project would not require new or expanded stormwater drainage facilities.	LS	None required.	LS
<b>UTL-4</b> The proposed project would be served by a landfill with adequate capacity and would comply with federal, state, and local statutes and regulations related to solid waste.	LS	None required.	LS

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<b>Traffic and Circulation</b>			
<p><b>3.1.1</b> Implementation of Phase 1 of the proposed project would generate vehicle trips but would not contribute to significant traffic operational impacts at intersections or project driveways as compared to existing conditions.</p>	LS	None required.	LS
<p><b>3.1.2</b> Implementation of Phase 1 of the proposed project would generate vehicle trips that could contribute to significant traffic operational impacts at intersections as compared to background conditions.</p>	SU	None feasible.	SU
<p><b>3.1.3</b> Implementation of Phases 1 and 2 of the proposed project would generate vehicle trips that could contribute to significant traffic operational impacts at intersections as compared to background conditions.</p>	SU	None feasible.	SU
<p><b>3.1.4</b> The proposed site plan generally provides adequate site access and internal circulation patterns; however, the proposed limited access driveway on City Center Drive would not provide sufficient sight distance.</p>	S	<p><b>MM 3.1.4</b> The proposed site plan shall be modified to eliminate the limited-access driveway on City Center Drive and recess the north curb line by 10 to 12 feet to accommodate a westbound right turn deceleration lane for the full-access driveway on City Center Drive to accommodate additional project traffic. The modified full-access driveway shall be designed consistent with City of Hayward access standards. Construction of a roundabout should be considered.</p> <p><i>Timing/Implementation: Prior to approval of improvement plans</i></p> <p><i>Enforcement/Monitoring: City of Hayward Planning Division</i></p>	LS
<p><b>3.1.5</b> Existing sidewalks along the project frontage are not continuous and would require improvement in order to ensure adequate pedestrian access in the project area.</p>	S	<p>Continuous sidewalks consistent with City of Hayward standards and ADA requirements shall be provided along the project frontage. In addition, the proposed pedestrian crossings at parking lot drive aisles shall be enhanced with high-visibility treatments, corner bulb-outs, and signage. These improvements shall meet ADA requirements and include direct travel paths from the parking areas to retail and apartment buildings.</p>	LS

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<b>3.1.6</b> The proposed project would not interfere with existing bicycle facilities or circulation. However, the project would create new bicycle trips, and adequate bicycle parking must be provided on the project site.	LS	None required.	LS
<b>3.1.7</b> Existing transit facilities in the project area would be adequate to meet project demand. Further, the proposed project would not conflict with any policies or plans regarding public transit.	LS	None required.	LS
<b>3.1.8</b> The proposed project, in combination with other approved, planned, and reasonably foreseeable development in the project area, would generate vehicle trips that could contribute to significant traffic operational impacts to intersections as compared to cumulative conditions.	CC/SU	None feasible.	SU

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