Initial Study

2nd and Walpert Residential Project

December, 2015

CITY OF
HAYWARD
HEART OF THE BAY

DEPARTMENT OF DEVELOPMENT SERVICES
Planning Division

INITIAL STUDY CHECKLIST

Project Title: 2nd and Walpert Residential Project

Lead agency name/address: City of Hayward, 777 B Street, Hayward, CA 94641

Contact person: Leigha Schmidt, Senior Planner

Project location: Southern corner of the 2nd Street and Walpert Street intersection in Hayward, CA

Project Sponsor's Name and Address: Alexis M. Gevorgian, AMG & Associates, LLC, 16633 Ventura Blvd, Suite 1014, Encino, CA 91436

Existing General Plan Designation: High Density Residential, Medium Density Residential, Low Density Residential, and Parks and Recreation

Existing Zoning: High Density Residential with Special Design Overlay District – 7 (RH/SD7), Medium Density Residential with Special Design Overlay District – 7 (RM/SD7), Single Family Residential with Special Lot Standard Combining District (RS/B6), Open Space and Agricultural District

Project description: The approximately 15-acre project site (APNs 445004001103, 445005000109, 445005001001, 445005001900, and 445005001800) is located near the northern boundary of the City of Hayward. The site consists mainly of undeveloped grassland, with single family residences located on the site's perimeter along 2nd Street and Walpert Street. The project site is bordered by 2nd Street and Hayward High School to the north, Ward Creek to the south, and a mix of single and multi-family residential development to the east and west. A City of Hayward pump station and two water storage tanks on Walpert Street are located adjacent to the site. Refer to Figures 1-3 below for further detail on the site location.

The proposed project includes construction of a residential development consisting of approximately 97 detached residential units on approximately 15 acres of land. The project would demolish one existing occupied residence on Walpert Street and may result in demolition or rehabilitation of up to three existing occupied residences on 2nd Street to accommodate the proposed development. The proposed project includes nine different elevations and floor plans ranging from approximately 1,900 square feet to about 2,400 square feet. The three-story residential buildings would reach approximately 37 feet in height. Each residential unit would include private two-car garage parking for each residential unit, and the project would include approximately 84 on-street parking spaces. The project would include an internal roadway that would measure roughly 30 feet in width

(including an eight foot parking lane) with one all access entrance on Walpert Street and one controlled access entrance on 2nd Street that would prohibit left turns into and out of the site.

As shown on Figure 5, the project site consists of several parcels with different General Plan designations, including High Density Residential (2.51 acres at 17.4 to 34.8 dwelling units per net acre), Medium Density Residential (6.71 acres at 8.7 to 17.4 dwelling units per net acre), and Low Density Residential (4.57 acres at 4.3 to 8.7 dwelling units per net acre). Simlarly, zoning designations on the site include High Density Residential (RH/SD7), Medium Density Residential (RM/SD7), Single Family Residential (RS/B6). In addition to the residential development permitted under the General Plan and zoning regulations, there are additional zoning regulations on the site. Specifically, two of the parcels are subject to SD7 (Hayward Foothills Trail) District, to ensure the orderly development of a continuous trail along properties identified in the 238 Bypass Land Use Study (Caltrans parcel) (refer to Figure 3 for a conceptual plan showing alignment of the Hayward Foothills Trail; refer to Figure 4 for the proposed alignment of the trail parallel to Street A). In addition, portions of the parcels identified above nearest to the riparian area of Ward Creek are zoned Agricultural District with a Parks and Recreation General Plan land use designation.

The applicant is proposing a Planned Development (PD) District zoning in order to cluster the proposed residential development along the northern and western parts of the site with the intention of setting far back from the existing Ward Creek and the steeper southern slopes. As proposed, the development would cluster the residential development on about nine acres of the northern portion of the site and would retain about six acres on the southern half of the site as detention basin and undeveloped open space. According to the General Plan, residential density is calculated by dividing the number of housing units on the site by the net acreage of the site. The proposed project would meet the allowable density ranges for the General Plan (see Table 1 below).

Table 1: General Plan Density

	Gross Acreage	Net Acreage*	Total Units	Density	Allowable General Plan Density Range
High Density	2.51	1.70	30	17.6	17.4-34.8
Medium Density	6.71	4.64	51	11	8.7-17.4
Low Density	4.57	3.73	16	4.3	4.3-8.7
Park/Recreation	1.1				
Total	14.89	10.22	97		

*Net acreage excludes land required for public and private streets, parks and other public facilities (i.e. utilities and easements).

The proposed site layout places the highest number of residential units on the northeastern portion of the site in the High Density Residential General Plan land use designation and the lowest number of units on the southeastern portion of the site in the Low Density Residential land use designation. Further, the proposed layout would allow for retention of undeveloped open space at the southern half of the site, thereby respecting the existing 1.1-acre of Parks/Recreation General Plan land use designation along Ward Creek.

The project includes a variety of public open spaces and trails. One large neighborhood green (Parcel E, 0.36-acre) and two smaller open spaces (Parcel B at 0.13-acre and Parcel F at 0.15-acre, respectively) would total about 27,800 square feet of common open space for residents.[1] The applicant may also add an approximately 3,800 square foot dog park adjacent to the detention basin. In addition to the common open spaces, the proposed project includes an 11.5-foot wide publicly accessible trail is planned to run through the proposed project site from Walpert Street to 2nd Street. In addition, an approximately three foot wide meandering trail (estimated at about 2,250 square feet) would extend from the southern end of the detention basin to the southern property boundary to meet up with an existing trail that leads to property owned by the Alameda County Flood Control District and ultimately connecting to the regional Wally Wickander Trail.

Requested Local Approvals: The following actions by the Lead Agency are necessary to carry out the project:

- Rezoning to Planned Development District
- Tentative Tract Map and Final Map
- Site Plan Review
- Purchase and Sales Agreement in conjunction with a land sale from City to developer

Surrounding land uses and setting: The project site is near other similarly-zoned properties, including High, Medium, and Low Density Residential uses. A City of Hayward pump station and water storage reservoir (tanks), the Ward Creek corridor and Hayward Memorial Park border the site to the west.

Other public agencies whose approval is required: A 1602 Streambed Alteration Agreement may be required from the California Department of Fish and Wildlife (CDFW) for the removal of riparian vegetation in the vicinity of Ward Creek.

[1] The Conceptual Site Plan shown in Figure 4 only includes two areas explicitly labeled as open space (green shaded areas). This is because the small open space area located in Parcel B is close enough to Walpert Street that it would subject to noise levels in excess of the City's acceptable standards for exterior noise, and therefore would not be counted toward the project's compliance with the City's requirements for the provision of open space. This area would still function as common open space, however, and would be available for use by future residents of the project.

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SECTION 1.0 ENVIRONMENTAL SETTING

Regional Setting

The City of Hayward is known as the "Heart of the Bay" thanks to its central and convenient location in Alameda County along the east side of the San Francisco Bay, twenty-five (25) miles southeast of San Francisco, fourteen (14) miles south of Oakland, twenty-six (26) miles north of San Jose, and ten (10) miles west of the valley communities of San Ramon, Dublin and Pleasanton. Figure 1 (Regional Map) depicts the project location relative to the broader San Francisco Bay region.

The City of Hayward lies at the southeastern shore of the San Francisco Bay, at the western toe of the Diablo Mountain Range. Topography in the eastern portion of Hayward generally consists of moderately steep foothills descending from the Diablo Range, leveling into a valley before reaching the San Francisco Bay.

The Nimitz Freeway (I-880) passes through the City of Hayward on its path between the City of San Jose and Bay Bridge (in Oakland). Interstate 580 that runs from San Rafael in Marin County to Interstate 5 near Tracey in the Central Valley skirts the City's northern boundary. The San Mateo Bridge (State Route 92) spans the San Francisco Bay between the cities of Hayward and Foster City.

The City of Hayward borders on a large number of municipalities and communities. The cities bordering on Hayward are San Leandro, Union City, Fremont and Pleasanton. The census designated places bordering on Hayward (within the County of Alameda) are Castro Valley, San Lorenzo, Cherryland, Sunol and Fairview.

City Setting

The modem City of Hayward had its origins in the 1850's during the Gold Rush. An approximate twenty-eight (28) block area in the vicinity of Hayward's Historic City Hall comprised the first parcels of land for settlers. Over the intervening years, Hayward urbanized transforming agricultural lands to various forms of residential, commercial, and industrial development connected by a series of local streets and regional highways. Today, the City of Hayward is highly urbanized with the shoreline and hillsides retained as natural open space.

Presently, the western and southern portions of Hayward primarily consist of industrial land uses (e.g., warehouses, distribution facilities, manufacturing). To the east and north of this industrial corridor lie numerous tracts of residential development often centered upon public school sites. Commercial development tends to be located along major arterial streets (e.g., Hesperian Boulevard, Tennyson Road, Mission Boulevard) passing by or through the residential tracts.

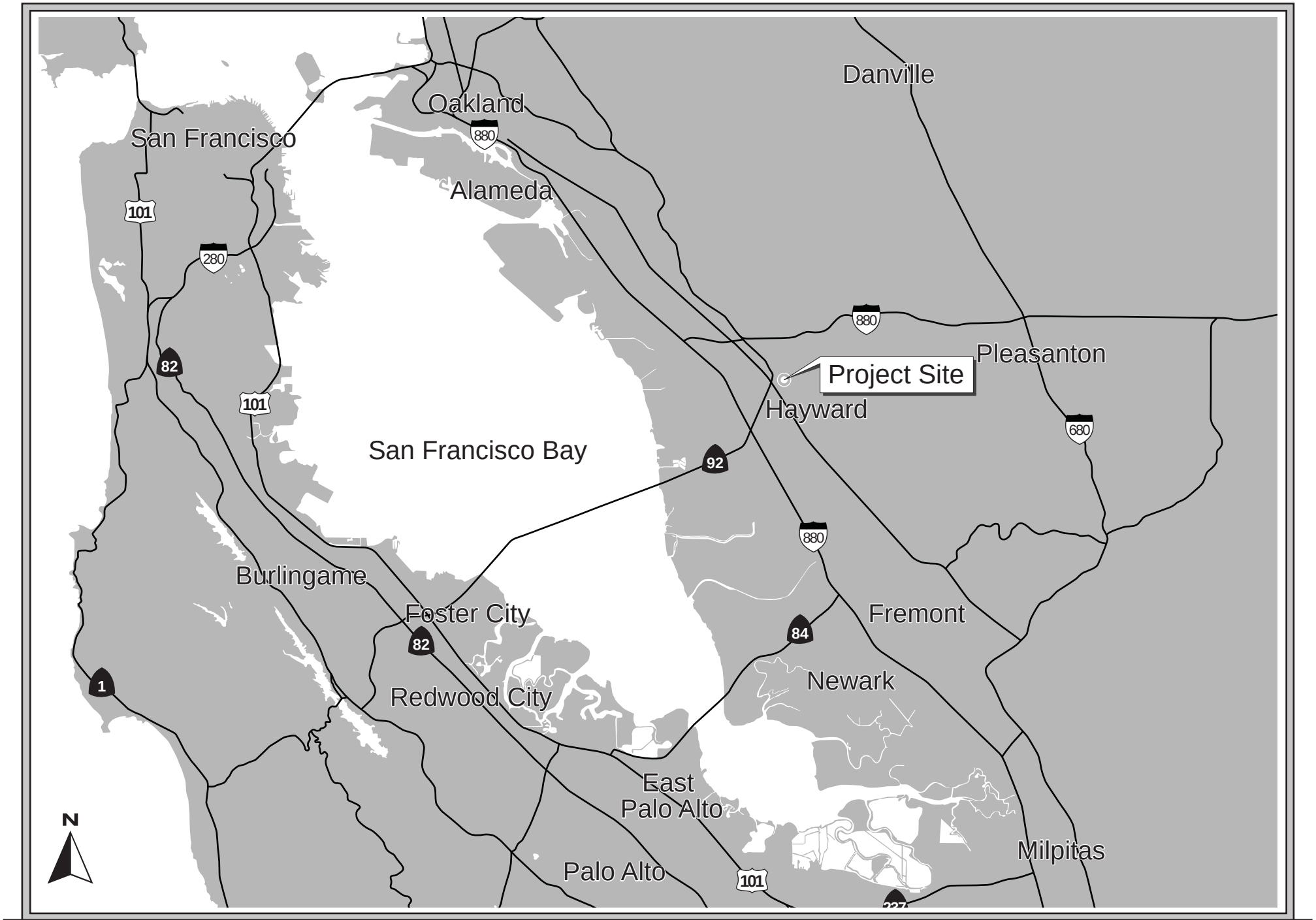
Local Setting

The project site is located in the northern area of the City. The suburban location consists largely of residential land uses constructed after World War II, including detached single family homes constructed in the late 70's and early 80's.

The project site is bordered by urbanized properties consisting of residential land uses and the riparian corridor of Ward Creek, with Hayward Memorial Park and single family residential uses to the south. Open fields and tennis courts on the Hayward High School campus are located directly east of the site across 2nd Street and the City of Hayward Walpert pump station and two above ground water storage tanks (reservoirs) are located adjacent to the site on Walpert Street. Most properties near the project site include single-family and multi-family homes one (1) to three (3) stories in height. Figure 2 (Vicinity Map) depicts the project's location relative to the surrounding neighborhood.

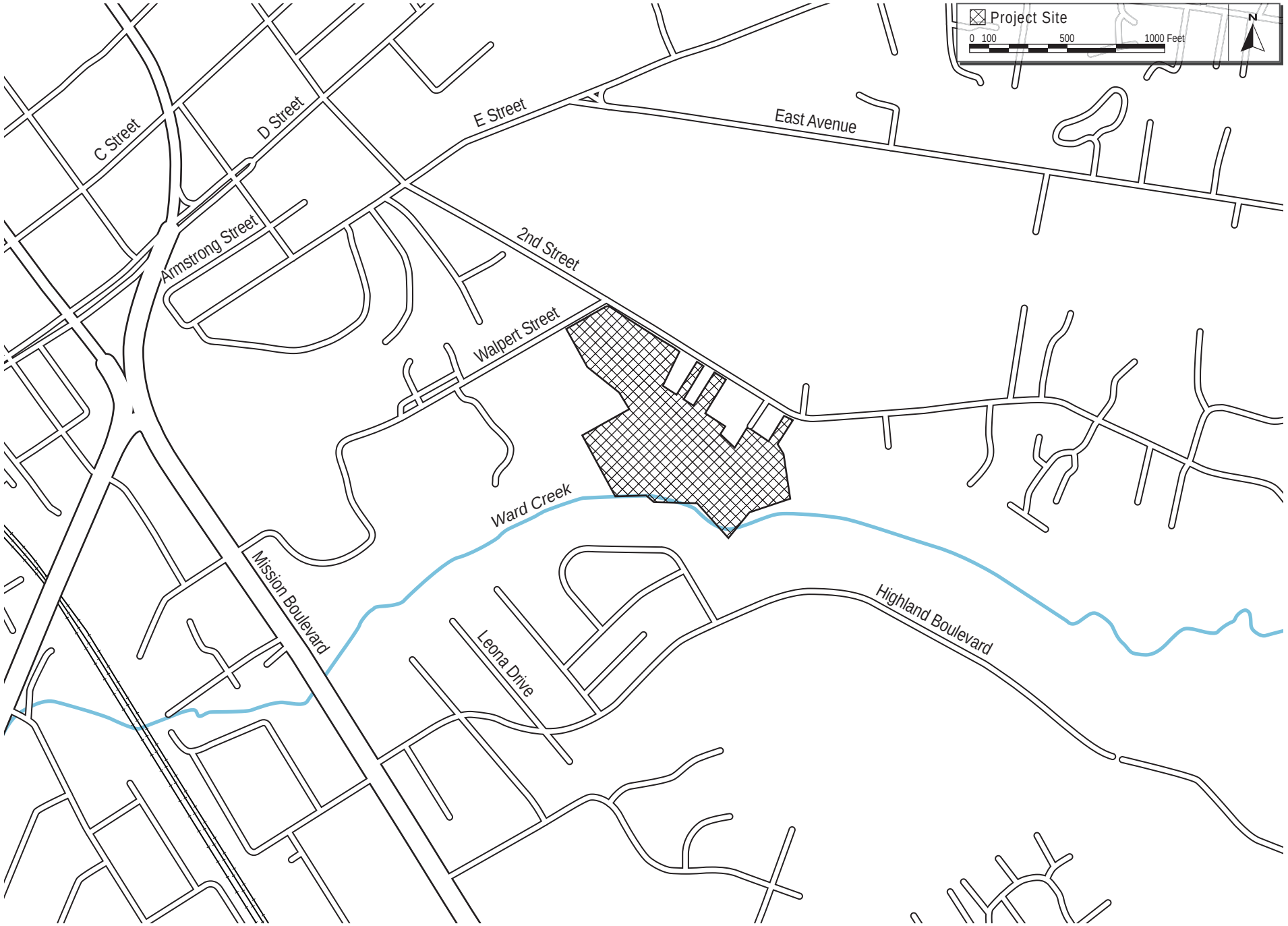
Existing Project Site Setting

The 15-acre project site consists of five separate parcels. The site consists mainly of undeveloped grassland, with single family residences located on the site's perimeter along 2nd Street and Walpert Street. The site slopes southward toward Ward Creek, which forms the southern boundary of the site with Hayward Memorial Park and single family uses to the south. Ninety (90) trees of varying size and species are dispersed throughout the project site, excluding trees in the riparian area associated with Ward Creek. No sidewalks are located along the site's frontages with adjacent roadways other than a small sidewalk portion located at the corner of 2nd Street and Walpert Street. Properties abutting the project site include single family and multi-family residential land uses and a water storage facility.



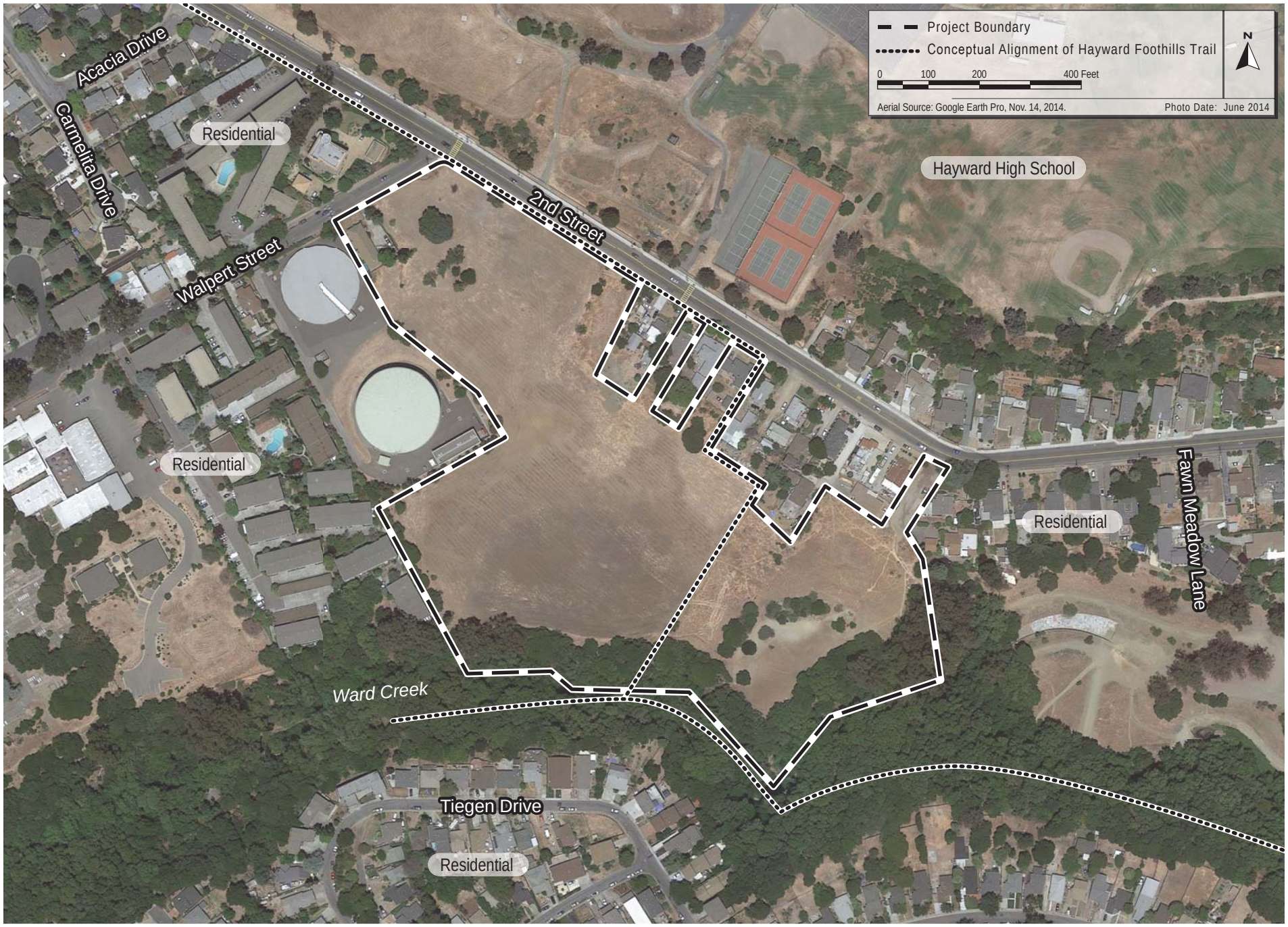
REGIONAL MAP

FIGURE 1

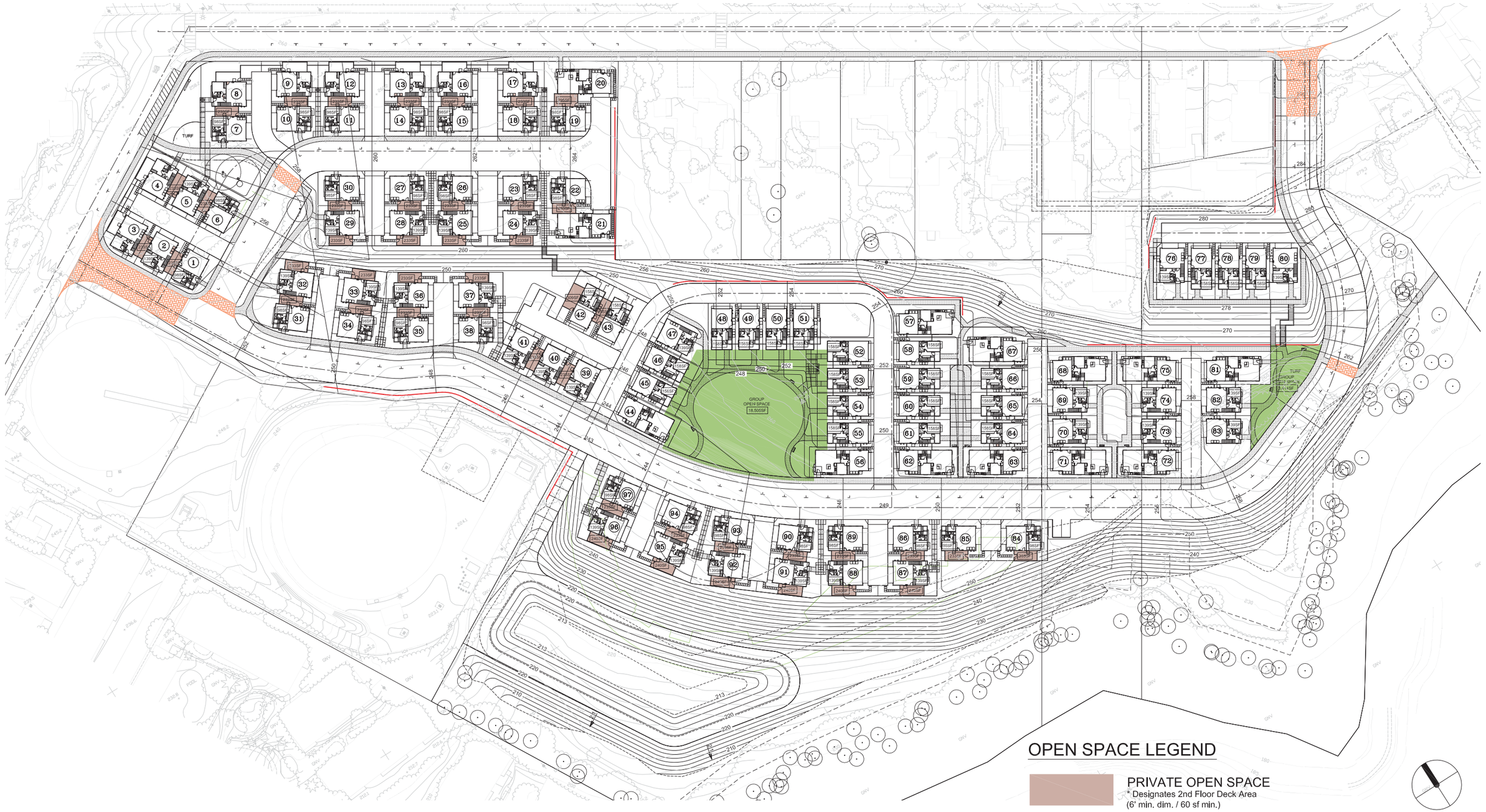


VICINITY MAP

FIGURE 2



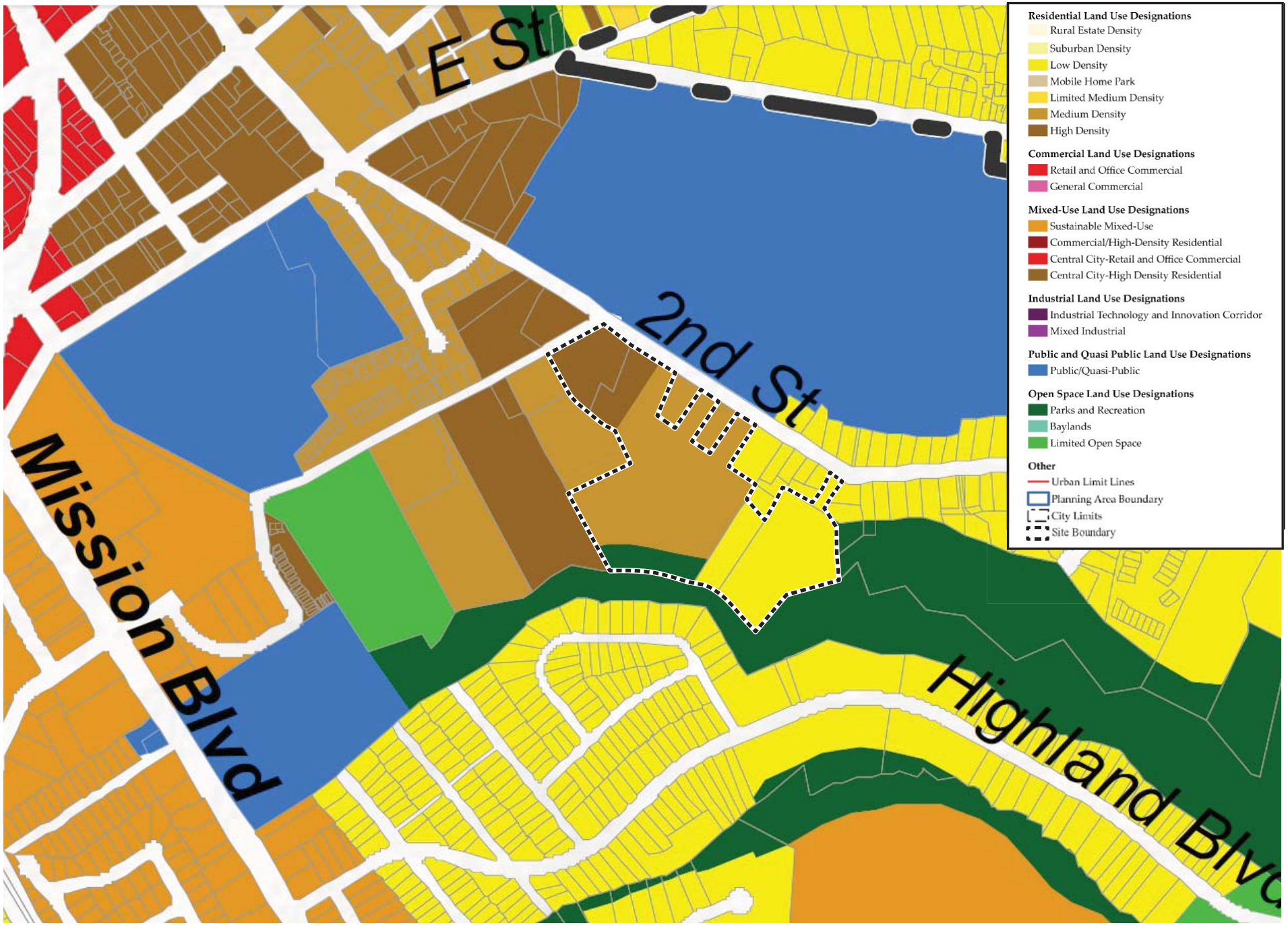
AERIAL PHOTOGRAPH AND SURROUNDING LAND USES FIGURE 3



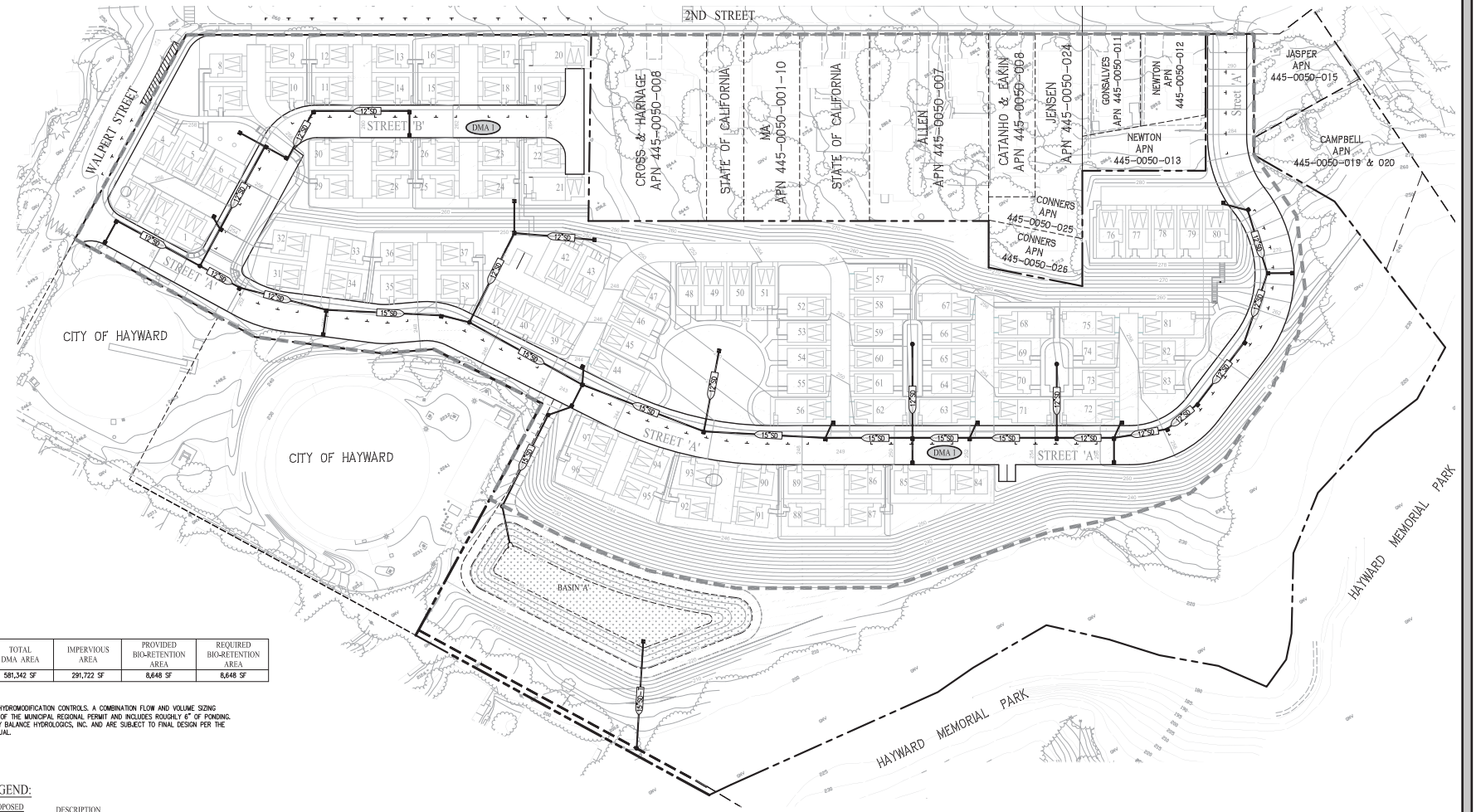
Source: KTGY Group, Inc. June 18, 2015.

CONCEPTUAL SITE PLAN

FIGURE 4



GENERAL PLAN LAND USE DESIGNATIONS FIGURE 5

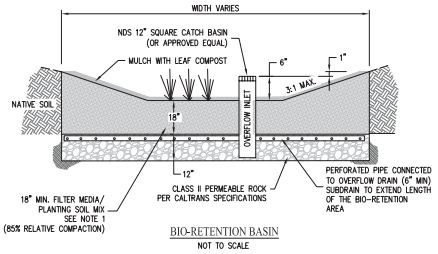


DMA	TREATMENT TYPE	TOTAL DMA AREA	IMPERVIOUS AREA	PROVIDED BIO-RETENTION AREA	REQUIRED BIO-RETENTION AREA
1	BIO-RETENTION	581,342 SF	291,722 SF	8,648 SF	8,648 SF

NOTES:
*BIO-RETENTION AREAS SUBJECT TO HYDROMODIFICATION CONTROLS. A COMBINATION FLOW AND VOLUME SIZING CALCULATIONS WERE USED PER C.3.c OF THE MUNICIPAL REGIONAL PERMIT AND INCLUDES ROUGHLY 6" OF PONDING. BIO-RETENTION AREAS WERE SIZED BY BALANCE HYDROLOGICS, INC. AND ARE SUBJECT TO FINAL DESIGN PER THE ALAMEDA COUNTY C.3 GUIDANCE MANUAL.

LEGEND:

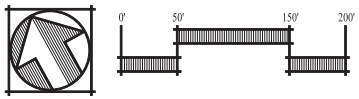
EXISTING	PROPOSED	DESCRIPTION
		PROPERTY LINE
EX SD	SD	STORM DRAIN
	SD-T	STORM DRAIN TREATED
		STORM DRAIN CATCH BASIN
		STORM DRAIN FIELD INLET
		STORM DRAIN MANHOLE
		FLOW DIRECTION
		BIO RETENTION AREA
	DMA 1	DRAINAGE MANAGEMENT AREA
		DRAINAGE MANAGEMENT AREA BOUNDARY



BIO-RETENTION BASIN
NOT TO SCALE

STORMWATER CONTROL PLAN NOTES:

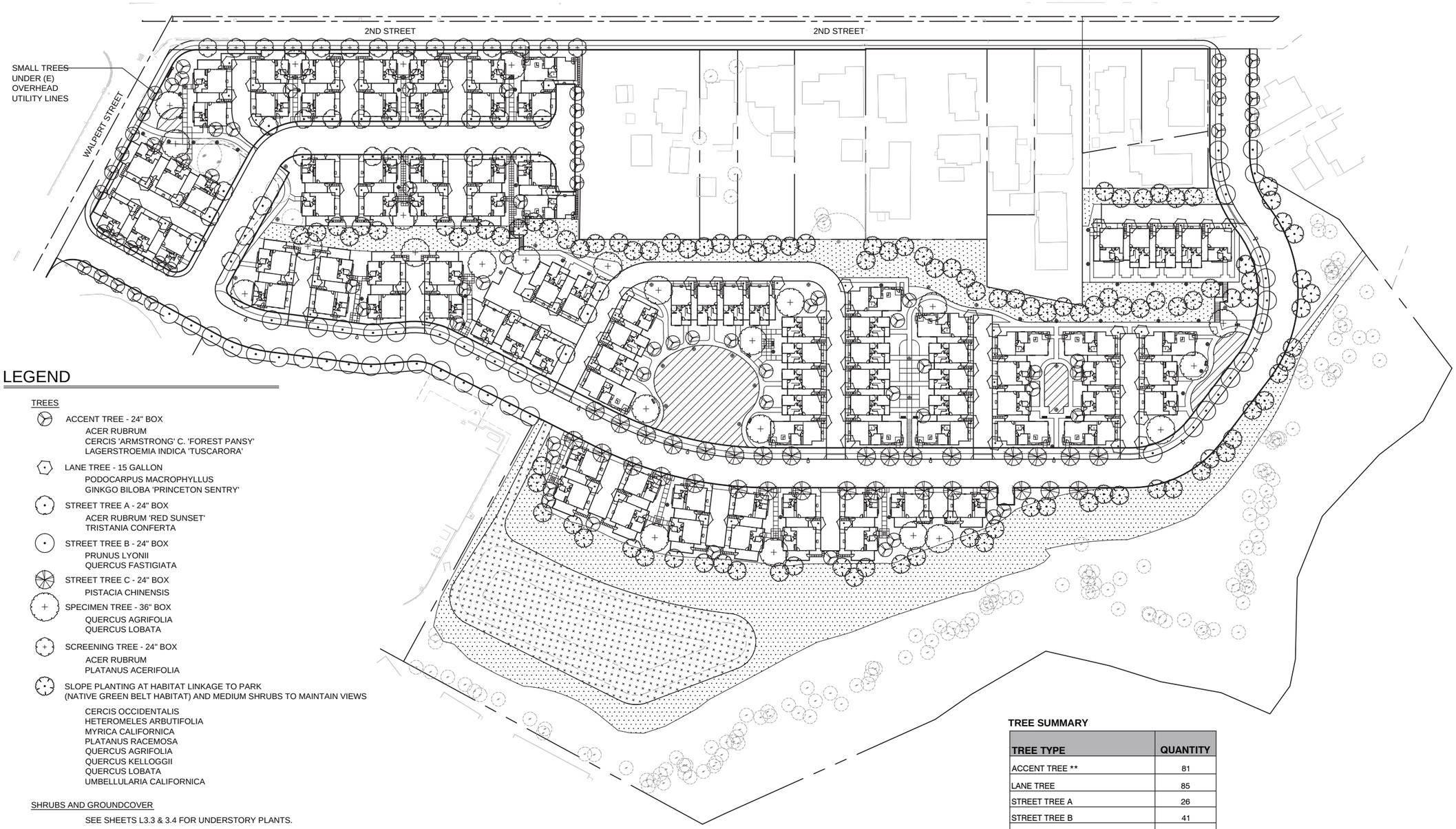
1. SOIL USED IN LANDSCAPE BASED TREATMENT MEASURES SHALL MEET THE SPECIFICATIONS INCLUDED IN THE MOST RECENT VERSION OF APPENDIX L OF THE NPDES MUNICIPAL REGIONAL STORM WATER PERMIT PROVISION C.3.C.i.(1)(B)(V).
2. THE BIORETENTION AREAS SHOWN ARE PRELIMINARY AND REPRESENT THE APPROXIMATE SURFACE AREA NEEDED TO TREAT EACH DRAINAGE MANAGEMENT AREA. THESE AREAS ARE SUBJECT TO CHANGE BASED ON FINAL ARCHITECTURE, FINAL LOCATIONS OF BUILDING ROOF DRAINS AND REFINEMENT OF THE PROJECT GRADING PLANS.



Source: Carlson, Barbee & Gibson, Inc. June 22, 2015.

STORMWATER MANAGEMENT PLAN

FIGURE 6



LEGEND

TREES

ACCENT TREE - 24" BOX
ACER RUBRUM
CERCIS 'ARMSTRONG' C. 'FOREST PANSY'
LAGERSTROEMIA INDICA 'TUSCARORA'

LANE TREE - 15 GALLON
PODOCARPUS MACROPHYLLUS
GINKGO BILOBA 'PRINCETON SENTRY'

STREET TREE A - 24" BOX
ACER RUBRUM 'RED SUNSET'
TRISTANIA CONFERTA

STREET TREE B - 24" BOX
PRUNUS LYONII
QUERCUS FASTIGIATA

STREET TREE C - 24" BOX
PISTACIA CHINENSIS

SPECIMEN TREE - 36" BOX
QUERCUS AGRIFOLIA
QUERCUS LOBATA

SCREENING TREE - 24" BOX
ACER RUBRUM
PLATANUS ACERIFOLIA

SLOPE PLANTING AT HABITAT LINKAGE TO PARK
(NATIVE GREEN BELT HABITAT) AND MEDIUM SHRUBS TO MAINTAIN VIEWS
CERCIS OCCIDENTALIS
HETEROMELES ARBUTIFOLIA
MYRICA CALIFORNICA
PLATANUS RACEMOSA
QUERCUS AGRIFOLIA
QUERCUS KELLOGGII
QUERCUS LOBATA
UMBELLULARIA CALIFORNICA

SHRUBS AND GROUNDCOVER

SEE SHEETS L3.3 & 3.4 FOR UNDERSTORY PLANTS.

HYDROSEED
NATIVE WILDFLOWER MIX

HYDROSEED
STORMWATER TREATMENT MIX

TURF (GATHERING AREAS)
MAXIMUM 4.9% SLOPE

TREE SUMMARY

TREE TYPE	QUANTITY
ACCENT TREE **	81
LANE TREE	85
STREET TREE A	26
STREET TREE B	41
STREET TREE C	33
SPECIMEN TREE (36" BOX) *	25
SCREENING TREE	14
SLOPE PLANTING TREE *	106
TOTAL NUMBER OF TREES	**411**

* REPLACEMENT TREES FOR MITIGATION
** 55 ACCENT TREES QUALIFY AS REPLACEMENT TREES
(26 ACCENT TREES ACT AS STREET TREES)

0' 25' 50' 100'

N

Source: Golden Associates. June 19, 2015.

LANDSCAPE PLAN

FIGURE 7

SECTION 2.0 ENVIRONMENTAL DETERMINATION

2.1 Environmental Factors Potentially Affected

☐ Aesthetics	☐ Agricultural Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☒ Geology/Soils
☐ Greenhouse Gas Emissions	☐ Hazards/Hazardous Materials	☐ Hydrology/Water Quality
☐ Land Use/Planning	☐ Mineral Resources	☒ Noise
☐ Population/Housing	☐ Public Services	☐ Recreation
☐ Transportation/Traffic	☐ Utilities/Service Systems	☒ Mandatory Findings of Significance

2.2 Environmental Determination

On the basis of this initial evaluation (completed by the Lead Agency):

☐ 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 revision in the project could 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.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and/or 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

_____ _____

Signature Date

_____ _____

Title Agency

SECTION 3.0 EVALUATION OF ENVIRONMENTAL IMPACTS

This section describes the existing environmental conditions on and near the project area, as well as environmental impacts associated with the proposed project. The environmental checklist, as recommended in the California Environmental Quality Act (CEQA) Guidelines, identifies environmental impacts that could occur if the proposed project is implemented.

The right-hand column in the checklist lists the source(s) for the answer to each question. The sources cited are identified at the end of this section. Mitigation measures are identified for all significant project impacts. "Mitigation Measures" are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines §15370). Measures that are required by the Lead Agency or other regulatory agency that will reduce or avoid impacts are categorized as "Standard Permit Conditions."

3.1 AESTHETICS

Aesthetics Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒	1,2
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒	1,2
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐	1
d. Create a new source of substantial light or glare which will adversely affect day or nighttime views in the area?	☐	☐	☒	☐	1,2,3

Impacts Evaluation

a. *Would the project have a substantial adverse effect on a scenic vista?*

There are no designated scenic vistas in the vicinity of the project and the project is not located within or visible from a designated scenic vista; thus, no impact.

b. *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

The project is not located within a state scenic highway. No scenic resources exist in the area, and the project site is located in a developed urbanized setting; thus, no impact.

c. *Substantially degrade the existing visual character or quality of the site and its surroundings*?

The project would place development on a mostly undeveloped site consisting mainly of gently sloping ruderal grasslands. Although the proposed development would occur on a hill slope, the site is not visually prominent from Mission Boulevard, D Street or other major roadways in the area due to the trees bordering Ward Creek at the southern boundary of the site. The proposed homes along 2nd Street would continue the residential fabric of the existing neighborhood.

The project would introduce structures that would be primarily visible from existing neighborhoods and roads surrounding the site. In addition, the project site is located in an urbanized setting and is surrounded by existing buildings and tall trees that obscure views of the site from the south. Placement of homes on the slope below the 2nd Street grade would place the existing homes along 2nd Street at a higher elevation than the proposed homes, thus reducing the overall impact of the development from 2nd Street. The proposed project would alter the visual character of the site and surrounding area; however, the aesthetic impact of the proposed development is minimized by natural setting features and the topography of the site and is therefore considered less than significant; thus, no mitigation is required.

d. *Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?*

The project site is located in an urbanized setting, bordered by residences and a pump station and water reservoir tanks. The project would introduce development to a mostly undeveloped site, and would therefore create new sources of light and glare compared to the project site's existing condition. The project will comply with the City's Municipal Code and design requirements relating to aesthetics, light and glare, which are intended to prevent spillover light and minimize impacts related to the introduction of new light sources as a standard condition of approval (Hayward Municipal Code (HMC) Section 10-1.445(j)). Therefore, the additional light and glare created by the project is considered less than significant; no mitigation is required.

3.2 AGRICULTURAL AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Agricultural and Forestry Resources Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
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?	☐	☐	☐	☒	1,4
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☒	☐	1,3
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒	1,3
d. Result in a loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	1, 8
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒	1

Impacts Evaluation

a. *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use?*

The project does not involve any Prime Farmland, Unique Farmland or Farmland of Statewide Importance; thus, no impact.

b. *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

The project site is not subject to a Williamson Act contract. Small portions of the two southernmost parcels on the site (APNs 445005001001 and 445005001900) are zoned for agricultural/open space use. However, these areas are within or directly adjacent to the riparian corridor of Ward Creek, and are not feasible locations for agricultural activities. Additionally, the project site is within a developed urban area, and no farming activities have occurred on the site since the 1950's. Thus, while the project would develop residential uses on a site partially zoned for agricultural uses, this impact is considered less than significant; no mitigation is required.

c. *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

The project site is in a substantially urbanized area, which includes residential land uses consistent with the Hayward General Plan and Zoning Map. The project does not involve the rezoning of forest land or timberland; thus, no impact.

d. *Would the project result in a loss of forest land or conversion of forest land to non-forest use?*

A Biological Resources Assessment completed for the site by WRA Environmental Consultants in 2015 (refer to Appendix B) identified 2.69 acres of riparian forest habitat associated with Ward Creek. No development is proposed in this portion of the site, and all development occurring in the vicinity of this habitat would be subject to mitigation measures identified in Section 3.4 of this Initial Study, which will ensure the protection of the habitat. The project does not involve the loss of forest land or involve conversion of forest land; thus, no impact.

e. *Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

The project does not involve, nor is it located near, any commercially operated agricultural lands. The project is not located near any forest land, and includes mitigation measures to ensure protection of trees associated with the riparian area of Ward Creek (see Section 3.4 of this Initial Study). The project does not involve changes to the environment that could result in conversion of Farmland or forest land; thus no impact.

3.3 AIR QUALITY

On June 2, 2010, the BAAQMD's Board of Directors unanimously adopted thresholds of significance to assist local jurisdictions during the review of projects that are subject to CEQA. These thresholds of significance were designed to establish the level at which the BAAQMD believed air pollution emissions would cause significant environmental impacts under CEQA. On March 5, 2012, the Alameda County Superior Court issued a judgment finding that the BAAQMD had failed to comply with CEQA when it adopted the thresholds. The court did not determine whether the thresholds were valid on the merits, but found that the adoption of the thresholds was a project under CEQA. The court issued a writ of mandate ordering the BAAQMD to set aside the thresholds and cease dissemination of them until the BAAQMD had complied with CEQA. The BAAQMD has appealed the Alameda County Superior Court's decision. The appeal is currently pending in the Court of Appeal of the State of California, First Appellate District (Bay Area Air Quality Management District Updated CEQA Guidelines, http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES/Updated-CEQA-Guidelines.aspx, accessed on May 13, 2013).

In view of the court's order, the BAAQMD is no longer recommending that the 2010 significance thresholds be used as a generally applicable measure of a project's significant air quality impacts. Lead agencies must determine appropriate air quality thresholds of significance based on substantial evidence in the record. Given that the court's judgment does not pertain to the scientific soundness of the significance thresholds contained in the BAAQMD 2010 CEQA Guidelines and given that these thresholds are supported by substantial evidence, as provided by the BAAQMD in Appendix D of the Air Quality Guidelines, these thresholds are used in this initial study for the evaluation of air quality impacts of the proposed project.

Air Quality Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐	1,5,6,7
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐	1,5,6,7
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?	☐	☒	☐	☐	1,5,6,7
d. Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐	1,5,6,7

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
e. Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒	1,5,7

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

The Bay Area Air Quality Management District's (BAAQMD) 2010 Clean Air Plan is the latest Clean Air Plan which contains district-wide control measures to reduce ozone precursor emissions (i.e., reactive organic gases (ROG) and nitrogen oxides (NOx)), particulate matter and greenhouse gas emissions. As discussed in sections *b-d* below, development under the project would not result in potentially significant air quality impacts after the application of mitigation measures MM AQ-1 and MM AQ-2 included in the project.

The project consists of the development of 97 new residential units, a publicly accessible trail and improvements to connect the proposed trail to a regional trail system. In addition, the proposed project will meet or exceed California Green Building Standards Code (Part 11 of Title 24, California Code of Regulations) to reduce stationary source emissions from the new development. Thus, the proposed project would not interfere with the implementation of control measures in the 2010 Clean Air Plan. Thus, less than significant impact with mitigation incorporated.

b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

As discussed in section *c* below, the project is below the screening size for evaluating regional impacts related to criteria pollutants, including ozone precursors and particulate matter. Therefore, the project would not contribute substantially to existing or projected violations of those standards.

At the local level, congested intersections with a large volume of traffic have the greatest potential to cause high-localized concentrations of carbon monoxide. Air pollutant monitoring data indicate that carbon monoxide levels have been at healthy levels (i.e., below State and federal standards) in the Bay Area since the early 1990s. As a result, the region has been designated as attainment for the standard. The highest measured level over any 8-hour averaging period during the last three years in the Bay Area is less than 3.0 parts per million (ppm), compared to the ambient air quality standard of 9.0 ppm. Intersections affected by the project would have traffic volumes well below the BAAQMD screening criteria for carbon monoxide and, thus, would not cause a violation of an ambient air quality standard or have a considerable contribution to cumulative violations of these standards.[2]

[2] For a land-use project, the BAAQMD CEQA Air Quality Guidelines state that a proposed project would result in a less than significant impact to localized carbon monoxide concentrations if the project would not increase traffic at affected intersections with more than 44,000 vehicles per hour. As shown in the Traffic Impact Analysis for the project (refer to Appendix H), the highest recorded volume at an intersection affected by the project was 5,816 trips at Foothill Boulevard and Mission Boulevard during the PM peak hour. The project would add four trips to this intersection during the PM peak hour.

c. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?

The Bay Area is considered a non-attainment area for ground-level ozone and $PM_{2.5}$ under both the Federal Clean Air Act and the California Clean Air Act. The Bay Area is also considered non-attainment for PM_{10} under the California Clean Air Act, but not the federal act. The Bay Area has attained both State and federal ambient air quality standards for carbon monoxide. As part of an effort to attain and maintain ambient air quality standards for ozone and PM_{10}, the BAAQMD has established thresholds of significance for these air pollutants and their precursors. These thresholds are for ozone precursor pollutants (ROG and NOx), PM_{10}, and $PM_{2.5}$ and the thresholds apply to both construction period and operational period impacts.

In their 2011 update to the CEQA Air Quality Guidelines, BAAQMD identified the size of land use projects that could result in significant air pollutant emissions. A single-family project size of 114 dwelling units was identified as significant for construction exhaust impacts, and a single family project size of 325 dwelling units was identified as significant for operational impacts. The proposed project includes development of up to 97 dwelling units, thus emissions from the proposed project would be below the BAAQMD significance thresholds for both construction exhaust and operational emissions for regional criteria pollutants.

However, construction activities, particularly during site preparation and grading, would temporarily generate fugitive dust in the form of PM_{10} and $PM_{2.5}$. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soils. Unless properly controlled, vehicles leaving the site would deposit mud on local streets, which could be an additional source of airborne dust after it dries. Fugitive dust emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather conditions. Fugitive dust emissions would also depend on soil moisture, silt content of soil, wind speed, and the amount of equipment operating. Larger dust particles would settle near the source, while fine particles would be dispersed over greater distances from the construction site. The BAAQMD CEQA Air Quality Guidelines consider these impacts to be less than significant if best management practices are employed to reduce these emissions.

Impact AQ-1: Construction of the proposed project could result in a significant impact related to construction dust. **(Significant Impact)**

Mitigation Measures: Implementation of the following mitigation measure would reduce construction dust impacts to a less than significant level.

MM AQ-1: During any construction period ground disturbance, the contractor shall implement the following:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

d. Would the project expose sensitive receptors to substantial pollutant concentrations?

A Health Risk Assessment of toxic air contaminants (known as TACs) was completed for the project by Illingworth & Rodkin, Inc. in December 2014 (refer to Appendix A). Project impacts related to increased health risk can occur either by introducing a new sensitive receptor, such as a residential use, in proximity to an existing source of TACs or by introducing a new source of TACs with the potential to adversely affect existing sensitive receptors in the project vicinity. The BAAQMD recommends using a 1,000-foot screening radius around a project site for purposes of identifying community health risk from siting a new sensitive receptor or a new source of TACs. Operation of the project is not expected to cause any localized emissions that could expose sensitive receptors to unhealthy air pollutant levels. No stationary sources of TACs, such as generators, are proposed as part of the project. The project is not located within 1,000 feet of any substantial sources of TACs; therefore, new sensitive receptors that are part of the project would not be exposed to unhealthy levels of TACs. However, construction activity associated heavy-duty truck traffic generate diesel exhaust would generate dust and equipment exhaust on a temporary basis that could affect nearby sensitive receptors that include residences and school children. Thus impacts associated with project construction TAC emissions were assessed.

A community risk assessment of the project-related construction activities was conducted that evaluated potential health effects to sensitive receptors at nearby residences from construction emissions of DPM and $PM_{2.5}$. A dispersion model was used to predict the off-site DPM concentrations resulting from project construction so that lifetime cancer risks could be predicted. The results of this analysis are shown in Table 3.3-1, below.

Table 3.3-1: Health Risk Assessment - Unmitigated				
Receptor	**Lifetime Excess Cancer Risks (in a million)**		**Hazard Index (HI)**	**$PM_{2.5}$ Concentration [µg/m]**
	Adult	**Child**		
Existing Residences	1.9	**36.3**	0.06	**0.47**
Hayward High School	--	0.5	0.003	0.02
Threshold	*10*	*10*	*1.0*	*0.3*
Exceeds Thresholds	No	**Yes**	No	**Yes**

BAAQMD recommended exposure parameters were used for the cancer risk calculations. Infant, child, and adult exposures were assumed to occur at all residences during the entire construction period and a child exposure was assumed to occur for the students at Hayward High School. Results of this assessment indicate that for project construction the incremental residential child cancer risk at the maximally exposed individual (MEI) receptor would be 36.3 in one million and the incremental residential adult cancer risk would be 1.9 in one million. The maximum Hayward High School student increased cancer risk would be 0.5 in one million. While the increased cancer risks for a school student and residential adult would be below the BAAQMD significance threshold of a cancer risk of 10 in one million or greater, the increased cancer risk for a residential child would be above the cancer risk threshold and would be considered a significant impact.

The maximum modeled residential annual $PM_{2.5}$ concentration was 0.47 micrograms per cubic meter (µg/m3) occurring at the same location as the maximum residential cancer risk. The maximum $PM_{2.5}$ concentration at Hayward High School would be 0.02 $\mu g/m^3$. These maximum residential $PM_{2.5}$ concentration is above the BAAQMD significance threshold of 0.3 $\mu g/m^3$ used to judge the significance of health impacts from $PM_{2.5}$. This would be considered a significant impact.

Potential non-cancer health effects due to chronic exposure to DPM were also evaluated. Non-cancer health hazards from TAC exposure are expressed in terms of a hazard index (HI), which is the ratio of the TAC concentration to a reference exposure level (REL). California's Office of Environmental Health and Hazard Assessments (OEHHA) has defined acceptable concentration levels for contaminants that pose non-cancer health hazards. TAC concentrations below the REL are not expected to cause adverse health impacts, even for sensitive individuals. The chronic inhalation REL for DPM is 5 $\mu g/m^3$. The maximum modeled annual residential DPM concentration at existing residences was 0.307 $\mu g/m^3$, which is much lower than the REL. The maximum computed hazard index based on this DPM concentration is 0.06 which is much lower than the BAAQMD significance criterion of a hazard index greater than 1.0. The HI at Hayward High School would be 0.003. This would be considered a less than significant impact.

Construction at this site using commonly available equipment assumed in the modeling for the health risk assessment would have a significant impact with respect to community risk caused by construction activities.

Impact AQ-2: Toxic air contaminant (TAC) emissions during construction of the proposed project would result in significant risks and hazards to nearby sensitive receptors. **(Significant Impact)**

Mitigation Measures: Implementation of the these mitigation measures, in addition to the standard BAAQMD dust control/mitigation measures listed in MM AQ-1 for construction impacts in section *c* above, would reduce this impact to a less than significant level.

MM AQ-2: During any construction, the contractor shall implement the following:

- All mobile (e.g., wheeled or tracked) diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously shall meet U.S. EPA particulate matter emissions standards for Tier 2 engines or equivalent.

- All portable diesel-powered off-road equipment (e.g., generators, cement pumps, welders, and compressors) larger than 50 horsepower and operating on the site for more than two days continuously shall meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent.

- The project shall minimize the number of hours that equipment will operate, including the use of idling restrictions of five minutes.

Alternatively, the construction contractor could use other measures to minimize construction period DPM emissions to reduce the predicted cancer risk below the thresholds. Such measures may be the use of alternative powered equipment (e.g., LPG-powered lifts), alternative fuels (e.g., biofuels), added exhaust devices, or a combination of measures, provided that these measures are approved by the City and demonstrated to reduce community risk impacts to a less than significant level. An Alternative Measures Air Quality Analysis shall be submitted to and approved by the Planning Division.

Table 3.3-2 shows the project's risks and hazards associated with construction TACs after implementation of mitigation measures AQ-1 and AQ-2.

Table 3.3-2: Health Risk Assessment - Mitigated

Receptor	**Lifetime Excess Cancer Risks (in a million)**		**Hazard Index (HI)**	**$PM_{2.5}$ Concentration [µg/m]**
	Adult	**Child**		
Existing Residences	0.5	9.5	0.016	0.12
Hayward High School	--	0.1	0.001	0.01
Threshold	*10*	*10*	*1.0*	*0.3*
Exceeds Thresholds	No	No	No	No

Naturally Occurring Asbestos

As described in the Preliminary Geotechnical Investigation completed for the project (refer to Appendix E), the presence of ultrabasic rock on the site indicates the potential for naturally occurring asbestos (NOA). When NOA is disturbed in connection with grading and construction, asbestos-containing dust can be generated. Exposure to asbestos can result in health ailments such as lung cancer, mesothelioma (cancer of the linings of the lungs and abdomen), and asbestosis (scarring of lung tissues that results in constricted breathing).

Impact AQ-3: Grading and construction activities on the project site could result in the generation of asbestos-containing dust. **(Significant Impact)**

Mitigation Measures: Implementation of the following mitigation measures would reduce impacts related to NOA to a less than significant level.

MM AQ 3.1: Prior to issuance of a grading permit, the project applicant shall complete soil sampling on the areas of the site to be disturbed during construction activities and submit the results to the City Engineering Division. Sampling should be completed to at least the depth of planned excavation on the site. Should the soil sampling reveal the presence of NOA, the project applicant shall implement mitigation measures MM AQ-3.2 and MM AQ-3.3, described below.

MM AQ-3.2: The project applicant shall prepare an Asbestos Dust Mitigation Plan and submit the plan to BAAQMD and the City's Engineering Division for review and approval prior to issuance of a grading permit. The plan must describe dust control measures during grading as well as long term dust control measures. The plan shall include, at a minimum, the following measures, which shall be included as conditions on the grading permit:

- Track-out prevention and control measures;
- Active stockpiles shall be adequately wetted or covered with tarps;
- Control for disturbed surface areas and storage piles that remain inactive for more than seven days;
- Control for traffic on unpaved roads, parking lots, and staging areas;
- Control for earthmoving activities; and,
- Control for off-site transport.

MM AQ-3.3: Disturbed surfaces with NOA exceeding the BAAQMD threshold concentration of 0.25 percent shall be stabilized using one or more of the following methods, and shall be reflected in the Asbestos Dust Mitigation Plan:

- Establishment of a vegetative cover;
- Placement of at least three inches of non-asbestos-containing material;

- Paving;
- Any other measure deemed sufficient to prevent wind speeds of 10 miles per hour or greater from causing visible dust emission.

e. Would the project create objectionable odors affecting a substantial number of people?

The project would generate localized emissions of diesel exhaust during construction equipment operation and truck activity. These emissions may be noticeable from time to time by adjacent receptors. However, they would be localized, intermittent and are not likely to adversely affect people off site resulting in confirmed odor complaints to BAAQMD or the City of Hayward.

The proposed residential project would not include any sources of significant odors (e.g., a landfill, composting stations, food manufacturers) that would cause complaints from surrounding uses. Thus, less than significant impact.

3.4 BIOLOGICAL RESOURCES

Biological Resources Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
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 Wildlife or US Fish and Wildlife Service?	☐	☒	☐	☐	1,8
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☒	☐	☐	1,2,8
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐	1,8
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, impede the use of native wildlife nursery sites?	☐	☒	☐	☐	1,8
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐	1,3,8,9
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?	☐	☐	☐	☒	1

Impacts Evaluation

a. *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?*

A Biological Resources Assessment was completed for the site by WRA Environmental Consultants in October 2014. This report can be found as Appendix B to this Initial Study.

A review of relevant databases and an assessment of the project site were completed by qualified biologists to determine the presence, or potential presence, of special status species on the site and in the surrounding area. While no special status plant species were observed on the site, two species (western leatherwood and Diablo helianthella) were determined to have a moderate potential to occur on the site. One special status animal species (Nuttall's woodpecker) was observed in the riparian area in the southern portion of the site. Additionally, two special status animal species (white-tailed kite and oak titmouse) have a high potential to occur on the site, and six species (San Francisco dusky-footed woodrat, pallid bat, Townsend's big-eared bat, western red bat, Loggerhead shrike, and Allen's hummingbird) have a moderate potential to occur on the site. Nesting birds, including a number of special status species, may be impacted by construction during the nesting season from February to August. Additionally, bats, including some special status bats, may be impacted by construction activity during critical life stages from April to August, as well as building demolition activities during any time of the year.

Impact BIO-1: Construction of the proposed project could result in significant impacts to special status plant, bird, and bat species. **(Significant Impact)**

Mitigation Measures: Implementation of the following mitigation measures would reduce impacts to special status species to a less than significant level:

MM BIO-1.1: Prior to issuance of a grading permit, protocol-level rare plant surveys for western leatherwood and Diablo helianthella shall be completed between January and June for all areas mapped as riparian or non-native grassland in the 2014 Biological Resources Assessment completed for the site. If special status plant species are observed on the site, they shall be avoided during construction activities, if possible. If avoidance is not possible, or if altered hydrologic conditions will affect the species, measures such as transplanting individuals to suitable undisturbed habitat and/or preservation of existing off-site populations shall be developed in consultation with the California Department of Fish and Wildlife (CDFW).

MM BIO-1.2: To avoid disturbance to breeding birds, tree and brush clearing shall be completed between September 1 and February 1. If this is not feasible, a qualified biologist shall complete surveys for breeding birds within 14 days of commencement of tree and brush clearing activities. During this survey, the biologist will inspect all trees and other possible nesting habitats immediately adjacent to the construction areas for nests. If an active nest is found

sufficiently close to work areas to be disturbed by construction, the biologist, in consultation with California Department of Fish and Wildlife (CDFW), will determine the extent of a construction-free buffer zone to be established around the nest, dependent on the particular species of nesting bird, to ensure that raptor or migratory bird nests will not be disturbed during project construction until the nest is vacated.

MM BIO-1.3: To avoid and limit disturbance of bats, work that disturbs trees, rock outcrops, buildings, and other structures should be completed between September and March, if feasible. A qualified biologist shall complete surveys for bats within 14 days of commencement of activities causing disturbance, as outlined below.

Building Surveys (All Year): Any demolition of buildings at all times of the year shall be preceded by a preconstruction survey within 14 days of demolition. An internal entrance survey shall be performed by a qualified bat biologist to determine if buildings currently or previously supported roosting bats. If bats are determined to be present, appropriate methods shall be used to exclude bats from the building. Such methods may include installation of one way "valves" to allow bats to exit, but not allow them to reenter the building.

Maternity Roosting Season Preconstruction Surveys (April 1 through August 31): Ultrasonic acoustic surveys and/or other site appropriate survey method shall be performed to determine the presence or absence of bats utilizing the project site as roosting or foraging habitat during the maternity roosting season. If special-status bat species are detected during surveys, appropriate species and roost specific mitigation measures will be implemented. Such measures may include postponing removal of trees, snags or structures until the end of the maternity roosting season or construction of species appropriate roosting habitat within, or adjacent to the project site.

Implementation of these mitigation measures would reduce construction impacts to rare plants, breeding birds, and bats to a less than significant level.

b. *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?*

The project site contains three sensitive biological communities: non-wetland waters (1,026 linear feet), riparian forest (2.79 acres), and oak woodland (0.31 acres).

The oak woodland area is located in the southeastern portion of the site, north of the riparian forest area, and is surrounded by areas of graded, disturbed soils and ruderal vegetation or non-native grassland. Development of the proposed project would result in the removal of some or all of the 0.31 acres of oak woodland on the site.

The non-wetland waters and riparian forest communities are associated with Ward Creek, which borders the site to the south. Many fish barriers and other structures that reduce wildlife habitat values are present in the creek, especially west of the project site where the creek flows through an underground culvert.

Based on the project's site plan, no impacts are anticipated to Waters of the U.S. within the Corps-jurisdiction under Section 404 of the Clean Water Act, or Waters of the State within RWQCB jurisdiction under the Porter Cologne Act and Section 401 of the Clean Water Act.

The project proposes to construct a bioretention basin in the southwestern portion of the site in the vicinity of Ward Creek. Although the project would potentially alter the amount of generalized site surface flows by directing runoff into the bioretention basin, it is not expected to result in significant impacts to the nearby edge of the riparian forest. The existing pre-project watershed is relatively small compared to the greater Ward Creek watershed, and the proposed changes will not significantly change the amount of water flowing to Ward Creek. Based on site plan, there is a sufficient buffer between impervious surfaces and the riparian forest which will allow for localized infiltration to the root zone of the riparian trees. Moreover the trees that make up the outer edge of the riparian canopy are predominantly (approximately 86 percent; WRA 2015) composed of coast live oak, a deeply rooted, drought-resistant species that is adapted to annual fluctuations in precipitation.

Grading activities may extend into small areas (totaling 0.04 acres) of the riparian corridor located in the southern portion of the site which could result in the removal of some riparian vegetation. Should the CDFW claim jurisdiction over areas on the site mapped as riparian forest, a 1602 Streambed Alteration Agreement (SAA) is required from CDFW for impacts to creeks, creek banks, and riparian areas, including removal of riparian vegetation. Mitigation plans including success criteria and long-term monitoring requirements will also likely be required by CDFW.

Regardless of whether jurisdiction is claimed by CDFW, the project shall implement the mitigation measures identified below to reduce impacts to a less than significant level under the CEQA.

Impact BIO-2: Construction activities could result in impacts to riparian habitat and other sensitive natural communities

Mitigation Measures: Implementation of the following mitigation measures during project construction would reduce impacts to riparian habitat and other sensitive natural communities to a less than significant level:

MM BIO-2.1:

- All access, staging, and work areas shall be delineated with orange construction fencing, or similar, and all work activities shall be limited to these areas.
- All access, staging, and work areas shall be the minimum size necessary to conduct the work.
- All staging, maintenance, and storage of construction equipment shall be performed in a manner to preclude any direct or indirect discharge of fuel, oil, or other petroleum projects into the project site. No other debris, rubbish, creosote-treated wood, soil, silt, sand, cement, concrete or washings thereof, or other construction related materials or shall be

allowed to enter into or be placed where they may be washed by rainfall or runoff into the basin or other aquatic features. All such debris and waste shall be picked up daily and shall be properly disposed of at an appropriate facility.

- Disturbance or removal of vegetation shall not exceed the minimum necessary to conduct the work.
- Areas of ground disturbances shall be revegetated using an appropriate erosion control mix (for both sensitive and non-sensitive habitats) or will be covered by with rock, wood chips, or other suitable erosion control materials as appropriate (for non-sensitive habitats only).
- Appropriate erosion control measures shall be installed around any stockpiles of soil or other materials which could be transported by rainfall or other flows.
- Stockpiles of soil or other materials that can be blown by wind shall be covered when not in active use.
- All trucks hauling soil, sand, and other loose materials shall be covered.

MM BIO-2.2: Best management practices and stormwater pollution prevention measures such as silt fencing and wattles shall be implemented to avoid temporary and permanent impacts to Ward Creek (federally protected non-wetland waters).

MM BIO-2.3: Exclusion and/or silt fencing shall be placed outside the dripline of all riparian vegetation that will be preserved. This fencing shall remain in place for the duration of construction.

Implementation of these mitigation measures would reduce construction impacts to sensitive habitats to a less than significant level.

c. *Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

As discussed previously, no wetland areas were identified on the site. Although the site contains 1,026 linear feet of non-wetland waters associated with Ward Creek, no development is proposed in this area of the site. Additionally, implementation of MM BIO-2.1, 2.2, and 2.3, identified above, would ensure construction activities associated with the project do not result in significant impacts to non-wetland waters.

d. *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites?*

The project site is not located near any native wildlife nursery sites. With implementation of MM BIO-1.1 through 2.3, the project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors.

e. *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

A tree survey and appraisal was completed for the project site by WRA Environmental Consultants in April 2015 (refer to Appendix C). Of the 90 trees surveyed on the portion of the site to be developed, 81 are protected under the City of Hayward Tree Preservation Ordinance. And although no development would occur in the riparian area in the southern portion of the site, the tree survey include the first row of trees associated with the riparian area. All 126 of the trees surveyed in the riparian area are considered protected due to their location within a sensitive riparian habitat. The City of Hayward protects trees having a minimum trunk diameter of eight inches or more (measured 54 inches above the ground), street trees, memorial trees, trees that were planted as replacements for protected trees, and trees of certain species.[3] Based on the development envelope for the project, up to 81 protected trees could be affected by the proposed development.

The project will be required to comply with the Tree Preservation Ordinance, which includes submittal of an application for a Protected Tree Removal or Cutting permit. The ordinance also requires replacement of removed or disfigured trees with like-size, like-kind trees or an equal value tree or trees as determined by the City's Landscape Architect. The replacement trees shall be located on site wherever possible. Where there is not sufficient room on site for the replacement trees in the judgment of the City Landscape Architect or his or her designated representative, another site may be designated that is mutually agreeable. The Ordinance also includes protection measures for trees that would be retained on site to ensure they are not impacted during construction activities.

Impact BIO-3: Development of the proposed project would result in significant impacts to protected trees. **(Significant Impact)**

Mitigation Measures: Implementation of the following mitigation measures would reduce impacts to protected trees to a less than significant level.

MM BIO-3.1 All applicable requirements shall be followed and all permits obtained as required by the City's Tree Ordinance (HMC Chapter 10, Article 15). Per that ordinance, every effort shall be made to preserve the character of the area and the more valuable tree specimens on site to the greatest extent practicable. Final landscape plans shall be reviewed and approved by the City of Hayward Landscape Architect prior to issuance of issuance of any grading, trenching, encroachment, demolition, or building permit for development. Final landscape plans shall clearly identify all "protected trees," as defined in the Tree Preservation Ordinance, and all trees to be removed from the project site and the size, location, type, value of trees and specify the species of all replacement trees.

[3] The following tree species with a trunk diameter of four inches or more are protected under the City of Hayward Tree Preservation Ordinance: Big Leaf Maple, California Buckeye, Madrone, Western Dogwood, California Sycamore, Coast Live Oak, Canyon Live Oak, Blue Oak, Oregon White Oak, California Black Oak, Valley Oak, Interior Live Oak, and California Bay.

MM BIO-3.2 The project applicant shall implement all tree protection measures recommended in the Arborist Report prepared for the project, which include the following:

- All construction activity (grading, filling, paving, landscaping etc.) shall respect the root protection zone (RPZ) around all trees within the vicinity of the project area. The RPZ should be a distance of 1.0 times the dripline radius measured from the trunk of the tree. Exceptions to this standard could be considered on a case-by-case basis, provided that it is demonstrated that an encroachment into the RPZ will not affect the root system or the health of the tree, and is authorized by a certified Arborist or comparable specialist.

- Temporary protective fencing shall be installed around the dripline of existing trees prior to commencement of any construction activity conducted within 25' of the tree canopy. The fence shall be clearly marked to prevent inadvertent encroachment by heavy machinery. Fence type shall be developed based on consulting arborist's recommendation, and the fence detail shall be included in the landscape plan.

- Drainage will not be allowed to pond around the base of any tree.

- An Arborist or Tree Specialist shall be retained to perform any necessary pruning of trees during construction activity.

- Should any utility lines encroach within the tree protection zone, a single, shared utility conduit shall be used where possible to avoid negative impact to trees.

- Roots exposed, as a result of construction activities shall be covered with wet burlap to avoid desiccation, and should be buried as soon as practicable.

- Construction materials or heavy equipment shall not be stored within the root protection zone.

- Only a Certified Arborist or Tree Specialist will make specific recommendations as to where any existing trees can safely tolerate some level of fill within the drip line.

- Trenches which are required within the root protection zone of existing native trees shall be bored (tunneled) under the root(s) using an auger or drill, rather than trenched, to avoid root disturbance.

- Construction materials shall be properly stored away from existing trees to avoid spillage or damage to trees.

MM BIO-3.3 Grading at southwestern corner near detention basin and pathway shall be reshaped and pull away from the line of existing trees. Major and minor grading shall not encroach into the largest (ID 1684) and the second largest (ID 1687) Quercus agrifolia with one hundred inches and forty inches in trunk diameter, respectively.

By complying with the City's Tree Preservation Ordinance and implementing tree protection measures, the project would not conflict with any local policies or ordinances protecting biological resources.

f. *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

There are no habitat conservation plans affecting the property, specifically, the project site is not located in an area covered by an adopted Habitat Conservation Plan or Natural Community Conservation Plan; thus, no impact.

3.5 CULTURAL RESOURCES

Cultural Resources Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Cause a substantial adverse change in the significance of an historical resource as defined in §15063.5?	☐	☐	☒	☐	1,10
b. Cause a substantial adverse change in the significance of an archaeological resource as defined in §15063.5?	☐	☐	☒	☐	1,10
c. Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☐	☐	☒	1,2,3
d. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐	1,2,3

Impacts Evaluation

a. *Would the project cause a substantial adverse change in the significance of an historical resource as defined in §15063.5?*

CEQA Guidelines §15064.5 defines historical resources as resources that are a) listed in or eligible for the California Register of Historical Resources, b) included in a local register, or c) determined by the Lead Agency to be historically significant. A structure located at 1277-1279 Walpert Street would be demolished by the proposed project. The structure, which is located on the northern boundary of the project site, is included in the City of Hayward Historic Resources Survey and Inventory Report completed by Circa Historic Property Development (July 2010). This list is based on a reconnaissance survey and not on formal evaluations under any historic resource designation criteria.

A Cultural Resources Assessment was completed for the project site by Basin Research Associates in October 2014 (refer to Appendix D). The Assessment included an analysis of the 1277-1279 Walpert Street structure for historical significance. While the structure appears to retain a good level of historic integrity as it does not appear to have any significant alterations since it was constructed in 1957, it is not a sufficiently exceptional or distinguished example of the Ranch House Style in the Hayward Area to be eligible under the National Register of Historic Places (NRHP) Criterion C or the California Register of Historic Places (CRHP) Criterion 3. Additionally, since the structure does not appear to have significant associations with local themes or cultural patterns of significance, it would not be eligible for the NRHP under Criterion A or the CRHP under Criterion 1. Further, because no significant individuals in local history are associated with the structure, the structure would not be eligible for the NRHP under Criterion B or the CRHP under Criterion 2. Therefore, the demolition of this structure would not be considered a significant impact.

b. *Would the project cause a substantial adverse change in the significance of an archaeological resource as defined in §15063.5?*

An Archaeological Literature Review was completed for the site as part of the Cultural Resources Assessment (refer to Appendix D). No recorded archaeological sites are located in the project area. During excavation and grading activities associated with construction of the project, a remote possibility exists that historical or cultural resources may be discovered. If that should occur, standard measures should be taken to stop all work adjacent to the find and contact the City of Hayward Development Services Department for ways to preserve and record the uncovered materials. If standard procedures are followed in the event cultural/historical resources are uncovered at the project site, the project's impact would be less than significant.

Impact CUL-1: Although unlikely, the project could result in significant impacts to buried archeological resources.

Mitigation Measure: Implementation of the following mitigation measures would ensure that potential impacts to buried archeological resources remain at a less than significant level.

MM CUL-1: In the event human remains, archaeological resources, paleontological resources, prehistoric artifacts are discovered during construction excavation, the following procedures shall be followed: Construction and/or excavation activities shall cease immediately and the Planning Division shall be notified. A qualified archaeologist shall be consulted to determine whether any such material is significant prior to resuming groundbreaking construction activities. Standardized procedures for evaluating accidental finds and discovery of human remains shall be followed as prescribed in Section 15064.515126.4 of the California Environmental Quality Act. Standard procedures for grading operations would be followed during development, which require that such remains or resources are discovered grading operations are halted and the resources/remains evaluated by a qualified professional and, if necessary mitigation plans are formulated and implemented. These standard measures would be conditions of approval should the project be approved; thus this impact would be less than significant with mitigation incorporated in the project.

Assembly Bill (AB) 52

Assembly Bill (AB) 52 was approved by the Governor September 25, 2014. It adds a new category of resources to CEQA that must be considered during project planning – Tribal Cultural Resources. It also establishes a framework and timeline for consultation. AB 52 applies to projects that have a notice of preparation or a notice of negative declaration or mitigated negative declaration filed on or after July 1, 2015.

AB 52 requires lead agencies to conduct formal consultations with California Native American tribes during the CEQA process to identify tribal cultural resources that may be subject to significant impacts by a project. Where a project may have a significant impact on a tribal cultural resource, the

lead agency's environmental document must discuss the impact and whether feasible alternatives or mitigation measures could avoid or substantially lessen the impact.

This consultation requirement applies only if the tribes have sent written requests for notification of projects to the lead agency. At the time of preparation of this Initial Study, the City of Hayward had yet to receive any requests for notification from tribes.

c. *Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?*

No known paleontological resources exist on the site. There are no unique geological features on or near the site; thus, no impact to geological features. Implementation of the mitigation measures listed above in would reduce impacts to unknown subsurface resources to a less than significant level.

d. *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

There are no records of any human remains located on the project site. All Saints Cemetery, established in the 19th century, is located approximately 0.2 mile west of the site on Walpert Street and is separated from the site by existing residences. Implementation of the mitigation measure listed above would ensure that potential impacts to human remains are less than significant.

3.6 GEOLOGY AND SOILS

Geology and Soils Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
1. Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	☐	☐	☒	☐	1,11
2. Strong seismic ground shaking?	☐	☐	☒	☐	1,11
3. Seismic-related ground failure, including liquefaction?	☐	☒	☐	☐	1,11
4. Landslides?	☐	☒	☐	☐	1,11
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐	1,11
c. Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☒	☐	☐	1,11
d. Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?	☐	☒	☐	☐	1,11
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒	1,11

Impacts Evaluation

a. *Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*

i) *Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)*

A Preliminary Geotechnical Study was completed for the project by The PRA Group, Inc. in July 2014 (refer to Appendix E). The Hayward fault zone is located approximately 1,000 feet southwest of the site. The project site is not within the State's Earthquake Fault Zone; thus, impacts related to fault rupture are not anticipated.

ii) *Strong seismic ground shaking?*

The project site is near, but not located in, the Hayward Fault zone. However, the proposed buildings will be designed and constructed to withstand ground shaking in the event of an earthquake; specifically, the project requires a building permit which would involve the mandatory implementation of design features to minimize seismic-related hazards. An earthquake of moderate to high magnitude could cause considerable ground shaking at the site; however, all structures will be designed using sound engineering judgment and adhere to the latest California Building Code (CBC) requirements, thus the impact is considered less than significant.

iii) *Seismic-related ground failure, including liquefaction?*

The site is not located within a State of California liquefaction seismic hazard zone. As described in the Preliminary Geotechnical Study for the project, due to the presence of shallow bedrock, there is no liquefaction hazard on the site. It is anticipated that any seismically-induced ground failures at the site would be confined to the steeper slope areas near Ward Creek. The Ward Creek embankment is within a State zone requiring an evaluation for the potential for earthquake-induced landslides. A design level geotechnical evaluation shall be conducted and submitted for review and approval prior to issuance of grading permits. If landsliding is determined to be probable, measures recommended by the project geotechnical consultant shall be implemented. Such measures, such as buttress keyways and engineered fill, will reduce the significance of ground failure impacts related to landslides to a level of insignificance.

Impact GEO-1: There is potential for earthquake-induced landslides to occur on the Ward Creek embankment, located on the southern portion of the project site. **(Significant Impact)**

Mitigation Measures: Implementation of the following mitigation measure would reduce geologic hazard impacts to a less than significant level:

MM GEO-1: The project proponent shall have a qualified geotechnical professional complete a design-level geotechnical investigation to address the geologic hazards identified on the site. The investigation shall be consistent with the guidelines published by the State of California (CDMG Special Publication 117) and the Southern California Earthquake Center (SCEC report). The investigation shall identify the specific design features that will be required for the future development on-site, including site preparation, compaction, trench excavations, foundation and subgrade design, drainage, and pavement design. Field exploration shall concentrate on obtaining engineering parameters of the site soils for determining site specific bearing capacity, settlement, and liquefaction potential. The geotechnical investigation shall be reviewed and approved by the City Engineer prior to issuance of a grading permit or Public Works Clearance.

Examples of measures to be included in the design-level geotechnical investigation include the following:

Slope Stability:

- The maximum inclination of cut and fill slopes shall not be steeper than 2H:1V (horizontal to vertical) unless retained by a retaining wall. Flatter slopes may be required in localized areas.
- The uninterrupted height of the slope must not exceed 25 feet in elevation between six-foot wide drained benches.
- A keyway shall be excavated at least five feet into the underlying competent bearing soil or bedrock at the toe of the proposed fill. The bottom of the keyway should have a minimum width of 20 feet and should be sloped a minimum of two percent downward into the keyway heel for drainage into a subdrain system installed to collect migrating water.
- Irrigation of the slope areas shall be kept to a minimum. Subdrains may be necessary to remove excess surface and subsurface water.
- Grading plans shall show locations of keyways, subdrains, and colluvium and fill removals. Grading plan details shall include geogrid type, strength, vertical spacing, and length, subdrain details, and keying and benching details.

Expansive Soils:

- In areas where the expansive silty clay is at or near final grade, the project shall sub-excavate to three feet and replace soils with one of the following: (1) import fill that is nonexpansive or has a low expansion potential and the approval of our geotechnical engineer, or (2) on-site select material approved by our geotechnical engineer or the engineer's representative.

iv) *Landslides?*

As described above, the Ward Creek embankment is mapped as an area potentially subject to landslides. Implementation of Mitigation Measure MM GEO-1 would ensure impacts related to landslides would be less than significant.

b. *Would the project result in substantial soil erosion or the loss of topsoil?*

Although the project would result in an increase in impervious surfaces on the site, the proposed project is required to include erosion control measures set forth in HMC Chapter 10, Article 8, Grading and Clearing, typically required for such projects, including but not limited to gravelling construction entrances and protecting drain inlets, which would address such impacts as a standard condition of approval. Grading operations on the site will be based upon a final grading plan approved by the City Engineer prior to the issuance of a grading permit per MM GEO-1. Therefore, the potential for substantial erosion or loss of topsoil is considered less than significant.

c. *Would the project be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

As described above, potentially unstable soils on the site are limited to the steeper slope areas near Ward Creek. Implementation of MM GEO-1, along with standard engineering practices required pursuant to the Hayward Municipal Code and the Uniform Building Code, would reduce impacts to a less than significant level.

d. *Would the project located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?*

According to the Preliminary Geotechnical Study, expansive soils are present on the site. The assessment recommends that a design-level geotechnical investigation be performed and recommendations incorporated into the project design and construction. Provided the recommendations of a design-level geotechnical assessment are followed, the impacts of the expansive soils will be mitigated to a less than significant level.

Impact GEO-2: The project would be located on expansive soils. **(Significant Impact)**

Mitigation Measures: Implementation of Mitigation Measure MM GEO-1, described above, would reduce potential impacts related to expansive soils to a less than significant level.

e. *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

The project will be connected to an existing sewer system and does not involve septic tanks or other alternative wastewater; thus, no impact.

3.7 GREENHOUSE GAS EMISSIONS

Greenhouse Gas Emissions Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐	1,2,5
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐	1,2,5

Impacts Evaluation

a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

The BAAQMD May 2011 CEQA Guidelines included GHG emissions-based significance thresholds. These thresholds include a "bright-line" emissions level of 1,100 metric tons (MT) per year for land-use type projects and 10,000 MT per year for stationary sources. Land use projects with emissions above the 1,100 MT per year threshold would then be subject to a GHG efficiency threshold of 4.6 MT per year per capita. Projects with emissions above the thresholds would be considered to have an impact, which, cumulatively, would be significant.

The CalEEMod model, along with the default vehicle trip generation rates, was used to predict daily emissions associated with operation of the fully-developed site under the proposed single-family residential project. The use of this model for evaluating emissions from land use projects is recommended by the BAAQMD. In 2017, annual emissions resulting from operation of the proposed project are predicted to be 1,388 MT of CO2e. These emissions would exceed the BAAQMD bright-line threshold of 1,100 MT of CO2e/yr. Therefore, emissions were assessed based on the efficiency metric (i.e., emissions per capita). The project's per capita emissions would be 4.1 metric tons of CO2e per year. This is below the threshold of 4.6 metric tons per capita/year, and therefore would be a less than significant impact.

GHG emissions associated with construction were computed to be 480 MT of CO2e, anticipated to occur over the entire construction period. These are the emissions from on-site operation of construction equipment, vendor truck trips, and worker trips. BAAQMD does not have an adopted threshold of significance for construction-related GHG emissions, though the District recommends quantifying emissions and disclosing that GHG emissions that would occur during construction. Pursuant to HMC Chapter 5, Article 10, Construction and Demolition Debris Waste Reduction and Recycling Requirements, the project shall recycle all asphalt, concrete and other building materials generated from the project, which is an identified BAAQMD best management practice to reduce construction-related GHG emissions.

b. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

As described above, the project would not result in GHG emissions above thresholds that were established by BAAQMD to identify projects that require additional mitigation measures to achieve statewide GHG targets contained in Assembly Bill (AB) 32.

The project is within an urban area near transit and schools and will be constructed in accordance with CALGreen (Part 11 of Title 24 of the California Code of Regulations) requirements for Residential Development. The site in not within a Planned Development Area as designated in Plan Bay Area, a regional plan designed to reduce greenhouse gas emissions through land use planning and the provision of adequate housing to meet regional needs.

Hayward's Climate Action Plan (CAP) was adopted by the City Council on July 28, 2009. The purpose of the CAP is to make Hayward a more environmentally and socially sustainable community by:

- Reducing Greenhouse Gas emissions - the primary contributor to global warming;
- Decreasing the community's dependence on non-renewable resources;
- Increasing Hayward's potential for "green" economic development; and,
- Enhancing the health of all who live and work in Hayward.

The Climate Action Plan was adopted prior to modifications to the CEQA Guidelines and adoption of guidance from BAAQMD on what qualifies as a quantified greenhouse gas reduction strategy used for tiering.[4]

The project would not conflict with the Climate Change Scoping Plan developed per AB 32, the land use assumptions in Plan Bay Area, or regulations adopted by the City of Hayward to reduce greenhouse gas emissions. Thus, there will be a less than significant impact.

[4] "Tiering" in the context of CEQA refers to the coverage of general environmental matters in broad program-level Environmental Impact Reports (EIRs), with subsequent focused environmental documents for individual projects that implement the program.

3.8 HAZARDS AND HAZARDOUS MATERIALS

Hazards and Hazardous Materials Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒	1,12
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?	☐	☐	☐	☒	1,12
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒	1,12
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, will it create a significant hazard to the public or the environment?	☐	☐	☐	☒	1,12
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, will the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	1
f. For a project within the vicinity of a private airstrip, will the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	1
g. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	1
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐	1,2,3

Impacts Evaluation

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

The project is a residential project that does not involve the transport or use of hazardous materials; thus, no impact.

b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

The project is a residential development and would not create any significant hazard to the public or environment; thus, no impact.

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The project will not emit hazardous materials or substances, thus no impact.

d. Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

A Phase I Environmental Site Assessment was completed for the site by KCE Matrix in June 2014 (refer to Appendix F). The Phase I concluded that no contamination or hazardous substances are present on the project site. The project site is not on any list compiled pursuant to Government Code section 65962.5; thus, no impact.

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

The project is not located within an airport land use plan area or within two miles of a public airport; therefore, no impact.

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

The project would not interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, no impact.

g. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?

The project would not interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, no impact.

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

The project is located in the Urban Wildfire Interface Zone. In accordance with Government Code 51175 – 51189, the proposed project must maintain a defensible space by removing and clearing away flammable vegetation and combustible growth within 30 feet of buildings and homeowners must ensure that rooftops are free of leaves, needles, and other dead vegetative growth. Further, the proposed development must comply with the City's adopted Hillside Design and Urban/Wildland Interface Guidelines that sets forth detailed building and fire protection standards for new construction.

In addition to state law and adopted design guidelines, the proposed project must comply with all building design and maintenance standards included in the 2010 California Fire Code. The proposed project will be reviewed by the Hayward Fire Department to ensure that all fire safety standards are met. With implementation of required fire prevention measures, the project's impacts associated with wildland fires would be less than significant.

3.9 HYDROLOGY AND WATER QUALITY

Hydrology and Water Quality Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐	1,2,3
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells will drop to a level which will not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐	1
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 which will result in substantial erosion or siltation on-or off-site?	☐	☐	☒	☐	1
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which will result in flooding on-or off-site?	☐	☐	☒	☐	1
e. Create or contribute runoff water which will exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐	1,2,3
f. Otherwise substantially degrade water quality?	☐	☐	☒	☐	1,2,3
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?	☐	☐	☐	☒	1,13
h. Place within a 100-year flood hazard area structures which will impede or redirect flood flows?	☐	☐	☐	☒	1,13
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?	☐	☐	☐	☒	1,2

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
j. Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒	1,2

Impacts Evaluation

a. Would the project violate any water quality standards or waste discharge requirements? Would the project otherwise substantial degrade water quality?

The project would result in the disturbance of more than one acre of soil; therefore, prior to commencement of construction the applicant is required to obtain permit coverage under the Construction General Permit by filing a Notice of Intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) with the State Water Resources Control Board (SWRCB). The proposed project would also be subject to the county-wide Municipal Regional Permit (MRP) because it would add or replace more than 10,000 square feet of impervious surfaces. The MRP requires post-construction storm water runoff to be managed with Low Impact Development methods such as infiltration and/or bio retention. The project proposes a bio-retention facility in the southwestern portion of the site (refer to Figure 4). Stormwater on the site would be directed to bio-retention basin for treatment. Treated stormwater exiting the bio-retention basin would flow to Ward Creek. Although the project would alter the amount of generalized site surface flows by directing runoff into the bioretention basin, it is not expected to significantly change the amount of water flowing to Ward Creek.

The proposed project would comply with all water quality and wastewater discharge requirements of the City. In addition to the bio-retention basin, the project will include Low Impact Development measures including decorative, pervious pavers and decomposed granite for portions of the public pathway. The project would comply with state and local water quality and discharge requirements, resulting in a less than significant impact related to a degradation of water quality; thus, no mitigation required.

b. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge?

The project will be connected to the existing East Bay Municipal Utility District (EBMUD) or the City of Hayward's water supply and will not involve the use of on-site water wells and will not deplete groundwater supplies. Although the project would increase the amount of impervious surfaces on the site, the site is underlain by bedrock and the increase would not be great enough to substantially interfere with groundwater recharge of water supply aquifers; thus, less than significant impact.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which will result in substantial erosion or siltation on-or off-site?

The project would alter drainage patterns in that runoff from the primarily vacant site flows overland towards Ward Creek. Under the proposed project, storm water runoff would be collected in an on-site storm drainage system for conveyance to an onsite bio-retention basin for filtration prior to discharge into Ward Creek. The project would not alter the course of a nearby stream or river and modifications to the on-site drainage patterns would not result in substantial erosion or siltation on or off site. Thus, less than significant impact.

d. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which will result in flooding on-or off-site?

All drainage from the site is required to be treated before it enters the storm drain system and managed such that post-development run-off rates do not exceed pre-development run-off rates; thus, less than significant impact.

e. Would the project create or contribute runoff water which will exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

The proposed project site is an infill site and was envisioned for residential development in the General Plan. All drainage from the site is required to be treated before it enters the storm drain system and there is sufficient capacity to handle any drainage from the property. The project would be required to limit runoff from the site so that there is no net increase compared to pre-development levels. Because the project will employ a stormwater control plan with the use of a bio retention area and all site drainage will be treated before discharged into the storm drain system which has sufficient capacity, the project will have a less than significant impact; no mitigation required.

f. Would the project otherwise substantial degrade water quality?

All drainage from the site is required to be treated before it enters the storm drain system; thus, less than significant impact.

g. Would the project place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

The project site is not located within a 100-year flood hazard area; thus, no impact.

h. Would the project place within a 100-year flood hazard area structures which will impede or redirect flood flows?

The project site is not located within a 100-year flood hazard area; thus, no impact.

i. Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

According to the City's General Plan, the project site is not located in an area subject to inundation resulting from dam failure. Thus, no impact.

j. Would the project exposed the project to inundation by seiche, tsunami, or mudflow?

The project site is not located in a tsunami inundation area, an area subject to mudflow, nor would it be vulnerable to seiche because there are no nearby enclosed water bodies; thus, no impact.

3.10 LAND USE

Land Use Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Physically divide an established community?	☐	☐	☐	☒	1,2,3
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐	1,2,3
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒	1

Impacts Evaluation

a. Would the project physically divide an established community?

The proposed project is at an infill location and is bordered by urban development and Ward Creek. In addition, a publicly accessible trail is planned to run through the proposed project site from Walpert Street to 2nd Street and eventually connect to the regional Wally Wickander Trail, which would enable pedestrian connections through the neighborhood resulting in beneficial impacts. Because the proposed project would not divide an established community; it will not have an impact.

b. Would the project 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?

As shown on Figure 5, the project site consists of several parcels with different General Plan designations, including High Density Residential (approximately 2.51 acres at 17.4 to 34.8 dwelling units per net acre), Medium Density Residential (approximately 6.71 acres 8.7 to 17.4 dwelling units per net acre), Low Density Residential (approximately 4.57 acres 4.3 to 8.7 dwelling units per net acre) and Parks/Recreation (approximately 1.1 acres). Simlarly, zoning designations on the site include High Density Residential (RH/SD7), Medium Density Residential (RM/SD7), Single Family Residential (RS/B6). While the residential density ranges under the various zoning districts match the allowable ranges corresponding to the General Plan land use designations, there are additional regulations related to various zoning districts on the site. Specifically, two of the parcels are subject to SD7 (Hayward Foothills Trail) District, to ensure the orderly development of a continuous trail as properties involved in the 238 Bypass Land Use Study (Caltrans parcel) are developed (refer to

Figure 3 for a conceptual plan showing alignment of the Hayward Foothills Trail, refer to Figure 4, Site Plan for the proposed alignment of the trail parallel to Street A).

The applicant is proposing a Planned Development (PD) District zoning in order to cluster the proposed residential development along the northern and western parts of the site with the intention of setting residential development back from the existing Ward Creek and the southern slopes. As described above, the applicant proposes to lay out the entire 14.9-acre site in a manner than blends development across the northern half of the project site for a consistent, small-lot single family product. The highest number of units proposed with the project (highest density) is located at the northwestern corner of the project site which has a High Density Residential General Plan land use designation while the fewest number of units (lowest density) are placed on the southeastern portion of the site, which has a Low Density Residential General Plan land use designation. According to the General Plan, residential density is calculated by dividing the number of housing units on the site by the net acreage of the site. The proposed project would meet the allowable density ranges for the General Plan (see table below).

Table 3.10-1: General Plan Density

	Gross Acreage	**Net Acreage***	**Total Units**	**Density**	**Allowable General Plan Density Range**
High Density	2.51	1.70	30	17.6	17.4-34.8
Medium Density	6.71	4.64	51	11	8.7-17.4
Low Density	4.57	3.73	16	4.3	4.3-8.7
Park/Recreation	1.1				
Total	14.89	10.07	97		

*Net acreage excludes land required for public and private streets, parks and other public facilities (i.e. utilities and easements).

The proposed layout would allow for retention of undeveloped open space at the southern half of the site, thereby respecting the Parks and Recreation General Plan designation.

The proposed use is compatible with adjacent urban uses, which consists of single and multi-family residential uses and a City of Hayward pump station and reservoirs. The project includes an approximately 175 foot setback from the proposed housing development, and approximately 135 feet from the proposed detention basin, to the approximately flow line of Ward Creek corridor to maintain a buffer for water quality and wildlife habitat resources as well as avoiding development near a creek where slope stability hazards are a concern. Thus, less than significant impact.

c. Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?

The project site is not covered by any habitat conservation plan or natural community conservation plan; thus, no impact.

3.11 MINERAL RESOURCES

Mineral Resources Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	☐	☐	☐	☒	1,2
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒	1,2

Impacts Evaluation

a. Would the project result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?

There are no known mineral resources on the project site; thus no impact.

b. Would the project result in the loss of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

The project site is not identified as a site known to have mineral resources and there are no known mineral resources on the project site; thus no impact.

3.12 NOISE

Noise Environmental Checklist

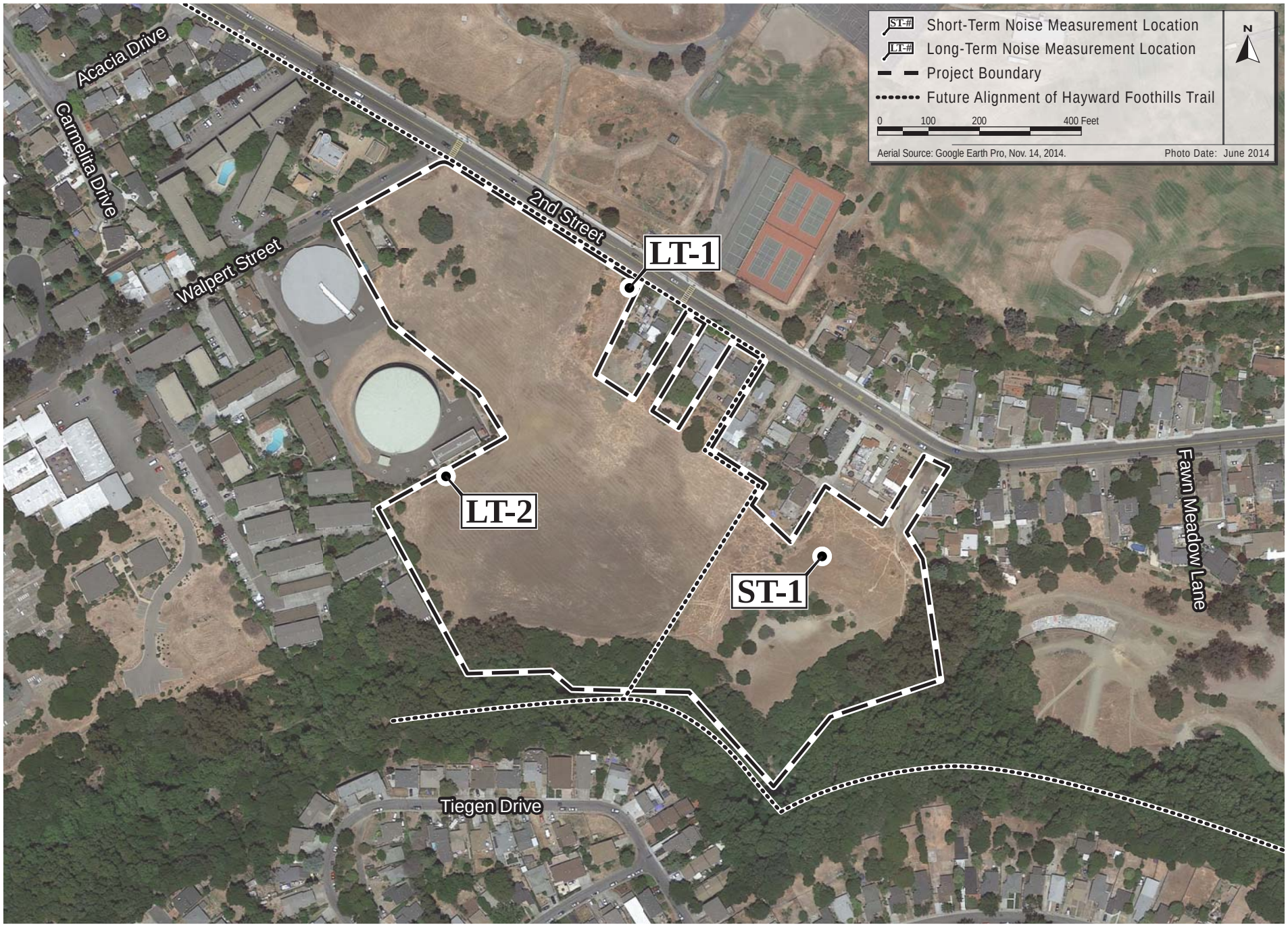
Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐	1,2,3,14
b. Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐	1,2,3,14
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	1,2,3,14
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	1,2,3,14
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, will the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	1
f. For a project within the vicinity of a private airstrip, will the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	1

Impacts Evaluation

a. Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Existing Conditions

A Noise Assessment was completed for the project by Illingworth & Rodkin, Inc. in March 2015 (Attachment G). The assessment includes a noise monitoring survey that was conducted between November 5, 2014 and November 7, 2014 to document existing noise conditions at the project site. The noise monitoring survey included two long-term noise measurements (LT-1 and LT-2) and one short-term measurement (ST-1). Noise measurement locations are shown in Figure 8.



NOISE MEASUREMENT LOCATIONS FIGURE 8

Long-term noise measurement LT-1 was located at the northern portion of the site, approximately 40 feet from the center of 2nd Street and about 12 feet above the ground. Noise levels measured at this site were primarily the result of traffic on 2nd Street. Hourly average noise levels typically ranged from 62 to 69 dBA L_{eq} during the day and from 51 to 63 dBA L_{eq} at night. The calculated day-night average noise level at this location was 67 dBA L_{dn}. LT-2 was located at the western portion of the site, approximately 25 feet from adjacent mechanical equipment located on the water storage facility property and about 12 feet above the ground. Other existing land uses located adjacent to this measurement location, besides the water storage facility, consisted of multi-family residences further to the west. Like LT-1, the predominant noise source at this location was distant traffic noise on 2nd Street. Typical equipment at a pump station includes pumps, a standby generator and transformers. The equipment is expected to operate intermittently, but did not operate during the time of the survey. Daytime hourly average noise levels ranged from 43 to 53 dBA L_{eq}, while nighttime average noise levels ranged from 43 to 49 dBA L_{eq}. The 24-hour average noise level at this site was 53 dBA L_{dn}. One attended short-term noise measurement was made to complete the noise monitoring survey. Short-term noise measurement ST-1 was located behind the row of existing residences on 2nd Street and approximately 270 feet from the center of the roadway. The ten-minute average noise level was 44 dBA L_{eq}.

Future Exterior Noise Conditions

The future noise environment at the project site will result primarily from vehicular traffic along 2nd and Walpert Streets. Based on a review of traffic data supplied for the project, traffic noise levels along 2nd Street are calculated to increase by one dBA L_{dn} above existing conditions, and day-night average noise levels from 2nd Street traffic are calculated to reach 68 dBA L_{dn} at the proposed setback of residential facades nearest the roadway. Future traffic noise levels along Walpert Street are calculated to increase by three dBA L_{dn} above existing conditions, and day-night average noise levels from this roadway are calculated to reach 65 to 68 dBA L_{dn} at the proposed setback of the residences nearest the roadway. Noise levels due to these roadways would be substantially lower throughout the rest of the project site given the shielding provided by the intervening buildings and topography to the south.

A review of the site plan indicates that ground level outdoor neighborhood green areas are proposed on the interior of the site. The outdoor use areas would be shielded from traffic noise by the surrounding buildings. Exterior noise levels are calculated to be less than 55 dBA L_{dn} at the outdoor use area closest to 2nd Street, when accounting for the shielding provided by the proposed buildings. Due to the increased distance from transportation noise sources and shielding provided by the proposed buildings, exterior noise levels at the outdoor use area would meet the City's "normally acceptable" exterior noise level limit of 60 dBA L_{dn}.

Based on measured noise levels and observations of the equipment at measurement location LT-2, noise levels generated by operations at the adjacent water storage facility may at times be audible at the nearest residences proposed to be located about 170 feet away. The primary noise source at the facility is the operation of various pumps, which are housed in buildings. Additional noise sources identified at the facility included an emergency diesel generator that could be tested periodically and transformers. Intermittent operations are not expected to generate noises that exceed the daytime or nighttime Municipal Code or General Plan noise limits.

Future Interior Noise Conditions

Interior noise levels within the residential units are required by the City of Hayward to be maintained at or below 45 dBA L_{dn}. As described above, portions of the development would be exposed to future noise levels greater than 60 dBA L_{dn}, with the highest future noise exposures occurring at unshielded residential facades nearest 2nd and Walpert Streets. Future noise levels at these unshielded facades are calculated to reach 65 to 68 dBA L_{dn}.

Interior noise levels will vary depending on the design of the building (relative window area to wall area) and construction materials and methods. Standard construction provides approximately 15 dBA of exterior to interior noise reduction assuming the windows are partially open for ventilation. Standard construction with the windows closed provides approximately 20 to 25 dBA of noise reduction in interior spaces. In exterior noise environments ranging from 60 dBA L_{dn} to 65 dBA L_{dn}, interior noise levels can typically be maintained below City standards with the incorporation of an adequate forced air mechanical ventilation system in residential units allowing the windows to be closed. In noise environments of 65 dBA L_{dn} or greater, a combination of forced-air mechanical ventilation and sound rated construction methods is often required to meet the interior noise level limit.

Based on the future noise levels at the unshielded residential facades nearest 2nd and Walpert Streets, interior spaces within these residences could be exposed to noise levels in excess of City standards without the incorporation of mitigation measures (refer to Figure 9 for the locations of these residences). The remaining residences on the site would achieve interior noise levels of 45 dBA L_{dn} assuming standard California construction methods.

Impact NOI-1: Proposed residences directly adjacent to 2nd Street and Walpert Street could be exposed to interior noise levels in excess of City standards. **(Significant Impact)**

Mitigation Measures: Implementation of the following mitigation measures would reduce interior noise impacts to proposed residences along 2nd Street and Walpert Street to a less than significant level.

MM NOI-1.1: Provision of forced-air mechanical ventilation for interior spaces in all units adjacent to 2nd and Walpert Streets, so that windows could be kept closed at the occupant's discretion to control noise.

MM NOI-1.2: Provision of sound rated windows and doors to maintain noise levels at acceptable levels at the residential facades nearest 2nd and Walpert Streets. Preliminary calculations made based on the data contained in the conceptual site plan indicates that sound-rated windows and doors with a sound transmission class (STC) rating of STC 27 to 30 would be sufficient to control noise and achieve the 45 dBA L_{dn} interior noise standard at residential facades with line-of-sight to these roadways.

PROPOSED UNITS REQUIRING INTERIOR NOISE MITIGATION

FIGURE 9

MM NOI-1.3: Project-specific acoustical analyses shall be completed as required by the City of Hayward to confirm that interior noise levels will be reduced to 45 dBA L_{dn} or lower. The specific determination of which noise insulation treatments described in mitigation measures MM NOI-1.1 and MM NOI-1.2 are necessary shall be conducted on a unit-by-unit basis during final design of the project. Results of the analysis, including the description of the necessary noise control treatments, will be submitted to the Planning Division along with the building plans and shall be approved prior to issuance of building permits.

b. Would the project result in exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?

The construction of the project may generate perceptible vibration when heavy equipment or impact tools (e.g. jackhammers, etc.) are used in areas adjoining developed properties. Construction activities would include demolition of existing structures, excavation, grading, site preparation work, foundation work, and new building framing and finishing.

For structural damage, the California Department of Transportation recommends a vibration limit of 0.5 inches per second peak particle velocity (in/sec PPV) for buildings structurally sound and designed to modern engineering standards, 0.3 in/sec PPV for buildings that are found to be structurally sound but where structural damage is a major concern, and a conservative limit of 0.08 in/sec PPV for ancient buildings or buildings that are documented to be structurally weakened. No ancient buildings or buildings that are documented to be structurally weakened adjoin the project site. Therefore, groundborne vibration levels exceeding 0.3 in/sec PPV would have the potential to result in a significant vibration impact.

Project construction activities such as drilling, the use of jackhammers, rock drills and other high-power or vibratory tools, and rolling stock equipment (tracked vehicles, compactors, etc.) may generate substantial vibration in the immediate vicinity of the work area. Jackhammers typically generate vibration levels of 0.035 in/sec PPV and drilling typically generates vibration levels of 0.09 in/sec PPV at a distance of 25 feet. As shown in Table 3.12-1, vibration levels would be below the 0.3 in/sec PPV threshold, ranging from 0.019 to 0.115 in/sec PPV at a distance of 50 feet, which represents the existing residences on 2nd Street that would be closest to the northernmost proposed residential façades to be constructed at the site.

Vibration generated by construction activities near the common property line of the site would at times be perceptible; however, impacts to structures and residents in the project vicinity would be considered less than significant.

Table 3.12-1: Construction Vibration Levels

Receptor	Vibration Level (in/sec PPV)
Nearest Existing Residences (distance of 50 feet)	0.019 to 0.115
Threshold	*0.3*
Exceeds Thresholds?	No

c. Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Traffic data provided by *TJKM Transportation Consultants, Inc.* was reviewed to calculate potential project-related traffic noise level increases along roadways serving the site. This data included turning movement counts at 16 intersections for existing conditions and projections for existing plus project, cumulative, and cumulative plus project traffic conditions. Roadway link volumes were calculated based on the turning movement data and compared to existing conditions in order to calculate the anticipated noise level increase under each scenario, and the project's relative contribution under each scenario. Based on this comparison, traffic noise levels along roadways serving the project site are anticipated to increase by less than one dBA L_{dn} as a result of the project. Thus, the project would not result in a measureable increase in noise at sensitive receivers in the vicinity of the site and the impact would be less than significant.

The project would result in a significant cumulative traffic noise impact if existing sensitive receptors would be exposed to cumulative traffic noise level increases greater than three dBA L_{dn} above existing traffic noise levels and if the project would make a "cumulatively considerable" contribution to the overall traffic noise increase. A "cumulatively considerable" contribution would be defined as an increase of one dBA L_{dn} or more attributable solely to the proposed project. Cumulative traffic noise level increases were calculated by comparing "cumulative" traffic volumes and "cumulative plus project" volumes to "existing" traffic volumes. The cumulative plus project traffic noise increase is calculated to be less than one dBA L_{dn} along 2nd Street. Along Walpert Street, the cumulative plus project traffic noise level increase is calculated to be three dBA L_{dn}, but the project's contribution is calculated to be less than one dBA. Thus, cumulative traffic noise increases associated with the project is not considered substantial, and the project would not make a cumulatively considerable contribution to increased noise levels.

d. Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Temporary noise impacts associated with the project would primarily be generated from construction activities. Noise impacts resulting from construction depend upon the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise sensitive areas. Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (e.g., early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise sensitive land uses, or when construction lasts over extended periods of time.

The highest maximum noise levels generated by project construction would typically range from about 90 to 95 dBA L_{max} at a distance of 50 feet from the noise source. Typical hourly average construction-generated noise levels are about 81 to 88 dBA L_{eq} measured at a distance of 50 feet from the center of the site during busy construction periods (e.g., earth moving equipment, impact tools, etc.). Hourly average noise levels generated by the construction of residential units would range from about 65 to 88 dBA L_{eq} measured at a distance of 50 feet, depending upon the amount of activity at the site. Construction-generated noise levels drop off at a rate of about six dBA per doubling of the distance between the source and receptor. Shielding by buildings or terrain often result in lower construction noise levels at distant receptors.

Approximately 18 months would be required to complete the demolition and construction phases of the project. Construction phases would include demolition, excavation, grading, building construction, paving, and architectural coating. Once construction moves indoors, minimal noise would be generated at off-site locations. Noise generated by construction activities would temporarily elevate noise levels at adjacent noise sensitive receptors, but this would be considered a less-than-significant impact, assuming that construction activities are conducted in accordance with the provisions of the City of Hayward Municipal City Code Section 4-1.03.4 which includes construction best management practices described below.

The following best management practices shall be included in the project pursuant to the municipal code:

- Pursuant to the Municipal Code, restrict noise-generating activities at the construction site or in areas adjacent to the construction site to the hours of 7:00 am to 7:00 pm, Monday through Saturday and 10:00 am to 6:00 pm on Sundays and holidays.
- Noise from individual pieces of construction equipment shall comply with the limits let forth in the Municipal Code.
- Equip all internal combustion engine driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Unnecessary idling of internal combustion engines should be strictly prohibited.
- Located stationary noise-generating equipment such as air compressors or portable power generators as far as possible from sensitive receptors.
- Construct temporary noise barriers to screen stationary noise-generating equipment when located near adjoining sensitive land uses. Temporary noise barriers could reduce construction noise levels by 5 dBA.
- Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- Route all construction traffic to and from the project site via designated truck routes where possible. Prohibit construction related heavy truck traffic in residential areas where feasible.
- Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
- The contractor shall prepare and submit to the City for approval a detailed construction plan identifying the schedule for major noise-generating construction activities.
- Designate a "disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.

With the incorporation of these standard practices, temporary noise impacts resulting from project construction would be considered less than significant.

e. *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, will the project expose people residing or working in the project area to excessive noise levels?*

The project is not located within an airport land use plan area or within two miles of a public airport; thus, no impact.

f. *For a project within the vicinity of a private airstrip, will the project expose people residing or working in the project area to excessive noise levels?*

The project is not located within the vicinity of a private air strip; thus, no impact.

3.13 POPULATION AND HOUSING

Population and Housing Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
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)?	☐	☐	☒	☐	1,2
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐	1,2
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1,2

Impacts Evaluation

a. Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The project involves the construction of no more than 97 new residential units. Although the new residential units may result in some level of population growth, this growth was assumed in the City's General Plan, analyzed Environmental Impact Report (EIR) prepared for the General Plan, and would not be considered substantial; thus, less than significant impact.

b. Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Although the project could result in the demolition of up to four existing occupied houses, the project proposes to add to the housing stock in the City. As a result, the project would not necessitate the construction of replacement housing elsewhere; thus, no impact.

c. Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

The project could result in the demolition of up to four existing occupied houses. However, because the project proposes 97 dwelling units, the project would result in a net increase of 93 dwelling units in the City of Hayward, therefore providing adequate housing capacity for the displaced residents. As a result, the project would not necessitate the construction of replacement housing elsewhere; thus, no impact.

3.14 PUBLIC SERVICES

Public Services Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
1. Fire Protection?	☐	☐	☒	☐	1,2
2. Police Protection?	☐	☐	☒	☐	1,2
3. Schools?	☐	☐	☒	☐	1,2
4. Parks?	☐	☐	☒	☐	1,2
5. Other Public Facilities?	☐	☐	☒	☐	1,2

Impacts Evaluation

a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 public services?

Fire Protection

Station #1 is closest to the project site and is located approximately 0.7 miles west of the site. Although construction of the proposed project may incrementally increase the demand for fire and medical services, the project would not require the construction or expansion of fire protection facilities as the proposed project site in an infill site that was envisioned for residential development in the City's General Plan. The proposed project would be designed to comply with City requirements for fire access and onsite fire prevention facilities (e.g. fire hydrants and/or sprinkler systems) as well as the City's Hillside Design and Urban/Wildland Interface Guidelines. For these reasons, the project will have less than a significant impact, no mitigation required.

Police Protection

The police headquarters is located at 300 West Winton Avenue, approximately two miles southwest of the project site. Although construction of the proposed project may incrementally increase the demand for police services, the infill project site is located in the vicinity of the City's police headquarters, was envisioned for future residential development in the City's General Plan and would not require the construction or expansion of police protection facilities beyond those already planned under General Plan assumptions. For these reasons, the project will have less than a significant impact, no mitigation required.

Schools

The project site is within the Lorin Eden Elementary School, Bret Harte Middle School and Hayward High School attendance areas of the Hayward Unified School District. The developer will be required to pay school impact mitigation fees, which, per State law, is considered full mitigation. Such measures would reduce such impacts to levels of less than significant.

Parks

The project proponent will provide a combination of dedicated parkland on-site and will pay park dedication in-lieu fees pursuant to HMC Chapter 10, Article 16 Property Developers – Obligations for Parks and Recreation. Thus adopted measures would reduce such impacts to levels of insignificance. In addition, the proposed project includes over half-an acre in common open space areas for residents and a publicly accessible trail is planned to run through the proposed project site from Walpert Street to 2nd Street and to eventually connect to the regional Wally Wickander Trail, which would enable pedestrian connections through the neighborhood resulting in beneficial impacts.

Other Public Facilities

The proposed project site is infill and surrounded by development, and the project's residents will not be numerous enough to have any material effect on the need for any other public facilities. Approval of the project may impact long-term maintenance of roads, streetlights and other public facilities; however, the amount of residential units proposed by the project does not exceed the amount envisioned by the General Plan for the site as a whole. Thus, the impact is considered less than significant.

3.15 RECREATION

Recreation Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	☐	☐	☒	☐	1,2
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐	1,2

Impacts Evaluation

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?

Although no public park is proposed, the project includes recreational amenities such as three common open space areas for residents totaling over one-half acre (27,800 square feet), meandering public trails through the development and an approximately 3,800 square foot dog park. In addition, as noted above, the developer will be required to pay applicable park in-lieu fees; thus the impact is considered less than significant.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

As described above, the project includes recreational amenities such as three common open space areas for residents totaling over one-half acre (27,800 square feet), meandering public trails through the development and an approximately 3,800 square foot dog park. The developer will be required to pay applicable park in-lieu fees; thus the impact is considered less than significant.

3.16 TRANSPORTATION

Transportation Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐	1,2,15
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐	1,14
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?	☐	☐	☐	☒	1
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	☐	☐	☒	☐	1,14
e. Result in inadequate emergency access?	☐	☐	☐	☒	1,14
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐	1,2,14

Impacts Evaluation

a. Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

A traffic study analyzing the project was completed by TJKM Transportation Consultants in November 2015 (refer to Appendix H). This study estimated that the project will generate approximately 79 AM peak hour trips and 105 PM peak hour trips.[5,6]

The traffic study evaluated traffic conditions at 16 study intersections during typical weekday AM and weekday PM peak hours that may potentially be affected by project-related traffic. The study intersections are as follows:

1. 2nd Street/"A" Street (Signalized)
2. 2nd Street/"B" Street (Signalized)
3. 2nd Street/"C" Street (Signalized)
4. 2nd Street/"D" Street (Signalized)
5. 2nd Street/"E" Street (Signalized)
6. 2nd Street/Walpert Street (One-Way Stop)
7. Foothill Boulevard/"A" Street (Signalized)
8. Mission Boulevard/"A" Street (Signalized)
9. "D" Street/Foothill Boulevard (Signalized)
10. "D" Street/Mission Boulevard (Signalized)
11. Fletcher Lane/Mission Boulevard (Signalized)
12. Foothill Boulevard/Mission Boulevard (Signalized)
13. Redwood Road/Grove Way (Signalized)
14. Fletcher Lane/Watkins Street (Two-Way Stop)
15. Foothill Boulevard/City Center Drive (Signalized)
16. City Center Drive/2nd Street (Signalized)

Level of service (LOS) is a qualitative description of intersection operations and is reported using an A through F letter rating system to describe travel delay and congestion. LOS A indicates free flow conditions with little or no delay, and LOS F indicates jammed conditions with excessive delays and long back-ups.

The City of Hayward's General Plan Policy M-4.3, Level of Service states, "the City shall maintain a minimum vehicle LOS E at signalized intersections during peak commute periods except when LOS F may be acceptable due to costs of mitigation or when there would be other unacceptable impacts, such as right-of-way acquisition or degradation of the pedestrian environment due to increased crossing distances or unacceptable crossing delays." For purposes of this analysis, the significance threshold is considered to be LOS E. If traffic from the proposed project would worsen LOS from an acceptable to unacceptable condition (i.e., worse than LOS E), the project is considered to have a significant impact. Further, a significant impact would occur at an intersection that is operating at an unacceptable LOS during the AM or PM peak hour under existing or cumulative conditions if the average control delay per vehicle is increased by five (5) seconds or more as a result of the project.

[5] Trip generation and subsequent LOS calculations are based on a project scenario with 105 residential units. Because the project proposes 97 residential units, the analysis of transportation impacts in this Initial Study represents a conservative assessment of the project's impacts.

[6] For the purposes of this analysis, the "peak commute period" is referred to as the peak hour, which is defined as the one-hour period with the highest traffic volumes that occurs between 7:00 AM and 9:00 AM (AM peak hour) and 4:00 PM and 6:00 PM (PM peak hour).

The City does not have a threshold of significance for unsignalized intersections. LOS calculations for unsignalized intersections are presented in this Initial Study for informational purposes only.

Existing Plus Project Conditions

Table 3.16-1 shows the intersection levels of service under existing and existing plus project conditions. Under existing plus project conditions, none of the signalized intersections is expected to operate at an unacceptable LOS during the AM and/or PM peak hours.

One of the unsignalized study intersections is expected to operate at LOS F during the AM and/or PM peak hours under existing plus project conditions: 2nd Street/Walpert Street (AM and PM). With the addition of project traffic, the PM peak hour LOS would degrade from E to F. However, because the City's LOS standard in the General Plan only applies to signalized intersections, the project would not result in a significant impact at the 2nd Street/Walpert Street intersection, which is unsignalized, during either the AM or PM peak hour.

Table 3.16-1 : Peak Hour Intersection Levels of Service – Existing Plus Project Conditions

ID	Intersection	Control	Existing Conditions				Existing Plus Project				Δ in Delay (sec)	
			Weekday A.M. Peak Hour		Weekday P.M. Peak Hour		Weekday A.M. Peak Hour		Weekday P.M. Peak Hour			
			Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	AM	PM
1	2nd Street / "A" Street	Signal	33.1	C3	79.7	E	33.2	C	79.9	E	0.1	0.2
2	2nd Street / "B" Street	Signal	39.5	D	36.9	D	39.4	D	36.8	D	-0.1	-0.1
3	2nd Street / "C" Street	Signal	21.2	C	21.4	C	21.1	C	21.4	C	-0.1	0.0
4	2nd Street / "D" Street	Signal	49.6	D	34.5	C	50.0	D	36.3	D	0.4	1.8
5	2nd Street / "E" Street	Signal	55.2	E	25.7	C	56.1	E	25.4	C	0.9	-0.3
6	2nd Street / Walpert Street	One Way Stop	55.6	**F**	40.8	E	99.1	**F**	67.0	**F**	43.5	26.2
7	Foothill Boulevard / "A" Street	Signal	36.6	D	32.9	C	36.6	D	32.9	C	0.0	0.0
8	Mission Boulevard / "A" Street	Signal	38.3	D	46.2	D	38.3	D	46.3	D	0.0	0.1
9	"D" Street / Foothill Boulevard	Signal	57.5	E	48.2	D	57.5	E	48.2	D	0.0	0.0
10	"D" Street / Mission Boulevard	Signal	43.0	D	45.3	D	43.0	D	45.3	D	0.0	0.0
11	Fletcher Lane / Mission Boulevard	Signal	34.3	C	25.5	C	36.0	D	26.9	C	1.7	1.4
12	Foothill Boulevard / Jackson Street / Mission	Signal	17.0	B	42.7	D	17.0	B	42.2	D	0.0	-0.5
13	Redwood Road / Grove Way	Signal	28.5	C	27.9	C	28.5	C	28.0	C	0.0	0.1
14	Fletcher Lane / Watkins Street	Two-Way Stop	12.2	B	16.4	C	11.4	B	16.0	C	-0.6	-0.4

Table 3.16-1 : Peak Hour Intersection Levels of Service – Existing Plus Project Conditions												
ID	Intersection	Control	Existing Conditions				Existing Plus Project				Δ in Delay (sec)	
			Weekday A.M. Peak Hour		Weekday P.M. Peak Hour		Weekday A.M. Peak Hour		Weekday P.M. Peak Hour			
			Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	AM	PM
15	Foothill Boulevard / City Center Drive	Signal	24.8	C	40.5	D	25.1	C	40.9	D	0.3	0.4
16	City Center Drive / 2nd	Signal	28.8	C	20.0	B	28.5	C	19.4	B	-0.3	-0.6
Notes: Delay = Average control delay in seconds per vehicle, LOS = Level of Service. Reported values are overall for signalized intersections, and for critical minor approaches at stop-controlled intersections.												

As noted previously, two of the study intersections are unsignalized:

ID No. 6. 2nd Street/Walpert Street (One-Way Stop)
ID No. 14. Fletcher Lane/Watkins Street (Two-Way Stop)

Peak hour volume signal warrant checks were completed for these unsignalized intersections to determine whether signalization would be justified. Based on the results of the analysis, the 2nd Street/Walpert Street intersection meets the signal warrant due to the addition of project-related traffic. Therefore, the project will be required by the City to install a traffic signal at this intersection. With the installation of a traffic signal, the 2nd Street/Walpert Street intersection would operate at LOS A during both the AM and PM peak hours.

Cumulative Plus Project Conditions

The discussion below describes expected traffic under cumulative plus project conditions. Cumulative conditions account for growth that is anticipated to occur by the year 2040, which is the horizon of the City's current General Plan. Cumulative plus project conditions analyze the project's contribution to those future traffic conditions.

Under cumulative plus project conditions, the following intersections are expected to operate at an unacceptable LOS:

- 2nd Street/"D" Street during the AM peak hour (LOS F)
- 2nd Street/Walpert Street during the AM and PM peak hours (LOS F/F, respectively)
- Mission Boulevard/"A" Street during the AM and PM peak hours (LOS F/F, respectively)
- "D" Street/Mission Boulevard during the AM and PM peak hours (LOS F/F, respectively)
- Fletcher Lane/Mission Boulevard during the AM and PM peak hours (LOS F/F, respectively)
- Fletcher Lane/Watkins Street during the PM peak hour (LOS F)
- City Center Drive/Foothill Boulevard during the AM and PM peak hours (LOS F/F, respectively)

The addition of project traffic would not degrade the LOS of any of the above intersections from an acceptable level to an unacceptable level under cumulative plus project conditions. With the exception of the 2nd Street/Walpert Street and the Fletcher Lane/Watkins Street intersections, both of which are unsignalized, the increase in average delay resulting from project-related traffic is below the five-second threshold for the above intersections already operating at a deficient LOS. As

described previously, unsignalized intersections are not subject to the City's LOS standards. Thus, the addition of project traffic would not result in a significant impact under cumulative plus project conditions.

Table 3.16-2 : Peak Hour Intersection Levels of Service – Cumulative Plus Project Conditions

ID	Intersection	Control	Cumulative Conditions				Cumulative Plus Project				Δ in Delay (sec)	
			Weekday A.M. Peak Hour		Weekday P.M. Peak Hour		Weekday A.M. Peak Hour		Weekday P.M. Peak Hour			
			Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	AM	PM
1	2nd Street / "A" Street	Signal	45.4	D	48.6	D	46.8	D	49.8	D	1.4	1.2
2	2nd Street / "B" Street	Signal	60.2	E	52.1	D	60.9	E	53.8	D	0.7	1.7
3	2nd Street / "C" Street	Signal	13.0	B	16.5	B	13.0	B	16.6	B	0.0	0.1
4	2nd Street / "D" Street	Signal	83.5	**F**	48.9	D	84.1	**F**	51.2	D	0.6	2.3
5	2nd Street / "E" Street	Signal	59.3	E	23.3	C	60.0	E	23.5	C	0.7	0.2
6	2nd Street / Walpert Street	One Way Stop	444.7	**F**	471.8	**F**	616.9	**F**	576.5	**F**	172.2	104.7
7	Foothill Boulevard / "A" Street	Signal	63.3	E	28.2	C	63.6	E	28.3	C	0.3	0.1
8	Mission Boulevard / "A" Street	Signal	149.9	**F**	81.0	**F**	149.9	**F**	81.1	**F**	0.0	0.1
9	"D" Street / Foothill Boulevard	Signal	59.3	E	63.1	E	59.3	E	63.1	E	0.0	0.0
10	"D" Street / Mission Boulevard	Signal	179.3	**F**	99.4	**F**	179.4	**F**	99.7	**F**	0.1	0.3
11	Fletcher Lane / Mission Boulevard	Signal	126.6	**F**	74.1	E	129.4	**F**	78.8	E	2.8	4.8
12	Foothill Boulevard / Jackson Street / Mission Boulevard	Signal	16.6	B	63.2	E	16.6	B	63.2	E	0.0	0.0
13	Redwood Road / Grove Way	Signal	61.0	E	68.4	E	61.1	E	68.8	E	0.1	0.4
14	Fletcher Lane / Watkins Street	Two-Way Stop	42.4	E	281.2	**F**	43.9	E	293.1	**F**	1.5	11.9
15	Foothill Boulevard / City Center Drive	Signal	111.8	**F**	132.6	**F**	111.7	**F**	131.2	**F**	-0.1	-1.4
16	City Center Drive / 2nd Street	Signal	31.2	C	20.4	C	31.2	C	20.5	C	0.0	0.1

Notes: Delay = Average control delay in seconds per vehicle, LOS = Level of Service. Reported values are overall for signalized intersections, and for critical minor approaches at stop-controlled intersections.

Freeway Impacts

Based on the amount and distribution of trips generated by the proposed development, the project would not substantially increase traffic volumes on nearby freeway segments. A more detailed analysis of freeway levels of service is not required because the project will not generate enough traffic to meet the freeway segment analysis threshold of one percent of segment lane capacity. A typical freeway lane has a capacity of roughly 2,000 vehicles per hour. The project would generate

79 AM peak hour trips and 105 PM peak hour trips, which is less than one percent of segment lane capacity.

b. Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

The Alameda County Transportation Commission does not have an adopted level of service standard for intersections. In absence of such a standard the City has defaulted to the level of service standard in the General Plan. As described above, the project would not result in significant impacts based on the LOS standard in the General Plan.

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?

The project involves no change to air traffic patterns; thus, no impact.

d. Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?

TJKM conducted a field assessment of sight distance for exiting passenger vehicles from the proposed driveway onto 2nd Street. The field measurement revealed an available sight distance of at least 305 feet in both directions. A minimum safe stopping sight distance of 305 feet is required for a roadway with a 40 mile-per-hour (mph) prevailing speed per Caltrans design standards. 2nd Street at this location has a grade of 11 percent which could result in safety and sight distance issues due to the steep grade. To address these issues, this driveway will be restricted to right in/right out movements as a part of the project, with no left turns permitted in and out of the site. "No Left Turn" signs will be posted for northbound traffic on 2nd Street in advance of the driveway and at the exit to the 2nd Street driveway. Because the project has been designed to meet all City requirements, including site distance, and will not increase any hazards, the project would result in a less than significant impact.

e. Would the project result in inadequate emergency access?

The project is on an in-fill site that is accessible from City streets and would not result in inadequate emergency access. Although the project would include sloped internal roadways, site entrances and internal roadways would be designed to accommodate emergency vehicles, and the final site design is subject to review and approval by the City of Hayward to ensure adequate emergency access is provided; thus, no impact.

f. Would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

Currently, AC Transit offers local bus transit service on the following routes in the vicinity of the project site:

- AC Transit Route 60 provides weekday service at 20-minute headways between 5:13 AM and 10:30 PM and 40-minute headways between 5:56 AM and 7:33 PM on weekends. The route runs a loop from the Hayward BART station and stops along 2nd Street in the project vicinity.

- AC Transit Route 94 provides weekday service at one-hour headways between 4:58 AM and 8:25 PM and one-hour headways between 5:25 AM and 8:52 PM on weekends. The route runs a loop from the Hayward BART station and stops along 2nd Street in the project vicinity.

The project is expected to contribute minimal riders to the AC Transit system, which currently provides ample capacity in the project area. As a result, there are no known impacts to transit that are expected from the proposed project.

Within the project vicinity, Class III bicycle facilities (on-street, with signage only) are currently provided along 2nd Street. There are no Class I (off-street, shared path) or Class II routes (on-street, striped lanes) currently in the vicinity of the project. In terms of pedestrian facilities, the sidewalk is continuous along the east side of 2nd Street. On Walpert Street, sidewalks are discontinuous along both sides of the roadway. The project would add sidewalks on the project frontage along 2nd Street and Walpert Street, providing continuous crosswalks in the project vicinity. Additionally, a multi-use trail will traverse the development. It is expected that the existing and proposed pedestrian and bicycle facilities in the area would be able to accommodate bicycle and pedestrian trips generated by the project. Therefore, the proposed project is not expected to result in any impacts to local bicycle and pedestrian facilities.

TJKM additionally examined potential safe pedestrian routes between the project site and Hayward High School east of 2nd Street. Currently, there is continuous sidewalk along the east side of 2nd Street from the project site to E Street. There is also a pedestrian crosswalk with flashing beacons across the south leg of the intersection of 2nd Street and Walpert Street. However, the west side sidewalk along 2nd Street is discontinuous, as is the sidewalk along the south side of Walpert Street. As described previously, the project proposes to construct sidewalks along 2nd Street and Walpert Street fronting the proposed project site so pedestrians can access the pedestrian crosswalk and have access to continuous sidewalks. Additionally, the project would install a traffic signal at this intersection which will include a signalized pedestrian crosswalk.

For the reasons described above, the project does not involve any conflicts or changes to policies, plans or programs related to public transit, bicycle or pedestrian facilities; thus, less than significant impact.

3.17 UTILITIES AND SERVICE SYSTEMS

Utilities and Service Systems Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐	1,2
b. 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?	☐	☐	☒	☐	1,2
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐	1,2
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐	1,2
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒	1,2
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒	1,2
g. Comply with federal, state and local statutes and regulations related to solid waste?	☐	☐	☐	☒	1,2,3

Impacts Evaluation

a. Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

The project would connect to the City of Hayward and Oro Loma Sanitary District sanitary sewer system. Sanitary sewage from the City's system is treated at the Hayward Water Pollution Control Facility. Sanitary sewage from the Oro Loma system is treated at a treatment plant that is jointly owned by Oro Loma Sanitary District and Castro Valley Sanitary District. Both treatment facilities discharge into the San Francisco Bay under a permit with the Regional Water Quality Control Board

(RWQCB). Both facilities meet RWQCB and US Environmental Protection Agency requirements, and would not exceed any wastewater treatment requirements due to the proposed project. Additionally, the development proposed by the project was anticipated in the City's Sewer Collection System Master Plan. For the reasons discussed above, the project will have a less than significant impact; no mitigation required.

b. Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The proposed project is located within the boundaries of the City of Hayward Water District as well as the East Bay Municipal Utility District (EBMUD). Utility infrastructure for both providers reaches to the edges of the proposed development and would not require any significant improvements other than infrastructure to serve the proposed development. The proposed project was anticipated in the City's General Plan, EBMUD's water service infrastructure plan, and the City's Water Master Plan. Thus there is sufficient potable water treatment and wastewater treatment capacity to accommodate the anticipated demand increases resulting from the proposed project. For the reasons discussed above, the project will have a less than significant impact; no mitigation required.

c. Would the project require or result in the construction of new stormwater drainage facilities facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The project will connect to existing Alameda County Flood Control and Water Conservation District facilities. The project site is infill and the proposed residential development will not exceed the density envisioned in the City's General Plan, thus the proposed development will not result in the need for new off-site systems. The project would be subject to local policies requiring that post-construction runoff volumes be less than or equal to preconstruction volumes (see Section 3.9, Hydrology and Water Quality above for further discussion). For the reasons discussed above, the project will have a less than significant impact; no mitigation required.

d. Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

As noted in subsection b above, the proposed project was anticipated in the City's General Plan, EBMUD's water service infrastructure plan, and the City's Water Master Plan. The EIR prepared for the General Plan concluded there is adequate water supply available to serve anticipated growth, and both utility districts accounted for residential development on the site in accordance with those documents. Therefore, there is sufficient potable water supply to accommodate the anticipated demand increases resulting from the proposed project. For the reasons discussed above, the project will have a less than significant impact; no mitigation required.

e. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

As described above, there is sufficient capacity to accommodate the proposed project; thus, no impact.

f. Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Solid waste generated by the project would contribute incrementally to the use of landfill capacity in the County. The City of Hayward is working to ensure that the City-wide diversion rate from landfills continues to increase, in accordance with City goals, Ordinances, and environmental health. As of March 1, 2015, the Hayward City Council approved mandatory recycling for all businesses, as well as mandatory organics collection for multi-family properties and those businesses that generate organic waste such as food, food-soiled paper products, and plant debris. Furthermore, Hayward's Construction and Demolition Debris Recycling Ordinance ensures that all building projects that generate significant debris will ensure that debris is recycled appropriated when possible. Through these measures, the City plans to meet the State-wide diversion goal of 75% by 2020. With recycling programs that are both in place and planned, there is sufficient capacity to accommodate the proposed project at the Altamont Landfill, which has sufficient capacity until at least the year 2024; thus, no impact.

g. Would the project comply with federal, state and local statues and regulations related to solid waste?

See discussion in sub-section f above. The project will be subject to the regulations stipulated in Chapter 5, Article 1 Solid Waste Collection and Disposal in the City's Municipal Code. There is sufficient capacity to accommodate the proposed project at the Altamont Landfill, which has sufficient capacity until at least the year 2024; thus, no impact.

3.18 MANDATORY FINDINGS OF SIGNIFICANCE

Mandatory Findings Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
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?	☐	☒	☐	☐	1-15
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐	1-15
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐	1-15

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?

As described throughout the Initial Study, the project includes mitigation measures to reduce impacts to the extent feasible, and would not degrade the quality of the environment (refer to MM's AQ-1, AQ-2, AQ-3, BIO-1, BIO-2, CUL-1, GEO-1, and NOI-1). Section 3.4 Biological Resources describes mitigation measures included in the project to ensure that the project would not 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, or reduce the number or restrict the range of a rare or endangered plant or animal. As described in Section 3.5 Cultural Resources, the project would not eliminate important examples of the major periods of California history or prehistory.

b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Under Section 15065(a)(3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects "that are individually limited, but cumulatively considerable." As defined in Section 15065(a)(3) of the CEQA Guidelines, cumulatively considerable means "that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."

The project would not impact agricultural, forestry, or mineral resources, nor would it result in hazards and hazardous materials impacts. Therefore, the project would not contribute to cumulative impacts in these areas.

There are no planned or proposed developments in the immediate project site vicinity that could contribute to cumulative aesthetic, air quality, biological resources, greenhouse gas emissions, noise and vibration, population and housing, transportation, and utilities and service systems impacts.

The project's geology and soils impacts are specific to the project site and would not contribute to cumulative impacts elsewhere. Implementation of the project would marginally contribute to global GHG emissions, by definition. However, as discussed in Section 3. 7 Greenhouse Gas Emissions, the project's individual GHG emissions would have a less than significant (cumulative) GHG impact.

For these reasons, the project would not result in significant cumulative impacts.

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

With the implementation of mitigation and standard measures described in this Initial Study (refer to MM's AQ-1, AQ-2, AQ-3, BIO-1, BIO-2, CUL-1, GEO-1, and NOI-1), the proposed project would not result in substantial adverse effects on human beings.

Checklist Sources

1. Professional judgment and expertise of the environmental specialists preparing this assessment, based upon a review of the site and surrounding conditions, as well as a review of the project plans.

2. City of Hayward 2040 General Plan.

3. City of Hayward Municipal Code.

4. California Department of Conservation. *Santa Clara County Important Farmland 2010 Map*. 2011.

5. Illingworth & Rodkin, Inc. *2nd and Walpert Residential Project Toxic Air Contaminant & Greenhouse Gas Emissions Assessment.* March 30, 2015.

6. Bay Area Air Quality Management District. *Bay Area 2010 Clean Air Plan.* September 15, 2010.

7. Bay Area Air Quality Management District. *California Environmental Quality Act Air Quality Guidelines.* May 2011.

8. WRA Environmental Consultants. *Biological Resources Assessment.* October 2014.

9. WRA Environmental Consultants. *Arborist Report.* April 2015.

10. Basin Research Associates. *Cultural Resources Memo*. October 6, 2014.

11. PRA Group. *Preliminary Geotechnical Study - Proposed Walpert Street Condominium Project.* July 11, 2014.

12. KCE Matrix. *Phase I Environmental Site Assessment Report.* June 6, 2014.

13. Federal Emergency Management Agency. *Flood Insurance Rate Maps, Community Panel Number 06001C0287G.* August 3, 2009.

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