I. DESCRIPTION OF PROJECT:

Date: July 21, 2017

Application #s: 201601022

APN: APN 452-0036-30-05

Project Title: 26601 Mission Boulevard Mixed-Use Project

Project Location: The approximately 2.7-acre project site is addressed at 26601 Mission Boulevard and located at the northwest corner of Mission Boulevard and Sorensen Road in the City of Hayward.

Project Applicants: DNS Capital Partners, LLC, Robert Telles, 1350 Treat Boulevard, Suite 400, Walnut Creek, CA 94597; KB Homes, Ray Panek, 5000 Executive Parkway, Suite 125, San Ramon, CA 94583

Project Description: The project would construct seven, three-story buildings comprised of 35 townhouses, a 39-unit apartment building, and up to 1,500 square feet of commercial space. The project also proposes a text amendment to the South Hayward BART/Mission Boulevard Form Based Code to allow a transfer of density across the site.

II. DETERMINATION

In accordance with the City of Hayward procedures for compliance with the California Environmental Quality Act (CEQA), the City has completed an Initial Study to determine whether the proposed project may have a significant adverse effect on the environment. On the basis of that study, the City makes the following determination:
Although the project, as proposed, could have had a significant effect on the environment, there will not be a significant effect in this case because mitigation measures are included in the project, and, therefore, this **MITIGATED NEGATIVE DECLARATION** (MND) has been prepared.

### III. CONDITIONS (Mitigation Measures):

#### A. Air Quality

**MM AQ-1.1:** The project shall implement the following standard BAAQMD dust control measures during all phases of construction on the project site:

- 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 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 (5) 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.
B. Biological Resources:

**MM BIO-1.1:** In order to protect nesting birds on and adjacent to the project site the following measures will be implemented:

- Pre-construction nesting bird surveys shall be completed prior to tree removal if removal or construction is proposed to commence during the breeding season (February 1 to August 31) in order to avoid impacts to nesting birds. Surveys shall be completed by a qualified biologist no more than seven (7) days before construction begins. During this survey, the biologist or ornithologist shall inspect all trees and other possible nesting habitats in and within 250 feet of the project boundary.
- If an active nest is found in an area that would be disturbed by construction, the ornithologist shall designate an adequate buffer zone (~250 feet) to be established around the nest, in consultation with the California Department of Fish and Wildlife (CDFW). The buffer would ensure that nests shall not be disturbed until the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts.
- The applicant shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the Director of Development Services, prior to the issuance of a grading permit or demolition permit.

**MM BIO-2.1:** 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.

**MM BIO-2.2:** The project applicant shall implement all tree protection measures recommended in the Arborist Report prepared for the project, which include the following:
• **Tree Avoidance.** The project plan shall avoid as many protected trees as feasible. The project plan shall incorporate placement of Tree Protection Fencing (TPF) outside the drip line of avoided trees. If TPF cannot be installed outside of the drip line, the tree may be trimmed to allow operation of construction equipment near protected trees (see trimming guidelines below). The location of the TPF shall be shown on project plans.

• **Excavation.** Within the dripline of retained trees, digging shall be done with low impact machinery and hand tools. If the roots of retained trees become exposed during construction and need to be removed to allow construction to proceed, these roots must be cut cleanly with a sharp saw blade. Tree roots shall not be pulled or torn.

• **Tree Protection Fencing.** Prior to the start of construction, TPF shall be installed around all project trees that will be retained. The TPF shall be maintained during the construction process to prevent direct damage to trees and their growing environment. The TPF shall consist of high density polyethylene fencing with 3.5 inch by 1.5 inch openings (orange warning barrier fence) supported by metal “T-post” fence posts. Where space allows, the TPF shall be placed at a distance that is at or outside of the drip lines of retained trees.

• **Use of Heavy Equipment.** Heavy machinery shall not be staged or operated within the drip line of retained trees.

• **Incidental Damage to Retained Trees.** The attachment of wires, signs, and ropes to any retained tree shall be prohibited. Injury to trees must be avoided.

• **Trimming.** The pruning of retained trees shall comply with the guidelines established by the International Society of Arboriculture; BMP; tree pruning and any special conditions as determined by a certified arborist.

C. **Cultural Resources:**

**MM CUL-1.1: Unique Paleontological and/or Geologic Features and Reporting.** Should a unique paleontological resource or site or unique geological feature be identified at the project site during any phase of construction, all ground disturbing activities within 25 feet shall cease and the City Planning Manager notified immediately. A qualified paleontologist shall evaluate the find and prescribe mitigation measures to reduce impacts to a less than significant level. The identified mitigation measures shall be implemented. Work may proceed on other parts of the project site while mitigation for paleontological resources or geologic features is carried out. Upon completion of the
paleontological assessment, a report shall be submitted to the City and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology.

**MM CUL-1.2: Undiscovered Archaeological Resources.** If evidence of an archaeological site or other suspected cultural resource as defined by CEQA Guideline Section 15064.5, including darkened soil representing past human activity ("midden"), that could conceal material remains (e.g., worked stone, worked bone, fired clay vessels, faunal bone, hearths, storage pits, or burials) is discovered during construction related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted and the City Planning Manager shall be notified. The project sponsor shall hire a qualified archaeologist to conduct a field investigation. The City Planning Manager shall consult with the archaeologist to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less-than-significant level through data recovery or other methods determined adequate by a qualified archaeologist and that are consistent with the Secretary of the Interior’s Standards for Archaeological documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-J) form and filed with the NWIC.

**MM CUL-1.3: Report of Archaeological Resources.** If archaeological resources are identified, a final report summarizing the discovery of cultural materials shall be submitted to the City’s Planning Manager prior to issuance of building permits. This report shall contain a description of the mitigation program that was implemented and its results, including a description of the monitoring and testing program, a list of the resources found and conclusion, and a description of the disposition/curation of the resources.

**MM CUL-1.4: Human Remains.** If human remains are discovered at any project construction site during any phase of construction, all ground-disturbing activity within 100 feet of the resources shall be halted and the City Planning Manager and the Alameda County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California’s Health and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City of Hayward shall be responsible for approval of recommended mitigation as it deems appropriate, taking
account of the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project sponsor shall implement approved mitigation, to be verified by the City of Hayward, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.

D. **Noise:**

**MM NV-1.1:** The project applicant shall incorporate the following practices into the construction documents to be implemented by the project contractor:

- Limit construction activity to the hours identified in the City’s Noise Ordinance (10:00 am to 6:00 pm on Sundays and holidays and 7:00 am to 7:00 pm on all other days).
- Schedule highest noise-generating activity and construction activity away from noise-sensitive land uses.
- Equip internal combustion engine-driven equipment with original factory (or equivalent) intake and exhaust mufflers which are maintained in good condition.
- Prohibit and post signs prohibiting unnecessary idling of internal combustion engines.
- Locate all stationary noise-generating equipment such as air compressors and portable generators as far as practicable from noise-sensitive land uses.
- Utilize “quiet” air compressors and other stationary equipment where feasible and available.
- Designate a noise disturbance coordinator who would respond to neighborhood complaints about construction noise by determining the cause of the noise complaints and require implementation of reasonable measures to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site.
- The project sponsor shall designate a “disturbance coordinator” for construction activities. The coordinator would be responsible for responding to any local complaints regarding construction noise and vibration. The coordinator would determine the cause of the noise or vibration complaint and would implement reasonable measures to correct the problem.
- The construction contractor shall send advance notice to neighborhood residents within 300 feet of the project site regarding the construction schedule and including the telephone number for the disturbance coordinator at the construction site.
IV. FINDING

The City of Hayward hereby finds that the proposed project could have a significant effect on the environment; however, there would not be a significant effect in this case because mitigation measures summarized above and described in the Initial Study are included in the project.

V. LEAD AGENCY REPRESENTATIVE

Mike Porto, Consulting Planner

Date

VI. CONTACT INFORMATION

For additional information, please contact Mike Porto, Consulting Planner at the City of Hayward Planning Division at (510) 583-4200.

Written comments may be sent to Mike Porto via email at Mike.Porto@hayward-ca.gov or at City of Hayward Planning Division, 777 B Street, Hayward, CA 94541.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section/Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acronyms and Abbreviations</td>
<td>iii</td>
</tr>
<tr>
<td>Section 1.0 Introduction and Purpose</td>
<td>1</td>
</tr>
<tr>
<td>Section 2.0 Project Information</td>
<td>3</td>
</tr>
<tr>
<td>Section 3.0 Project Description</td>
<td>8</td>
</tr>
<tr>
<td>Section 4.0 Environmental Setting, Checklist, and Impact Discussion</td>
<td>17</td>
</tr>
<tr>
<td>4.1 Aesthetics</td>
<td>19</td>
</tr>
<tr>
<td>4.2 Agricultural and Forestry Resources</td>
<td>25</td>
</tr>
<tr>
<td>4.3 Air Quality</td>
<td>27</td>
</tr>
<tr>
<td>4.4 Biological Resources</td>
<td>36</td>
</tr>
<tr>
<td>4.5 Cultural Resources</td>
<td>45</td>
</tr>
<tr>
<td>4.6 Geology and Soils</td>
<td>52</td>
</tr>
<tr>
<td>4.7 Greenhouse Gas Emissions</td>
<td>57</td>
</tr>
<tr>
<td>4.8 Hazards and Hazardous Materials</td>
<td>65</td>
</tr>
<tr>
<td>4.9 Hydrology and Water Quality</td>
<td>72</td>
</tr>
<tr>
<td>4.10 Land Use and Planning</td>
<td>78</td>
</tr>
<tr>
<td>4.11 Mineral Resources</td>
<td>80</td>
</tr>
<tr>
<td>4.12 Noise and Vibration</td>
<td>81</td>
</tr>
<tr>
<td>4.13 Population and Housing</td>
<td>90</td>
</tr>
<tr>
<td>4.14 Public Services</td>
<td>92</td>
</tr>
<tr>
<td>4.15 Recreation</td>
<td>96</td>
</tr>
<tr>
<td>4.16 Transportation/Traffic</td>
<td>98</td>
</tr>
<tr>
<td>4.17 Utilities and Service Systems</td>
<td>109</td>
</tr>
<tr>
<td>4.18 Mandatory Findings of Significance</td>
<td>115</td>
</tr>
<tr>
<td>Section 5.0 References</td>
<td>119</td>
</tr>
<tr>
<td>Section 6.0 Lead Agency and Consultants</td>
<td>121</td>
</tr>
</tbody>
</table>
# TABLE OF CONTENTS

## Figures

<table>
<thead>
<tr>
<th>Figure</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.0-1</td>
<td>Regional Map</td>
<td>5</td>
</tr>
<tr>
<td>2.0-2</td>
<td>Vicinity Map</td>
<td>6</td>
</tr>
<tr>
<td>2.0-3</td>
<td>Aerial Photograph and Surrounding Land Uses</td>
<td>7</td>
</tr>
<tr>
<td>3.0-1</td>
<td>Proposed Site Plan</td>
<td>11</td>
</tr>
<tr>
<td>3.0-2</td>
<td>Proposed Townhouses Second Floor Plan</td>
<td>12</td>
</tr>
<tr>
<td>3.0-3</td>
<td>Proposed Apartment Second Floor Plan</td>
<td>13</td>
</tr>
<tr>
<td>3.0-4</td>
<td>Proposed Apartment Ground Floor Plan with Commercial Space</td>
<td>14</td>
</tr>
<tr>
<td>3.0-5</td>
<td>Proposed East and South Apartment Elevations</td>
<td>15</td>
</tr>
<tr>
<td>3.0-6</td>
<td>Proposed Side and Front Townhouse Elevations</td>
<td>16</td>
</tr>
<tr>
<td>4.4-1</td>
<td>Tree Location Map</td>
<td>38</td>
</tr>
<tr>
<td>4.16-1</td>
<td>Study Intersections and Existing Traffic Volumes</td>
<td>102</td>
</tr>
</tbody>
</table>

## Photos

<table>
<thead>
<tr>
<th>Photos</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 &amp; 2</td>
<td></td>
<td>20</td>
</tr>
<tr>
<td>3 &amp; 4</td>
<td></td>
<td>21</td>
</tr>
</tbody>
</table>

## Tables

<table>
<thead>
<tr>
<th>Table</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.3-1</td>
<td>BAAQMD Air Quality Significance Thresholds</td>
<td>29</td>
</tr>
<tr>
<td>4.3-2</td>
<td>Criteria Air Pollutants and Precursors and GHG Screening Level Size</td>
<td>31</td>
</tr>
<tr>
<td>4.3-3</td>
<td>Construction Source Health Risks</td>
<td>34</td>
</tr>
<tr>
<td>4.4-1</td>
<td>Tree Survey Summary</td>
<td>37</td>
</tr>
<tr>
<td>4.7-1</td>
<td>City of Hayward GHG Reduction Strategies</td>
<td>62</td>
</tr>
<tr>
<td>4.12-1</td>
<td>Groundborne Vibration Impact Criteria</td>
<td>83</td>
</tr>
<tr>
<td>4.12-2</td>
<td>Calculated Vibration Levels of Typical Construction Equipment to Nearest Sensitive Receptor</td>
<td>86</td>
</tr>
<tr>
<td>4.12-3</td>
<td>Construction Noise Levels</td>
<td>88</td>
</tr>
<tr>
<td>4.16-1</td>
<td>Signalized Intersection Level of Service Standards</td>
<td>101</td>
</tr>
<tr>
<td>4.16-2</td>
<td>Traffic Scenarios Analyzed</td>
<td>103</td>
</tr>
<tr>
<td>4.16-3</td>
<td>Project Trip Generation Estimates</td>
<td>104</td>
</tr>
<tr>
<td>4.16-4</td>
<td>Existing and Existing Plus Project Intersection Levels of Service</td>
<td>105</td>
</tr>
</tbody>
</table>

## Appendices

<table>
<thead>
<tr>
<th>Appendix</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Construction Health Risk Assessment and Greenhouse Gas Emissions Analysis</td>
</tr>
<tr>
<td>B</td>
<td>Arborist Survey</td>
</tr>
<tr>
<td>C</td>
<td>Cultural Resources Assessment</td>
</tr>
<tr>
<td>D</td>
<td>Geotechnical Investigation</td>
</tr>
<tr>
<td>E</td>
<td>Hazardous Materials Reports</td>
</tr>
<tr>
<td>F</td>
<td>Acoustical Analyses</td>
</tr>
<tr>
<td>G</td>
<td>Traffic Operations Analysis</td>
</tr>
<tr>
<td>Acronym</td>
<td>Description</td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
</tr>
<tr>
<td>BAAQMD</td>
<td>Bay Area Air Quality Management District</td>
</tr>
<tr>
<td>CARB</td>
<td>California Air Resources Board</td>
</tr>
<tr>
<td>CDFW</td>
<td>California Department of Fish and Wildlife</td>
</tr>
<tr>
<td>CEQA</td>
<td>California Environmental Quality Act</td>
</tr>
<tr>
<td>EIR</td>
<td>Environmental Impact Report</td>
</tr>
<tr>
<td>HOA</td>
<td>Homeowner Association</td>
</tr>
<tr>
<td>MND</td>
<td>Mitigated Negative Declaration</td>
</tr>
<tr>
<td>MRP</td>
<td>Municipal Regional Stormwater NPDES Permit</td>
</tr>
<tr>
<td>NOD</td>
<td>Notice of Determination</td>
</tr>
<tr>
<td>NPDES</td>
<td>National Pollutant Discharge Elimination System</td>
</tr>
<tr>
<td>RWQCB</td>
<td>Regional Water Quality Control Board</td>
</tr>
<tr>
<td>TAC</td>
<td>Toxic Air Contaminants</td>
</tr>
<tr>
<td>USEPA</td>
<td>United States Environmental Protection Agency</td>
</tr>
<tr>
<td>USFWS</td>
<td>United States Fish and Wildlife Service</td>
</tr>
</tbody>
</table>
SECTION 1.0 INTRODUCTION AND PURPOSE

1.1 PURPOSE OF THE INITIAL STUDY

The City of Hayward as the Lead Agency, has prepared this Initial Study for the 26601 Mission Boulevard Mixed-Use Project in compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations §15000 et. seq.) and the regulations and policies of the City of Hayward, California.

In September 2011, the City Council approved the South Hayward BART/Mission Boulevard Form Based Code and certified the associated Supplemental Program EIR. The South Hayward BART/Mission Boulevard Form-Based Code Supplemental Program EIR acknowledged future environmental review would be required for project-specific entitlements and included mitigation measures requiring further study of project-specific impacts and incorporation of measures to ensure project consistency with City of Hayward standards. The EIR assumed 60 new housing units and an additional 32,304 square feet of commercial space on the project site.

The project proposes to construct seven three-story buildings comprised of 35 townhouses and a 39-unit apartment building including approximately 1,500 square feet of commercial space. This Initial Study evaluates the environmental impacts that might reasonably be anticipated to result from implementation of the proposed project. This analysis addresses the project-specific environmental impacts that were not fully addressed in the South Hayward BART/Mission Boulevard Form-Based Code Supplemental Program EIR and includes technical analyses of project site conditions that were required as part of the mitigation measures in the EIR.

1.2 PUBLIC REVIEW PERIOD

Publication of this Initial Study marks the beginning of a 20-day public review and comment period. During this period, the Initial Study will be available to local, state, and federal agencies and to interested organizations and individuals for review. Written comments concerning the environmental review contained in this Initial Study during the 20-day public review period should be sent to:

City of Hayward
Development Services Department
777 B Street
Hayward, CA 94541

Mike Porto, Consulting Planner
(510) 583-4005
Mikeporto@hayward-ca.gov

1.3 CONSIDERATION OF THE INITIAL STUDY AND PROJECT

Following the conclusion of the public review period, the City of Hayward will consider the adoption of the Initial Study/Mitigated Negative Declaration (MND) for the project at a regularly scheduled meeting. The City shall consider the Initial Study/MND together with any comments received during the public review process. Upon adoption of the MND, the City may proceed with project approval actions.
1.4 NOTICE OF DETERMINATION

If the project is approved, the City of Hayward will file a Notice of Determination (NOD), which will be available for public inspection and posted within 24 hours of receipt at the County Clerk’s Office for 30 days. The filing of the NOD starts a 30-day statute of limitations on court challenges to the approval under CEQA (CEQA Guidelines Section 15075(g)).
SECTION 2.0  PROJECT INFORMATION

2.1  PROJECT TITLE

26601 Mission Boulevard Mixed-Use Project

2.2  LEAD AGENCY CONTACT

Mike Porto
Consulting Planner
City of Hayward
777 B Street
Hayward, CA 94541

2.3  PROJECT APPLICANT

Project Applicant for Apartments and Commercial Space

Robert Telles
DNS Capital Partners, LLC
1350 Treat Boulevard, Suite 400
Walnut Creek, CA 94597

Project Applicant for Townhouses

Ray Panek
KB Homes
5000 Executive Parkway, Suite 125
San Ramon, CA 94583

2.4  PROJECT LOCATION

The 2.7-acre project site addressed at 26601 Mission Boulevard consists of one parcel (APN 452-0036-30-05), located at the northwest corner of Mission Boulevard and Sorensen Road.

Regional and vicinity maps of the site are shown on Figures 2.0-1 and 2.0-2, and an aerial photograph of the project site and surrounding area is shown on Figure 2.0-3.

2.5  ASSESSOR’S PARCEL NUMBER

APN 452-0036-30-05

2.6  GENERAL PLAN DESIGNATION AND ZONING DISTRICT

General Plan:  The General Plan designates the property as Sustainable Mixed-Use which allows a minimum FAR of 2.0 or 2.75 if located within transit overlay zones established by zoning.

Zoning:  The property is located in the S-T4 Urban General Zone zoning district, which allows residential densities between 17.5 and 35 units per acre, and must comply with the South Hayward
BART Station Area Form-Based Code building heights, setbacks, and provide a minimum of 15 percent of common open space.

2.7 PROJECT-RELATED APPROVALS, AGREEMENTS, AND PERMITS

The project would require the following approvals from the City of Hayward:

- Environmental Review
- Zoning Text Amendment
- Design Review
- Tree Removal Permit
- Grading Permit
- Building Permit
- Demolition Permit
- Tentative Map to Subdivide Parcel
SECTION 3.0 PROJECT DESCRIPTION

3.1 PROPOSED DEVELOPMENT

The project proposes to construct a mixed-use development on an approximately 2.7-acre project site located at the northwest corner of Mission Boulevard and Sorensen Road (refer to Figure 3.0-1). The project would construct seven, three-story buildings comprised of 35 townhouses, a 39-unit apartment building, and up to 1,500 square feet (s.f.) of commercial space. The project also proposes a tentative tract map to subdivide the lot into eight residential lots and six non-buildable parcels, dividing the townhouses and apartment site, and a text amendment to the South Hayward BART/Mission Boulevard Form Based Code to allow a transfer of density across the site. There are two applicants for the project development: 1) KB Home proposes to develop the northerly three-quarters of the site with 35 townhouse units in seven, three-story buildings 2) DNS Capital Partners, LLC proposes to develop 39 apartment units and the commercial space in a four-story structure at the southern end of the project site.

The 35 townhouse units would be constructed in seven buildings ranging from four-plex to six-plex structures (refer to Figure 3.0-1). The units would be comprised of three to four bedrooms ranging in size from 1,735 s.f. to 2,074 s.f. (refer Figure 3.0-2).

The apartment complex would include 18, one-bedroom units and 21, two-bedroom units. The proposed units range in size from 655 to 1,012 s.f. (refer to Figure 3.0-3). The proposed ground floor commercial space would be up to 1,500 s.f. fronting on Mission Boulevard with a second-story storage space (refer to Figure 3.0-4).

3.1.1 Building Heights and Setbacks

The proposed apartment building would be four stories and approximately 56 feet in height. The building would be set back approximately six (6) feet along the frontage of Mission Boulevard and Sorensen Road, and approximately 38 feet from the southwestern property line.

The proposed townhouses would be three stories and a maximum of 39 feet in height (refer to Figure 3.0-5). The townhouses would be set back at a minimum of approximately 15 feet from the northeastern property line along Mission Boulevard, 27 feet from the northwestern property line, and 15 to 30 feet from the southwestern property line for Buildings 1 and 5, respectively (refer to Figure 3.0-6).

The two-story commercial space would be up to 1,500 s.f. with ground-floor commercial storefront space and second-story storage space (see Figure 3.0-4).

3.1.2 Site Access and Easements

Vehicle access to the development would be provided from an entrance off of Mission Boulevard, which is a right-in/right-out driveway due to the existing median on Mission Boulevard. A second point of vehicle access is via Sorensen Road on the southern portion of the site. Access to the commercial space would be primarily through the driveway on Sorensen Road although street parking is available along Mission Boulevard. The townhouses and apartment development would
share through access via both driveways between Mission Boulevard and Sorensen Road. Pedestrian access would be provided from sidewalks along Mission Boulevard and Sorensen Road.

Each of the townhouses would contain an attached two-car garage that would provide two spaces per dwelling unit for a total of 70 parking spaces. Additionally, eight on-site guest parking spaces would be provided on the northern portion of the property. The apartment building would provide 39 resident parking spaces, and three visitor parking spaces for a total of 42 parking spaces. One visitor space would be provided in the parking garage and two spaces would be located adjacent to the structure.

3.1.3 **Landscaping and Open Space**

The project site is currently developed with a 1950’s era strip commercial center with minimal landscaping. The proposed project would plant numerous trees of varying species such as the London planetree, Chinese pistachio, red maple, Saratoga bay laurel, and Japanese blueberry along the entire perimeter of the property and install permeable pavers within the guest parking area located on the northern and eastern portions of the property.

A total of approximately 13,250 s.f. of common open space would be provided by the townhouses along the southeastern boundary. Each townhouse would include a 270 square foot private porch and patio. The apartment proposes approximately 4,628 s.f. of common open space in a central courtyard.

3.1.4 **Grading and Demolition**

The proposed project would require limited grading for building pads and roadway construction. The project would require an estimated 5,000 cubic yards of fill on-site. Demolition activities on the project site involve the removal of approximately 14,029 square feet of existing structures, pavement, and driveways. Site improvements are to include landscaping and the construction of two retaining walls located along the northeastern and southwestern property boundaries. Retaining wall heights will range from approximately two to three feet.

3.1.5 **Utility Improvements**

The project proposes to connect to existing sanitary sewer lines, storm drain lines, and water lines in Mission Boulevard and Sorensen Road. The project proposes to install an eight-inch sanitary sewer line and a 15-inch stormdrain line off-site in Sorenson Road.

3.1.6 **Drainage Improvements**

The project proposes to construct storm drain filter mechanisms that are landscaped to retain and minimize stormwater runoff. The stormwater runoff from building roofs and other impervious areas would be directed to a bio-retention area located on the southern portion of the site that would be shared by the townhouses and apartments and maintained by the Homeowners Association (HOA). An additional bio-retention area located on the northwestern portion of the lot would treat runoff generated by the townhouses.

---

1 The existing commercial center building was partially burned on June 3, 2017.
3.1.7 **Construction Phasing**

The construction schedule assumes that the project would be built out over a period of approximately 13 months beginning in 2018, or an estimated 284 construction workdays. The demolition and site preparation and grading phase would take approximately one (1) month. The building construction phase would take approximately 12 months.
PROPOSED TOWNHOUSE SECOND FLOOR PLAN

FIGURE 3.0-2

PROPOSED APARTMENT GROUND FLOOR PLAN WITH COMMERCIAL SPACE

FIGURE 3.0-4

PROPOSED EAST AND SOUTH APARTMENT ELEVATIONS

FIGURE 3.0-5

PROPOSED SIDE AND FRONT TOWNHOUSE ELEVATIONS

FIGURE 3.0-6
SECTION 4.0 ENVIRONMENTAL SETTING, CHECKLIST, AND IMPACT DISCUSSION

This section presents the discussion of impacts related to the following environmental subjects in their respective subsections:

<table>
<thead>
<tr>
<th>Section Number</th>
<th>Environmental Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1</td>
<td>Aesthetics</td>
</tr>
<tr>
<td>4.2</td>
<td>Agricultural and Forestry Resources</td>
</tr>
<tr>
<td>4.3</td>
<td>Air Quality</td>
</tr>
<tr>
<td>4.4</td>
<td>Biological Resources</td>
</tr>
<tr>
<td>4.5</td>
<td>Cultural Resources</td>
</tr>
<tr>
<td>4.6</td>
<td>Geology and Soils</td>
</tr>
<tr>
<td>4.7</td>
<td>Greenhouse Gas Emissions</td>
</tr>
<tr>
<td>4.8</td>
<td>Hazards and Hazardous Materials</td>
</tr>
<tr>
<td>4.9</td>
<td>Hydrology and Water Quality</td>
</tr>
<tr>
<td>4.10</td>
<td>Land Use and Planning</td>
</tr>
<tr>
<td>4.11</td>
<td>Mineral Resources</td>
</tr>
<tr>
<td>4.12</td>
<td>Noise and Vibration</td>
</tr>
<tr>
<td>4.13</td>
<td>Population and Housing</td>
</tr>
<tr>
<td>4.14</td>
<td>Public Services</td>
</tr>
<tr>
<td>4.15</td>
<td>Recreation</td>
</tr>
<tr>
<td>4.16</td>
<td>Transportation/Traffic</td>
</tr>
<tr>
<td>4.17</td>
<td>Utilities and Service Systems</td>
</tr>
<tr>
<td>4.18</td>
<td>Mandatory Findings of Significance</td>
</tr>
</tbody>
</table>

The discussion for each environmental subject includes the following subsections:

- **Environmental Setting** – This subsection 1) provides a brief overview of relevant plans, policies, and regulations that compose the regulatory framework for the project and 2) describes the existing, physical environmental conditions at the project site and in the surrounding area, as relevant.

- **Checklist and Discussion of Impacts** – This subsection includes a checklist for determining potential impacts and discusses the project’s environmental impact as it relates to the checklist questions. For significant impacts, feasible mitigation measures are identified. “Mitigation measures” are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines Section 15370). Each impact is numbered using an alphanumeric system that identifies the environmental issue. For example, **Impact BIO-1** denotes the first potentially significant impact discussed in the Biological Resources section. Mitigation measures are also numbered to correspond to the impact they address. For example, **MM AQ-1.2** refers to the second mitigation measure for the first impact in the Air Quality section.

- **Conclusion** – This subsection provides a summary of the project’s impacts on the resource.

**Important Note to the Reader**

The California Supreme Court in a December 2015 opinion [*California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal. 4th 369 (No. S 213478)] confirmed that CEQA, with several specific exceptions, is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project. Therefore, the evaluation of the significance of project impacts under CEQA in the following sections focuses on impacts of the project on the environment, including whether a project may exacerbate existing environmental hazards.
The City of Hayward currently has policies that address existing conditions (e.g., air quality, noise, and hazards) affecting a proposed project, which are also addressed in this section. This is consistent with one of the primary objectives of CEQA and this document, which is to provide objective information to decision-makers and the public regarding a project as a whole. The CEQA Guidelines and the courts are clear that a CEQA document (e.g., EIR or Initial Study) can include information of interest even if such information is not an “environmental impact” as defined by CEQA.

Therefore, where applicable, in addition to describing the impacts of the project on the environment, this chapter will discuss Planning Considerations that relate to policies pertaining to existing conditions. Such examples include, but are not limited to, locating a project near sources of air emissions that can pose a health risk, in a floodplain, in a geologic hazard zone, in a high noise environment, or on/adjacent to sites involving hazardous substances.
4.1 AESTHETICS

4.1.1 Environmental Checklist

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

4.1.2 Existing Setting

The rectangular project site is approximately 2.7 acres and is located in a developed urban area. The site is currently occupied by a strip commercial center\textsuperscript{2} on the northern three-quarters of the site and two small retail shop buildings on the southern one-quarter of the site (refer to Photos 1 and 2). The project site is bounded by Mission Boulevard to the northeast, Sorenson Road to the southeast, residential developments to the southwest, and commercial developments to the northwest (refer to Photos 3 and 4).

Given the generally flat topography of the site, the project site is primarily visible from Mission Boulevard. There are 11 street trees along Mission Boulevard and seven off-site trees along the northern and western fence lines. The remaining 14 trees are located on-site. The project site is located along Mission Boulevard (State Route 238), which is not a designated Alameda County Scenic Roadway, state scenic highway, or a rural scenic corridor.

4.1.2.1 Surrounding Land Uses

The project site is surrounded by commercial and residential development. The single-story residences located southwest of the project site were constructed in the 1950’s and are finished with wood and stucco. The commercial uses to the south consist of a bank and retail store constructed of wood and stucco with a red tile roof. The commercial uses to the north consist of a fast food restaurant with a drive-through and a bank. The Holy Sepulchre Cemetery is east of the project site across Mission Boulevard. The cemetery grounds are enclosed by a concrete masonry wall with small street trees lining the wall.

\textsuperscript{2} The existing commercial center building was partially burned on June 3, 2017.
PHOTO 1: View of the existing commercial structure on-site facing northwest from Mission Boulevard.

PHOTO 2: View of the existing commercial structure on-site facing south from Mission Boulevard.
PHOTO 3: View of Mission Boulevard from the project site facing southeast.

PHOTO 4: View of the adjacent residence and neighborhood looking northwest from the south side of Sorenson Road.
4.1.2.2  
**Applicable Plans, Policies, and Regulations**

**City of Hayward General Plan**

The Land Use and Community Character Element contains policies to preserve scenic views of the City. The proposed project would be subject to conformance with applicable General Plan policies, including those listed below.

<table>
<thead>
<tr>
<th>Policies</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy HQL-8.3</td>
<td>The City shall require the retention of trees of significance (such as heritage trees) by promoting stewardship and ensuring that project design provides for the retention of these trees wherever possible. Where tree removal cannot be avoided, the City shall require tree replacement or suitable mitigation.</td>
</tr>
<tr>
<td>Policy PFS-8.5</td>
<td>The City shall require that all new utility lines constructed as part of new development projects are installed underground or, in the case of transformers, pad-mounted.</td>
</tr>
<tr>
<td>Policy LU-2.9</td>
<td>The City shall maintain and implement the South Hayward BART Form-Based Code to guide and regulate future development and infrastructure improvements within the South Hayward BART Urban Neighborhood and the South Hayward BART Mixed-Use Corridor.</td>
</tr>
</tbody>
</table>
| Policy LU-3.4 | The City shall require new neighborhood commercial and mixed-use developments to have a pedestrian scale and orientation by:  
- Placing the building and outdoor gathering spaces along or near the sidewalk.  
- Locating parking to the rear of the building or along the internal side yard of the property.  
- Designing the building with ground floor retail frontages or storefronts that front the street.  
- Enhancing the property with landscaping, lighting, seating areas, bike racks, planters, and other amenities that encourage walking and biking. |

4.1.3  
**Impact Discussion**

a)  
*Have a substantial adverse effect on a scenic vista?*

According to the Hayward General Plan, 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. Therefore, the project would not have an impact on scenic vistas. **(No Impact)**

b)  
*Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

The project site is not located within a state scenic highway, nor does it contribute to views visible from a state scenic highway. Therefore, the construction of the project would not have impacts on state scenic highways.

The project site contains structures from the 1950s that are not considered to be historic since the buildings do not meet the criteria of “exceptional” or higher level of significance for resources less than 50 years old under the California Register of Historic Resources (CRHR) or the National Register of Historic Places. Therefore, the demolition of the existing structures would not be a loss of architecturally significant resources that would contribute to the aesthetic character of the site.
The site contains 14 hackberry and blackwood acacia trees scattered throughout the parking lot that are young to semi-mature and in fair to poor condition. Eleven London Plane trees located adjacent to the site along Mission Boulevard are the second most common species encountered, and all in good condition. Eight additional trees on adjacent properties to the north and west representing several different species were also in good condition and would remain with the project.

Of the total 14 on-site trees proposed to be removed, 13 are protected under the City of Hayward Tree Preservation Ordinance (refer to Section 4.4 Biological Resources). The trees, however, are not considered to be an irreplaceable scenic resource since most of the species are not indigenous to the region, and the project will pay tree removal fees to fund tree replanting to offset the loss of on-site trees. The project includes new landscaping along the perimeter of the property which would be consistent with General Plan policies. (Less Than Significant Impact)

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

The project site is located in an urban setting with surrounding single-family development, commercial uses, and quasi-public uses. The project would construct a mixed-use development on a commercially developed site. The structures would be primarily visible from existing neighborhoods and roads surrounding the site.

Given the range of uses, styles, and intensities of development in the project area, the proposed mixed-use development would not significantly degrade the existing visual character of the site or project area and is in keeping with the scale of new development envisioned as part of the General Plan. Therefore, the proposed project would not result in a significant impact to aesthetic resources. (Less Than Significant Impact)

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

Since the project site is an infill development, the light and glare that exists within the vicinity of the project area is typical of an urban setting. Nighttime lighting impacts are considered significant when they interfere with or intrude into neighboring residences. Light pollution is typically related to the use of high voltage light fixtures with inadequate shields and improper positioning or orientation. Compliance with the Design Review process outlined in the City’s Zoning Ordinance, which requires that general architectural considerations such as exterior lighting are compatible with the design and character of other adjacent buildings, and proposed General Plan policies requiring design compatibility would ensure light and glare impacts are less than significant. Furthermore, the project would be primarily constructed with materials such as plaster, wood, and windows with standard glazing. Therefore, the project would not cause substantial glare in the project area. For these reasons, the proposed project would not result in significant light and glare impacts. (Less Than Significant Impact)
4.1.4 Conclusion

The proposed project would not result in a significant impact to aesthetic resources. (Less Than Significant Impact)
4.2 AGRICULTURAL AND FORESTRY RESOURCES

4.2.1 Environmental Checklist

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Checklist Source(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>1,2,4</td>
</tr>
<tr>
<td>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>1,2,4</td>
</tr>
<tr>
<td>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))?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>1,2</td>
</tr>
<tr>
<td>d) Result in a loss of forest land or conversion of forest land to non-forest use?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>1,2</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>1,2,4</td>
</tr>
</tbody>
</table>

4.2.2 Existing Setting

The project site has been developed with a strip commercial center since the 1950’s. According to the Alameda County Important Farmland 2014 map, the project site is designated as Urban and Built-Up Land, meaning that the land is occupied by structures with a building density of at least one (1) to 1.5 acres, or approximately six structures to a 10-acre parcel.

4.2.3 Impact Discussion

a, b) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use?

The project site is designated as Urban and Built-Up Land, therefore, the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses. The proposed project would have no impact on agricultural resources or operations. (No Impact)
c, d) Conflict with existing zoning for agricultural use, or a Williamson Act contract? Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production? Result in a loss of forest land or conversion of forest land to non-forest use?

“Forest land” is defined as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. “Timberland” means land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees.

The site and surrounding area is not used or zoned for timberland or forest land. Therefore, the project would not impact timberland or forest land. (No Impact)

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?

According to the Alameda County Important Farmland 2014 map, the project site and surrounding area are designated as Urban and Built-Up Land. The development of the project site would not result in conversion of any forest or farmlands to other uses. (No Impact)

4.2.4 Conclusion

The project would not result in significant impacts to agriculture or forestry resources. (No Impact)
4.3 **AIR QUALITY**

The following discussion is based on a Construction Health Risk Assessment prepared by *Illingworth & Rodkin, Inc.* in May 2017. A copy of this report is attached as Appendix A.

### 4.3.1 Checklist and Discussion of Impacts

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Checklist Source(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Conflict with or obstruct implementation of the applicable air quality plan?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,5</td>
</tr>
<tr>
<td>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,6</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,6</td>
</tr>
<tr>
<td>d) Expose sensitive receptors to substantial pollutant concentrations?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>1,6,7</td>
</tr>
<tr>
<td>e) Create objectionable odors affecting a substantial number of people?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,6</td>
</tr>
</tbody>
</table>

### 4.3.2 Existing Setting

Air quality and the amount of a given pollutant in the atmosphere are determined by the amount of a pollutant released and the atmosphere’s ability to transport and dilute the pollutant. The major determinants of transport and dilution are wind, atmospheric stability, terrain and for photochemical pollutants, sunshine.

The U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established ambient air quality standards for what are commonly referred to as “criteria pollutants,” because they set the criteria for attainment of good air quality. Criteria pollutants include carbon monoxide, ozone, nitrogen dioxide, sulfur dioxide, and particulate matter (PM).

#### 4.3.2.1 Climate and Topography

The project is located in western Alameda County, which is in the San Francisco Bay Area Air Basin. Ambient air quality standards have been established at both the State and federal level. The Bay Area meets all ambient air quality standards with the exception of ground-level ozone, respirable particulate matter (PM$_{10}$), and fine particulate matter (PM$_{2.5}$).
4.3.2.2 Regional and Local Criteria Pollutants

Major criteria pollutants, listed in “criteria” documents by the USEPA and CARB include ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, and suspended particulate matter. These pollutants can have health effects such as respiratory impairment and heart/lung disease symptoms. Ambient air quality standards have been established at both the state and federal level. Violations of ambient air quality standards are based on air pollutant monitoring data and are judged for each air pollutant. Areas with air quality that exceed adopted air quality standards are designated as “nonattainment” areas for the relevant air pollutants. Nonattainment areas are sometimes further classified by degree (marginal, moderate, serious, severe, and extreme for ozone, and moderate and serious for carbon monoxide and PM$_{10}$) or status (“nonattainment-transitional”). Areas that comply with air quality standards are designated as “attainment” areas for the relevant air pollutants. “Unclassified” areas are those with insufficient air quality monitoring data to support a designation of attainment or nonattainment, but are generally presumed to comply with the ambient air quality standard. State Implementation Plans must be prepared by states for areas designated as federal ambient air quality standard.

The Bay Area is considered a non-attainment area for ground-level ozone and fine particulate matter (PM$_{2.5}$) under both the federal Clean Air Act and the California Clean Air Act. The area is also considered non-attainment for respirable particulates or particulate matter with a diameter of less than 10 micrometers (PM$_{10}$) under the California Clean Air Act, but not the federal act. High ozone levels are caused by the cumulative emissions of reactive organic gases (ROG) and nitrogen oxides (NO$_X$). These precursor pollutants react under certain meteorological conditions to form high ozone levels. Controlling emissions of these precursor pollutants is the focus of the Bay Area’s attempts to reduce ozone levels. High ozone levels aggravate respiratory and cardiovascular diseases, reduced lung function, and increase coughing and chest discomfort. Elevated concentrations of PM$_{10}$ and PM$_{2.5}$ are the result of both region-wide (i.e. cumulative) emissions and localized emissions. High particulate matter levels aggravate respiratory and cardiovascular diseases, reduce lung function, increase mortality (e.g., lung cancer), and result in reduced lung function growth in children.

4.3.2.3 BAAQMD Guidelines

The BAAQMD is the regional agency tasked with managing air quality in the region. The BAAQMD is primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. Air quality standards are set by the federal government (the 1970 Clean Air Act and its subsequent amendments) and the state (California Clean Air Act and its subsequent amendments).

Regional air quality management districts such as BAAQMD must prepare air quality plans specifying how state air quality standards would be met. BAAQMD’s most recently adopted plan is the Bay Area 2017 Clean Air Plan (2017 CAP). The 2017 CAP focuses on two closely-related BAAQMD goals: protecting public health and protecting the climate. To protect public health, the plan describes how the BAAQMD will continue its progress toward attaining all State and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities.

The 2017 CAP includes a wide range of control measures designed to decrease emissions of the air pollutants that are most harmful to Bay Area residents, such as particulate matter, ozone, and toxic
air contaminants; to reduce emissions of methane and other “super-GHGs” that are potent climate pollutants in the near-term; and to decrease emissions of carbon dioxide by reducing fossil fuel combustion. The BAAQMD has published CEQA Air Quality Guidelines that are used in this assessment to evaluate air quality impacts of projects. The thresholds of significance for construction- and operation-related pollutant emissions are shown in Table 4.3-1.

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Construction Thresholds</th>
<th>Operation Thresholds</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Average Daily Emissions (pounds/day)</td>
<td>Annual Daily Emissions (pounds/year)</td>
</tr>
<tr>
<td>Criteria Air Pollutants</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ROG</td>
<td>54</td>
<td>54</td>
</tr>
<tr>
<td>NO\textsubscript{x}</td>
<td>54</td>
<td>54</td>
</tr>
<tr>
<td>PM\textsubscript{10}</td>
<td>82</td>
<td>82</td>
</tr>
<tr>
<td>PM\textsubscript{2.5}</td>
<td>54</td>
<td>54</td>
</tr>
<tr>
<td>CO</td>
<td>Not Applicable</td>
<td>9.0 ppm (8-hour avg.) or 20.0 ppm (1-hour avg.)</td>
</tr>
<tr>
<td>Fugitive Dust</td>
<td>Construction Dust Ordinance or other Best Management Practices</td>
<td>Not Applicable</td>
</tr>
</tbody>
</table>

Health Risks and Hazards for New Sources

| Excess Cancer Risk | 10 per one million | 10 per one million |
| Chronic or Acute Hazard Index | 1.0 | 1.0 |
| Incremental Annual Average PM\textsubscript{2.5} | 0.3 µg/m\textsuperscript{3} | 0.3 µg/m\textsuperscript{3} |

Health Risks and Hazards for Sensitive Receptors and Cumulative Thresholds for New Sources

| Excess Cancer Risk | 100 per one million |
| Chronic Hazard Index | 10.0 |
| Annual Average PM\textsubscript{2.5} | 0.8 µg/m\textsuperscript{3} |

Greenhouse Gas Emissions

| GHG Annual Emissions | 1,100 metric tons or 4.6 metric tons per capita |

Notes: ROG = reactive organic gases, NO\textsubscript{x} = nitrogen oxides, PM\textsubscript{10} = course particulate matter or particulates with an aerodynamic diameter of 10 micrometers (µm) or less, PM\textsubscript{2.5} = fine particulate matter or particulates with an aerodynamic diameter of 2.5 (µm) or less, and GHG = greenhouse gas.

4.3.2.4 Local Community Risks/Toxic Air Contaminants and Fine Particulate Matter

Besides criteria air pollutants, there is another group of substances found in ambient air referred to as Toxic Air Contaminants (TACs). These contaminants tend to be localized and are found in relatively low concentrations in ambient air. Exposure to low concentrations over long periods, however, can result in adverse chronic health effects. Diesel exhaust is a predominant TAC in urban air and is estimated to represent about three-quarters of the cancer risk from TACs (based on the Bay Area average).
Fine Particulate Matter (PM$_{2.5}$) is a complex mixture of substances that includes elements such as carbon and metals; compounds such as nitrates, organics, and sulfates; and complex mixtures such as diesel exhaust and wood smoke. Long-term and short-term exposure to PM$_{2.5}$ can cause a wide range of health effects. Common stationary sources of TACs and PM$_{2.5}$ include gasoline stations, dry cleaners, diesel backup generators, and motor vehicles. The other, more significant, common source is motor vehicles on roadways and freeways.

### 4.3.2.5 Sensitive Receptors

There are groups of people more affected by air pollution than others. CARB has identified the following persons who are most likely to be affected by air pollution: children under 14, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive receptors. Locations that may contain a high concentration of these sensitive population groups include residential areas, hospitals, daycare facilities, elder care facilities, elementary schools, and parks. For cancer risk assessments, children are the most sensitive receptors, since they are more susceptible to cancer causing TACs. Residential locations are assumed to include infants and small children.

### 4.3.2.6 Construction TAC and PM$_{2.5}$ Health Risks

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC. These exhaust air pollutant emissions would not be considered to contribute substantially to existing or projected air quality violations. Construction exhaust emissions may still pose health risks for sensitive receptors such as surrounding residents. The primary community risk impact issues associated with construction emissions are cancer risk and exposure to PM$_{2.5}$. Diesel exhaust poses both a potential health and nuisance impact to nearby receptors. The closest sensitive receptors to the project site are the single-family residences located west, southwest, and northwest of the project site.

### 4.3.2.7 Applicable Plans, Policies, and Regulations

#### City of Hayward General Plan

The City of Hayward’s General Plan Policy Document for Natural Resources contains several policies to support the goal to improve the health and sustainability of the community through continued local efforts to improve regional air quality, reduce greenhouse gas emissions, and reduce community exposures to health risks associated with toxic air contaminants and fine particulate matter (Goal NR-2). Policies pertaining to construction period emissions include the following:

<table>
<thead>
<tr>
<th>Policies</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy NR-2.15</td>
<td>The City shall maintain and implement the General Plan as Hayward’s community risk reduction strategy to reduce health risks associated with toxic air contaminants (TACs) and fine particulate matter (PM$_{2.5}$) in both existing and new development.</td>
</tr>
<tr>
<td>Policy NR-2.16</td>
<td>The City shall minimize exposure of sensitive receptors to toxic air contaminants (TAC), fine particulate matter (PM$<em>{2.5}$), and odors to the extent possible, and consider distance, orientation, and wind direction when siting sensitive land uses in proximity to TAC- and PM$</em>{2.5}$-emitting sources and odor sources in order to minimize health risk.</td>
</tr>
<tr>
<td>Policy NR-2.17</td>
<td>The City shall coordinate with and support the efforts of the Bay Area Air Quality Management District, the California Air Resources Board, the U.S. Environmental Protection</td>
</tr>
</tbody>
</table>
Agency, and other agencies as appropriate to implement source reduction measures and best
management practices that address both existing and new sources of toxic air contaminants
(TAC), fine particulate matter (PM2.5), and odors.

Policy NR-2.18 The City shall require development projects to implement all applicable best management
practices that will reduce exposure of new sensitive receptors (e.g. hospitals, schools, daycare
facilities, elderly housing and convalescent facilities) to odors, toxic air contaminants (TAC),
and fine particulate matter (PM2.5).

4.3.3 Impacts Evaluation

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

The proposed project will not conflict with the latest 2017 Clean Air planning efforts since;
(1) the project’s operational emissions would be well below the BAAQMD thresholds of
significance for air pollutants as discussed below in Section 4.3.3(b) and (2) development of
the project site would be considered urban infill. (Less Than Significant Impact)

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

The 2017 BAAQMD CEQA Air Quality Guidelines contain a screening table that lists the
minimum unit count for mixed-use multi-family residential projects, below which the project
would not result in the generation of operational or construction criteria air pollutants that
exceed the thresholds of significance.

The project proposes 74 multi-family residences on the project site which does not exceed the
screening threshold for operational criteria pollutants of 451 units, as summarized in Table
4.3-2 below. The commercial component (up to 1,500 square feet of commercial space) of
the project does not exceed the screening threshold for operational criteria pollutants of
42,000 square feet. Neither the residential nor commercial components of the project would
exceed the screening thresholds for construction criteria pollutants of 240 dwelling units, or
277,000 square feet, respectively. (Less Than Significant Impact)

<table>
<thead>
<tr>
<th>Land Use Type</th>
<th>Operational Criteria Pollutant Screening Size</th>
<th>Operational GHG Screening Size</th>
<th>Construction Criteria Pollutant Screening Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Townhouses/Apartments</td>
<td>451 units</td>
<td>78 units</td>
<td>240 units</td>
</tr>
<tr>
<td>Commercial Space¹</td>
<td>42,000 square feet</td>
<td>8,000 square feet</td>
<td>277,000 square feet</td>
</tr>
<tr>
<td>Exceeds Screening threshold?</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

¹ Assumes a supermarket use according to BAAQMD’s screening thresholds.

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
Non-attainment pollutants of concern for the San Francisco Bay Air Basin are ozone, PM$_{10}$ and PM$_{2.5}$. In developing thresholds of significance for air pollutants, BAAQMD considered the emission levels for which a project’s individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region’s existing air quality conditions. As discussed in impact (b) above, the project’s operational and construction emissions would be less than significant since the project falls under the BAAQMD’s screening thresholds. In addition, construction on the site will be required to implement BAAQMD’s Best Management Practices for dust control in accordance with the City’s General Plan policies, as discussed in impact (d) below. (Less Than Significant Impact)

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

Construction Dust Emissions

Construction activities, particularly during site preparation and grading would temporarily generate fugitive dust in the form of respirable particulate matter (PM$_{10}$ and PM$_{2.5}$). Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soil. 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. The BAAQMD CEQA Air Quality Guidelines consider these impacts to be less than significant if Best Management Practices are employed to reduce these emissions. This analysis assumes that the project implements Best Management Practices recommended by BAAQMD, as indicated through General Plan Policy NR-2.17 Source Reduction Measures, listed above in Section 4.3.2.7.

Impact AQ – 1: The project would generate significant dust during construction activities that would affect nearby sensitive receptors, if Best Management Practices are not implemented. (Significant Impact)

Mitigation Measures: The project proposes to implement the following Best Management Practices identified by BAAQMD to reduce fugitive dust emissions impacts to a less than significant level:

MM AQ – 1.1: The project shall implement the following standard BAAQMD dust control measures during all phases of construction on the project site:

- 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 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 (5) 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.

With the implementation of MM AQ – 1.1, fugitive dust emission impacts would be reduced to a less than significant level. (Less Than Significant Impact With Mitigation)

Construction TAC and PM$_{2.5}$ Health Risks

Construction activity is anticipated to include demolition, grading and site preparation, trenching, building construction, and paving. A health risk assessment of the project construction activities was completed (see Appendix A) that evaluated potential health effects of sensitive receptors at nearby residences from construction emissions of Diesel Particulate Matter (DPM) and PM$_{2.5}$. Construction period emissions were modeled using the California Emissions Estimator Model, Version 2013.2.2 (CalEEMod).

Increased cancer risks were calculated using the maximum modeled concentrations for 2017 and BAAQMD recommended risk assessment methods for infant exposure (3rd trimester through two years of age) and for an adult exposure. The cancer risk calculations were based on applying BAAQMD recommended age sensitivity factors to the TAC concentrations. Age-sensitivity factors reflect the greater sensitivity of infants and small children to cancer causing TACs. Infant, child, and adult exposures were assumed to occur at all residences through the entire construction period.

The maximum community risk impacts associated with project construction are shown in Table 4.3-3. Results of the assessment for project construction indicate the maximum incremental residential child cancer risk at the maximally exposed individual (MEI) receptor
would be 4.5 in one million and the residential adult incremental cancer risk would be 0.01 in one million. The maximum residential excess cancer risk would be below the significance threshold of 10.0 in one million.

The maximum-modeled annual PM$_{2.5}$ concentration, which is based on combined exhaust and fugitive dust emissions, was 0.06 µg/m$^3$. This maximum annual PM$_{2.5}$ concentration would not exceed the BAAQMD significance threshold of 0.3 µg/m$^3$. The maximum modeled annual residential DPM concentration (i.e., from construction exhaust) was 0.0325 µg/m$^3$, which is lower than the reference exposure level, which is the concentration at or below which no adverse health effects are anticipated for a specified exposure period. The maximum computed hazard index (HI) based on this DPM concentration is 0.01 which is lower than the BAAQMD significance criterion of a hazard index greater than 1.0.

<table>
<thead>
<tr>
<th>Source</th>
<th>Cancer Risk (per million)</th>
<th>PM$_{2.5}$ Concentration (µg/m$^3$)</th>
<th>Acute and Chronic Hazard (HI)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Project Construction Unmitigated</td>
<td>Infant = 4.5</td>
<td>0.06</td>
<td>0.01</td>
</tr>
<tr>
<td>BAAQMD Threshold – Single Source</td>
<td>&gt;10</td>
<td>&gt;0.3</td>
<td>&gt;1.0</td>
</tr>
<tr>
<td>Significant?</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Mission Boulevard at 200 feet west</td>
<td>15.5</td>
<td>0.08</td>
<td>0.01</td>
</tr>
<tr>
<td>Cumulative Total$^3$</td>
<td>20.0</td>
<td>0.14</td>
<td>0.02</td>
</tr>
<tr>
<td>BAAQMD Threshold – Cumulative Sources</td>
<td>&gt;100</td>
<td>&gt;0.8</td>
<td>&gt;10.0</td>
</tr>
<tr>
<td>Significant?</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

$^3$The cumulative total was calculated by adding the unmitigated infant and adult cancer risk and Mission Boulevard at 200 feet west (4.5 + 0.01 + 15.5) ≈ 20.0

Combined substantial sources of TACs that can affect sensitive receptors that are located within 1,000 feet of a project site were evaluated as part of the Construction TAC Analysis (attached in Appendix A). These sources include freeways or highways, busy surface streets and stationary sources identified by BAAQMD. The only substantial source of TAC and PM$_{2.5}$ emissions in the area is Mission Boulevard, which is a State Highway (Highway 238). As presented in Table 4.3-1 above, cumulative sources of TACs in the vicinity of the project would not result in a significant cumulative impact.

Therefore, the project would not generate significant construction TAC emissions and therefore would have a less than significant impact on sensitive receptors. (Less Than Significant Impact)

---

$^3$ Combined sources of TACs are calculated by adding any substantial sources of TACs within 1,000 feet of the project with Construction TACs that are emitted during construction of the project.
Planning Considerations

The City’s General Plan and Community Risk Reduction Plan require that projects siting new sensitive receptors adjacent to sources of TACs such as Mission Boulevard shall implement best management practices to reduce resident exposures to TACs. The following measures are consistent with the General Plan EIR and South Hayward BART/Mission Boulevard Form-Based Code EIR. These features shall be submitted to the Development Services Department for review and approval prior to the issuance of a demolition, grading, or building permit and shall be maintained on an ongoing basis during operation of the project.

- For sensitive uses (residences, schools, day care centers, playgrounds, and medical facilities) sited within the overlay zone from Mission Boulevard, the applicant shall install, operate and maintain in good working order a central heating and ventilation (HV) system or other air take system in the building, or in each individual unit, that meets or exceeds an efficiency standard of MERV 13. The HV system shall include the following features: Installation of a high efficiency filter and/or carbon filter to filter particulates and other chemical matter from entering the building. Either HEPA filters or ASHRAE 85 percent supply filters shall be used.

- Project applicants shall maintain, repair and/or replace HV system on an ongoing and as needed basis or shall prepare an operation and maintenance manual for the HV system and the filter. The manual shall include the operating instructions and the maintenance and replacement schedule. This manual shall be included in the Covenants, Conditions and Restrictions (CC&Rs) for residential projects and/or distributed to the building maintenance staff. In addition, the applicant shall prepare a separate homeowners manual. The manual shall contain the operating instructions and the maintenance and replacement schedule for the HV system and the filters.

- To the maximum extent practicable, individual and common exterior open space proposed as a part of developments in the Project area, including playgrounds, patios, and decks, shall either be shielded from the source of air pollution by buildings or otherwise buffered to further reduce air pollution for project occupants.

e) Create objectionable odors affecting a substantial number of people?

Implementation of the proposed project would not create objectionable odors affecting a substantial number of people near the site. No new stationary odor sources are anticipated as part of the project and there are no odor sources in the vicinity of the site that would affect the project. (Less Than Significant Impact)

4.3.4 Conclusion

With the implementation of MM AQ – 1.1, the proposed project would result in less than significant air quality impacts. (Less Than Significant Impact With Mitigation)
4.4 BIOLOGICAL RESOURCES

The following discussion is based in part on an Arborist Survey prepared by *Hortscience, Inc.* in February 2016. A copy of this report is included as Appendix B of this Initial Study.

4.4.1 Environmental Checklist

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Checklist Source(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>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 (CDFW) or United States Fish and Wildlife Service (USFWS)?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>1</td>
</tr>
<tr>
<td>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 CDFW or USFWS?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>1</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>1</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>1</td>
</tr>
<tr>
<td>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>1,2,8</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>1</td>
</tr>
</tbody>
</table>

4.4.2 Existing Setting

The project site is located in an urban neighborhood and is developed with commercial structures, pavement, and minimal landscaping. Habitats in developed, urban areas are extremely low in species diversity. Common species that occur in urban environments include rock pigeons, mourning doves,
house sparrows, finches, and European starlings. Raptors and other avian species could forage in the project area or nest in surrounding landscaping.

There are no sensitive habitats or wetlands on or adjacent to the project site. Due to the lack of sensitive habitats, human disturbance, and the developed nature of the project site, special-status plant and animal species are not expected to occur. The primary biological resources on-site are landscape trees.

**Mature Trees**

A tree survey (Appendix B) was completed for the project area in February 2016 and identified 32 trees in total, representing 10 species. Of the 32 total trees assessed, 31 trees are protected by the Hayward Tree Preservation Ordinance (defined in Section 4.4.2.1). Eleven street trees were identified along Mission Boulevard and seven off-site trees along the northern and western fence lines. The remaining 14 trees are located on-site.

Hackberry, with 13 trees, was the most commonly encountered species located throughout the parking lots on-site. Most hackberries were young to semi-mature and fair in condition, with two in poor condition. The 11 London Plane street trees were the second most common species encountered, and all in good condition. The remaining eight trees representing several different species were all in good condition. A summary of the tree survey is included in Table 4.4-1 and the tree locations, indicated whether to remain or be removed, are shown on Figure 4.4-1.

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Scientific Name</th>
<th>Diameter in Inches</th>
<th>Total # of Trees</th>
<th>Tree Condition*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>1-11</td>
<td>12-17</td>
<td>18+</td>
</tr>
<tr>
<td>Blackwood acacia</td>
<td>Acacia melanoxylon</td>
<td>--</td>
<td>--</td>
<td>1</td>
</tr>
<tr>
<td>Hackberry</td>
<td>Celtis sinesis</td>
<td>11</td>
<td>2</td>
<td>13</td>
</tr>
<tr>
<td>California black walnut</td>
<td>Juglans hindsii</td>
<td>--</td>
<td>--</td>
<td>1</td>
</tr>
<tr>
<td>Privet</td>
<td>Lingustrum lucidum</td>
<td>1</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Avocado</td>
<td>Persea Americana</td>
<td>1</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>London plane</td>
<td>Platanus x hispanica</td>
<td>11</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Coast live oak</td>
<td>Quercus agrifolia</td>
<td>--</td>
<td>--</td>
<td>1</td>
</tr>
<tr>
<td>Holly oak</td>
<td>Quercus agrifolia</td>
<td>1</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>California pepper</td>
<td>Schinus molle</td>
<td>--</td>
<td>--</td>
<td>1</td>
</tr>
<tr>
<td>Peach</td>
<td>Prunus persica</td>
<td>1</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>26</td>
<td>2</td>
<td>4</td>
</tr>
</tbody>
</table>

Notes: * Suitability of trees for preservation is based upon the age, health and structural condition, ability to safely coexist within a development environment, and invasiveness.
Federal Endangered Species Act and California Endangered Species Act

The federal Endangered Species Act and California Endangered Species Act protect listed wildlife species from harm or “take,” which can include habitat modification or degradation that directly results in death or injury to a listed wildlife species. The long-term purpose of these laws is to ultimately restore their numbers to where they are no longer threatened or endangered.

Federal Migratory Bird Treaty Act

The Federal Migratory Bird Treaty Act (FMBTA: 16 U.S.C., sec. 703, Supp. I, 1989) is part of a coordinated effort between the United States, Canada, Mexico, Japan, and Russia to help protect migratory birds in this part of the world. It prohibits killing, taking, selling, possessing, or trading in migratory birds, except in accordance with regulations prescribed by the Secretary of the Interior. This act encompasses whole birds, parts of birds, and bird nests and eggs.

State Fish and Game Code

Birds of prey, such as owls and hawks, are protected in California under provisions of the State Fish and Game Code, Section 3503.5 (1992), which states that it is “unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.” Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered “taking” by the California Department of Fish and Wildlife.

City of Hayward Tree Preservation Ordinance

The City’s Municipal Code Chapter 10, Article 15 Tree Preservation Ordinance establishes conditions and regulations for the removal and replacement of existing trees and the installation of new trees in new construction and development. A Protected Tree is defined as (1) any tree with a single stem of eight inches in diameter or greater when measured at 54 inches above natural grade; (2) a multi-stemmed tree with cumulative diameters of the three largest stems equal to eight inches or greater; (3) any street tree; or (4) any of several native species with a diameter of four inches or greater.

The Ordinance states that “no person shall remove, destroy, perform cutting of branches over one inch in diameter, or disfigure or cause to be removed or destroyed or disfigured any Protected Tree without having first obtained a permit to do so.” All removed or disfigured trees shall also require replacement with like-size, like-kind trees or an equal value tree or trees as determined by the City's Landscape Architect. If a replacement tree is unavailable in like size or kind, the value of the original Protected Tree shall be determined using the latest edition of “Guide for Plant Appraisal” by the International Society of Arboriculture. The valuation shall be used to determine the number and size of replacement trees required.
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. These replacement trees shall not be counted as part of the required trees to meet zoning standards for the original site.

4.4.3 Impact Discussion

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 CDFW or USFWS?

The project site is located in an urban area surrounded by commercial and residential development. The project site is developed with several buildings, pavement, and landscaping. No sensitive habitats or habitats suitable for special-status plants or wildlife species occur within or adjacent to the project site. The project would not directly result in impacts to special-status species.

The mature trees on and adjacent to the project site could provide nesting habitat for birds, including migratory birds and raptors. Nesting birds are among the species protected under provisions of the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5, and 2800.

Construction of the project during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes abandonment and/or loss of reproductive effort is considered a taking by the CDFW. Any loss of fertile eggs, nesting raptors, or any activities resulting in nest abandonment would constitute an impact. Construction activities such as tree removal and site grading that disturb a nesting bird or raptor on-site or immediately adjacent to the construction zone would also constitute an impact.

Impact BIO – 1: The project may disturb nesting birds on and adjacent to the site during construction. (Significant Impact)

Mitigation Measures: The project will be required to implement the following mitigation measures to reduce impacts to raptors and migratory birds to a less than significant level:

MM BIO – 1.1: In order to protect nesting birds on and adjacent to the project site the following measures will be implemented:

- Pre-construction nesting bird surveys shall be completed prior to tree removal if removal or construction is proposed to commence during the breeding season (February 1 to August 31) in order to avoid impacts to nesting birds. Surveys shall be completed by a qualified biologist no more than seven (7) days before construction begins. During this survey, the biologist or ornithologist shall inspect all trees and other possible nesting habitats in and within 250 feet of the project boundary.
• If an active nest is found in an area that would be disturbed by construction, the ornithologist shall designate an adequate buffer zone (~250 feet) to be established around the nest, in consultation with the California Department of Fish and Wildlife (CDFW). The buffer would ensure that nests shall not be disturbed until the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts.

• The applicant shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the Director of Development Services, prior to the issuance of a grading permit or demolition permit.

With the implementation of MM BIO – 1.1, the proposed project would have a less than significant impact on raptors and migratory birds. (Less Than Significant Impact With Mitigation)

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 CDFW or USFWS?

The project site is entirely developed with urban uses and does not contain any riparian habitats or other sensitive natural communities. (No Impact)

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?

The project site is entirely developed and devoid of wetlands, marshes, or vernal pools. The project would not impact any federally protected wetlands under the Clean Water Act. (No Impact)

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?

The project site is located in a developed urban area and does not support any watercourse, river, or provide substantial habitat that facilitates the movement of any native resident or migratory fish or wildlife species, other than birds which are discussed in Section 4.4.3(a) above. The project site is fully developed and contains limited potential to serve as a migratory corridor for wildlife. (No Impact)

e) 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 Hortscience, Inc. in February 2016 (refer to Appendix B). Of the 32 trees on or immediately adjacent to the site, 31 are protected under the City of Hayward Tree Preservation Ordinance. 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.\textsuperscript{4} Construction of the proposed project would require the removal of 14 trees on-site, 13 of which are protected trees. The remaining 11 street trees and seven off-site trees would be preserved.

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 – 2:** Development of the proposed project would result in significant impacts to protected trees. \textbf{(Significant Impact)}

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

**MM BIO – 2.1:** 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.

**MM BIO – 2.2:** The project applicant shall implement all tree protection measures recommended in the Arborist Report prepared for the project, which include the following:

- Tree Avoidance. The project plan shall avoid as many protected trees as feasible. The project plan shall incorporate placement of Tree Protection Fencing (TPF) outside the drip line of avoided trees. If TPF cannot be installed outside of the drip line, the tree may be trimmed to allow operation of construction equipment

\textsuperscript{4} 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.
near protected trees (see trimming guidelines below). The location of the TPF should be shown on project plans.

- **Excavation.** Within the dripline of retained trees, digging shall be done with low impact machinery and hand tools. If the roots of retained trees become exposed during construction and need to be removed to allow construction to proceed, these roots must be cut cleanly with a sharp saw blade. Tree roots shall not be pulled or torn.

- **Tree Protection Fencing.** Prior to the start of construction, TPF shall be installed around all project trees that will be retained. The TPF should be maintained during the construction process to prevent direct damage to trees and their growing environment. The TPF shall consist of high density polyethylene fencing with 3.5 inch by 1.5 inch openings (orange warning barrier fence) supported by metal “T-post” fence posts. Where space allows, the TPF should be placed at a distance that is at or outside of the drip lines of retained trees.

- **Use of Heavy Equipment.** Heavy machinery shall not be staged or operated within the drip line of retained trees.

- **Incidental Damage to Retained Trees.** The attachment of wires, signs, and ropes to any retained tree shall be prohibited. Injury to trees must be avoided.

- **Trimming.** The pruning of retained trees shall comply with the guidelines established by the International Society of Arboriculture; BMP; tree pruning and any special conditions as determined by a certified arborist.

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. *(Less Than Significant With Mitigation)*

**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?**

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. *(No Impact)*
4.4.4 Conclusion

The proposed project, with the implementation of the MM BIO – 1.1, MM BIO – 2.1, and MM BIO – 2.2, would have a less than significant impact on biological resources. (Less Than Significant Impact With Mitigation)
4.5  CULTURAL RESOURCES

The following discussion is based in part on a Cultural Resources Assessment prepared by *Basin Research Associates* in February 2017. A copy of this report is included as Appendix C of this Initial Study.

### 4.5.1 Environmental Checklist

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Checklist Source(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5?</td>
<td>![Blank]</td>
<td>![Blank]</td>
<td>![Checkmark]</td>
<td>![Blank]</td>
<td>1,9</td>
</tr>
<tr>
<td>b) Cause a substantial adverse change in the significance of an archaeological resource as defined in CEQA Guidelines Section 15064.5?</td>
<td>![Blank]</td>
<td>![Checkmark]</td>
<td>![Blank]</td>
<td>![Blank]</td>
<td>1,9</td>
</tr>
<tr>
<td>c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?</td>
<td>![Blank]</td>
<td>![Checkmark]</td>
<td>![Blank]</td>
<td>![Blank]</td>
<td>1,9</td>
</tr>
<tr>
<td>d) Disturb any human remains, including those interred outside of dedicated cemeteries?</td>
<td>![Blank]</td>
<td>![Checkmark]</td>
<td>![Blank]</td>
<td>![Blank]</td>
<td>1</td>
</tr>
<tr>
<td>e) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</td>
<td>![Blank]</td>
<td>![Checkmark]</td>
<td>![Blank]</td>
<td>![Blank]</td>
<td>1,9</td>
</tr>
<tr>
<td>1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or</td>
<td>![Blank]</td>
<td>![Blank]</td>
<td>![Blank]</td>
<td>![Checkmark]</td>
<td>1,9</td>
</tr>
<tr>
<td>2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying this criteria, the significance of the resource to a California Native American tribe shall be considered.</td>
<td>![Blank]</td>
<td>![Blank]</td>
<td>![Blank]</td>
<td>![Checkmark]</td>
<td>1,9</td>
</tr>
</tbody>
</table>
4.5.2 **Setting**

Cultural resources are evidence of past human occupation and activity and include both historical and archaeological resources. These resources may be located above ground or underground and have significance in the history, prehistory, architecture, or culture of the nation, State of California, or local or tribal communities.

Paleontological resources are fossils, the remains or traces of prehistoric life preserved in the geologic record. They range from the well-known and well publicized (such as mammoth and dinosaur bones) to scientifically important fossils.

The shopping center (previously known as Haymont Shopping Center) was typical for a 1950’s building in the Hayward area. The shopping center does not have significant associations with local themes or cultural patterns of significant, and therefore is not eligible for the California Register of Historical Resources (CRHR) or listed on the City of Hayward List of Officially Designated Architecturally and Historically Significant Buildings.

The floral shop north of the shopping center dates from 1976, and is less than 50 years old. The building retains historic integrity as it has no major alterations. However, this small simple building does not meet the criteria of “exceptional” or higher level of significance for resources less than 50 years old under CRHR criteria.

The original Texaco gas station (currently a stereo store) retains a low level of historic integrity. The original gas pumps and service bay were removed when the building was remodeled for retail use (1970s). Even if the gas station retained a higher level of historic integrity, it is not associated with significant cultural pattern or persons and it is not architecturally distinguished. Therefore, the building is not significant under CRHR criteria.

**4.5.2.1 Prehistoric Context and Resources**

The proposed project is located on the west side of Mission Boulevard, south of Harder Road and channelized Ziele Creek in the City of Hayward. Native American occupation of the area extended over 5,000 to 7,000 years and possibly longer. Springs and water courses were often a focus of prehistoric occupation in central California with Native American groups exploiting a variety of ecological resources associated with flowing and seasonal water. The project site is located within the vicinity of a number of creeks and their intermittent tributaries. The various sources of water would have provided a favorable environment during the prehistoric period with riparian and inland resources readily available and the bayshore in relatively close proximity.

Native American site types in the general Hayward area consist of habitation sites (e.g., villages and long-term camps including burials, temporary camps), non-habitation sites (e.g., workshops, hunting and butchering sites, etc.), bedrock mortars or other milling feature sites, rock art sites (e.g., petroglyph and pictographs), quarries, burial sites (including isolated burials), and trails.

The aboriginal inhabitants of southern Alameda County belonged to a Native American group known as the “Costanoan,” derived from the Spanish word Costanos (“coast people” or “coastal dwellers”) who occupied the central California coast as far east as the Diablo Range. The descendants of these Native Americans now prefer to be called Ohlone.
The project area is within the territory of the Chochenyo tribelet of the Ohlone. Historic accounts of the distribution of the tribelets and villages in the 1770s-1790s suggest that the Native Americans may have had a major village site along San Lorenzo Creek approximately four miles to the west as well as temporary camps in its vicinity. A major aboriginal trail passed through the City of Hayward, but no known Native American villages or trails have been identified in, adjacent or within the vicinity of the proposed project site.

**Archaeological Records**

In October 2016, a record search for prior archaeological studies was conducted at the Northwest Information Center, California Historical Resources Information System, at Sonoma State University. The records search noted no recorded archaeological resource sites within or adjacent to the project site.

The project site is located within an area designated as containing moderate sensitivity for archaeological resources. This determination was based on a review of recorded archaeological resources in Alameda County in the 1970's and has not been updated.

**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.

**4.5.2.2 Historic Resources**

The period of initial historic exploration of the project area started in 1769. Between 1769 and 1776, a number of Spanish expeditions went through Ohlone territory, including those led by Portola, Fages, Fages and Crespi, Anza, Rivera, and Moraga. Even though the routes of the early explorers cannot be determined with total accuracy, a number are known to have traveled near the project area. San Lorenzo Creek was viewed by Father Juan Crespi during the Pedro Fages expedition in 1772 and later in 1775/1776 by Father Pedro Font of the Juan Bautista de Anza expedition. The 1776 Juan Bautista de Anza National Historic Trail places the historic route along the foothills and would have proceeded through present-day Hayward.
Neither the project site nor adjacent properties are listed on the National Register of Historic Places, the California Inventory of Historic Resources, or the Office of Historic Preservation’s Directory of Properties in the Historic Property data file for Alameda County.

**Hispanic Era**

During the Spanish Period, the project was within the lands of Mission San Jose, established in 1797, the 14th of the 21 missions founded in California. This mission, located in the southeast area of present-day Fremont, had jurisdiction over southern Alameda County. As one of seven missions in Ohlone territory, Mission San Jose had the greatest impact on the aboriginal population living in the project area. Settlement was concentrated around the Vallejo Mills (present day Niles in the City of Fremont) as well as Mission San Jose.

**American Era**

In the mid-19th century, most of the rancho and pueblo lands in California were subdivided as the result of population growth and the American takeover. The initial explosion in population was associated with the Gold Rush (1848), followed later by the construction of the transcontinental railroad (1869). The growth of the general project area was dependent on transportation — first by water and roads and later, by rail and then by air.

The modern City of Hayward had its origins in the 1850s, during the Gold Rush, when squatters and settlers began to appear in the area. The City lay within the boundaries of Rancho San Lorenzo, a 17,000-acre estate granted in 1821 to the Mexican colonist Guillermo Castro. William Hayward occupied a tent in 1851 in Palomares Canyon. In 1854, Castro had a map surveyed for a town covering 28 blocks in the vicinity of his adobe and began selling land to settlers.

**4.5.2.3 Paleontological Resources**

As noted above, paleontological resources are the fossilized remains of organisms from prehistoric environments ground in geologic strata. Most of the city of Hayward is located on Quaternary sedimentary deposits which are from the most recent geologic periods (i.e., Holocene, Pleistocene) dating back to 1.6 million years ago. Some of eastern Hayward is located on Mesozoic sedimentary rocks from the Mesozoic period dating back to 245 million years ago, when dinosaurs roamed the earth. Both types of geologic rocks may contain fossils of flora and fauna, particularly marine species.

A search of the University of California Museum of Paleontology, University of California, Berkeley Database identified 1,563 paleontological resources in Alameda County. Five of these resources were discovered within the City of Hayward, including four mammalian fossils (e.g., bison, prehistoric horse) and one gastropod fossil (i.e., marine snail) from the Quaternary period. The Bison fossil was discovered near Interstate 880 (I-880), the two prehistoric horse fossils were discovered in the Hayward gravel pit, the marine snail was discovered at Hayward Landing, and an additional unidentified mammalian fossil was discovered near the Hayward Motel.5

---

4.5.3 **Impacts Discussion**

**a) Cause a substantial adverse change in the significance of an historical resource?**

The project proposes to demolish the existing circa 1951 strip commercial center and associated structures on the project site, subdivide the lot into eight residential lots and six non-buildable parcels, and construct seven three-story buildings comprised of 35 townhomes and a four-story 39-unit apartment building. According to a Cultural Resources Assessment prepared by Basin Research Associates in October 2016, the historic integrity of the shopping center has been compromised because of extensive alterations to the original storefront windows and doors.

The shopping center, floral shop, and the former Texaco gas station on-site are not eligible for the CRHR because they lack historic integrity and are not contributing resources to a CRHR eligible historic district. Additionally, there are no historic adjacent properties that could be impacted by the project. Therefore, the project would not result in an impact to an historic resource. **(Less Than Significant Impact)**

**b – d) Cause a substantial adverse change in the significance of an archaeological resource?**

Would the project disturb any human remains, including those interred outside of formal cemeteries? Would the project directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?

An Archaeological Literature Review was completed for the site as part of the Cultural Resources Assessment. 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:** Construction of the proposed project could result in significant impacts to unknown archaeological resources, unique paleontological resources/sites, unique geologic features, or human remains, if present on-site. **(Significant Impact)**

**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 – 1.1:** Unique Paleontological and/or Geologic Features and Reporting. Should a unique paleontological resource or site or unique geological feature be identified at the project site during any phase of construction, all ground disturbing activities within 25 feet shall cease and the City Planning Manager notified immediately. A qualified paleontologist shall evaluate the find and prescribe mitigation
measures to reduce impacts to a less than significant level. The identified mitigation measures shall be implemented. Work may proceed on other parts of the project site while mitigation for paleontological resources or geologic features is carried out. Upon completion of the paleontological assessment, a report shall be submitted to the City and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology.

**MM CUL – 1.2:** *Undiscovered Archaeological Resources.* If evidence of an archaeological site or other suspected cultural resource as defined by CEQA Guideline Section 15064.5, including darkened soil representing past human activity (“midden”), that could conceal material remains (e.g., worked stone, worked bone, fired clay vessels, faunal bone, hearths, storage pits, or burials) is discovered during construction related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted and the City Planning Manager shall be notified. The project sponsor shall hire a qualified archaeologist to conduct a field investigation. The City Planning Manager shall consult with the archaeologist to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less-than-significant level through data recovery or other methods determined adequate by a qualified archaeologist and that are consistent with the Secretary of the Interior’s Standards for Archaeological documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-J) form and filed with the NWIC.

**MM CUL – 1.3:** *Report of Archaeological Resources.* If archaeological resources are identified, a final report summarizing the discovery of cultural materials shall be submitted to the City’s Planning Manager prior to issuance of building permits. This report shall contain a description of the mitigation program that was implemented and its results, including a description of the monitoring and testing program, a list of the resources found and conclusion, and a description of the disposition/curation of the resources.

**MM CUL – 1.4:** *Human Remains.* If human remains are discovered at any project construction site during any phase of construction, all ground-disturbing activity within 100 feet of the resources shall be halted and the City Planning Manager and the Alameda County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California’s Health and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the
remains. The project sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City of Hayward shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project sponsor shall implement approved mitigation, to be verified by the City of Hayward, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.

With the implementation of the above mitigation measures, impacts to archaeological resources would be less than significant. (Less Than Significant With Mitigation)

e) **Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: (1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or (2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.**

No tribes have requested notice under AB 52 of projects within the geographic area encompassing the project site. No known tribal cultural resources are located at the project site. For these reasons, the project would result in no impact to tribal cultural resources. (No Impact)

### 4.5.4 Conclusion

Construction of the proposed development, with the implementation of mitigation measures CUL – 1.1 to CUL – 1.4, would not result in a significant impact to buried cultural resources. (Less Than Significant Impact With Mitigation)

The project would not result in a significant impact to historic architectural resources, or to tribal cultural resources. (Less Than Significant Impact)
4.6 GEOLOGY AND SOILS

The following discussion is based on a Geotechnical Investigation prepared by Stevens, Ferrone & Bailey in March 2016. A copy of this report is included as Appendix D of this Initial Study.

4.6.1 Checklist and Discussion of Impacts

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Checklist Source(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>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.)?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>1,2,10</td>
</tr>
<tr>
<td>2. Strong seismic ground shaking?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,2,10</td>
</tr>
<tr>
<td>3. Seismic-related ground failure, including liquefaction?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,2,10</td>
</tr>
<tr>
<td>4. Landslides?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,2,10</td>
</tr>
<tr>
<td>b) Result in substantial soil erosion or the loss of topsoil?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,2,10</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,2,10</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,2,10</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,2,10</td>
</tr>
</tbody>
</table>

4.6.2 Existing Setting

4.6.2.1 Regional Geology

The City of Hayward is located within the Coast Ranges geologic province of California, which is dominated by a series of northwest-trending ridges and valleys. Bedrock in the province has been folded and faulted during regional uplift beginning in the Pliocene, roughly four million years before
Regional geologic mapping indicates that the site is underlain by an unnamed sandstone, conglomerate, and shale formation of the late Cretaceous period.

4.6.2.2 On-Site Geologic Conditions

Soil and Groundwater

The project site ranges in elevation from 80 to 87 feet above mean sea level (msl). The near-surface soil materials present on-site consist of stiff to hard clays that extend to depths of about 31.5 feet below ground surface (bgs). The clayey soils have medium to high plasticity and moderate to high expansion potential.

The geotechnical investigation also encountered clayey fills at surface that extended to depths of up to about seven feet. In addition, clayey and sandy underground storage tank (UST) backfills that extended to a depth of about 11 feet were encountered. The fills and UST backfills may be heterogeneous, and potentially weak and compressible; it is unknown whether they were placed and compacted in accordance with acceptable engineering standards.

Groundwater was not encountered during the geotechnical investigation. Groundwater tables were measured in on-site monitoring wells at depths of about 52 to 55 feet. Fluctuations in groundwater levels may occur seasonally and over a period of years due to variations in precipitation, temperature, irrigation, and other factors.

Expansive Soils

Expansive soils are susceptible to shrink and swell resulting from variations in moisture content. Expansive soils and bedrock may cause heaving and cracking of slabs-on-grade, pavements and foundations.

The expansive nature of the near-surface native soils is of geotechnical concern in this region. The clayey soil at the site is considered moderately expansive.

Seismicity and Seismic Hazards

The San Francisco Bay Area is one of the most seismically active regions in the United States. The significant earthquakes that occur in the Bay Area are generally associated with the crustal movements along well-defined active fault zones of the San Andreas Fault system, which regionally trend in the northwesterly direction.

The site is not located within a designated Alquist-Priolo Earthquake Fault Zone or a City of Hayward Fault Hazard Zone. Nearby active or potentially active faults include the Hayward Fault located approximately 600 feet east of the project site, the Calaveras Fault located approximately 7.8 miles east of the project site, and the San Andreas Fault is located approximately 25.1 miles west of the project site. Because of the proximity to the site to the nearby active or potentially active faults, ground shaking, ground failure, or liquefaction due to an earthquake could cause damage to structures.
**Liquefaction**

Liquefaction is the result of seismic activity and is characterized as the transformation of loosely water-saturated soils from a solid state to a liquid state after ground shaking. There are many variables that contribute to liquefaction, including the age of the soil, soil type, soil cohesion, soil density, and groundwater level.

The project site contains clayey soils with medium to high plasticity. Since the project site is not located in a Liquefaction Seismic Hazard Zone and due to the lack of liquefiable soils and relatively deep groundwater on-site, the potential for liquefaction triggering is low.

**Seismically-Induced Differential Settlements**

If near-surface soils vary in composition both vertically and laterally, strong earthquake shaking can cause non-uniform densification of loose to medium dense cohesionless soil layers. This results in movement of the near surface soils.

As described previously, the geotechnical investigation encountered clayey fills at surface that extended to depths of up to about seven feet. In addition, clayey and sandy underground storage tank (UST) backfills that extended to a depth of about 11 feet were encountered. The fills and UST backfills may be weak and compressible as it is not known whether they were placed and compacted in accordance with acceptable engineering standards.

The removal of the existing structures and improvements at the site will likely result in loosening of the surface soils in the upper two to three feet. Therefore, there is potential for damaging structures on-site due to seismically-induced differential settlement.

**Lateral Spreading**

Lateral spreading typically occurs as a form of horizontal displacement of relatively flat-lying alluvial material towards an open or “free” face such as an open body of water, channel, or excavation. In soils, this movement is generally due to failure along a weak plane and may often be associated with liquefaction.

There is no potential for lateral spreading due to the lack of open-face water channels on-site.

**Landslides**

The site is not located within an area zoned by the State of California as having potential for seismically induced landslide hazards nor is it located within an Alameda County Hazard Zone. For these reasons, the probability of landsliding occurring at the site during a seismic event is low.
4.6.3 **Impact Discussion**

*a, c* Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i) rupture of a known earthquake fault, ii) strong seismic ground shaking, iii) seismic-related ground failure, or iv) landslides? 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?

**Seismic Shaking and Liquefaction**

While the likelihood of fault rupture at the project site is low, the project site is located in a seismically active region and strong ground shaking would likely occur at the project site during seismic activity throughout the life of the project. The Hayward Fault is located approximately 600 feet east of the property.

The project would conform to the standard engineering and building practices and techniques specified in the California Building Code (CBC). The proposed buildings would be designed and constructed in accordance with the recommendations of a geotechnical report prepared for the site (refer to Appendix D), which identifies the specific design features related to geologic and seismic conditions. The buildings would meet the requirements of appropriate Building and Fire Codes, as adopted by the City of Hayward.

The project, in conformance to applicable regulations and with the implementation of the recommendations in the geotechnical report, would not result in significant impacts from seismicity and seismic-related hazards including ground shaking and liquefaction. *(Less Than Significant Impact)*

**Landslides**

The site and surrounding areas are generally level. Therefore, the hazard due to landsliding is very low for the site. *(Less Than Significant Impact)*

*b, d* Result in substantial soil erosion or the loss of topsoil? 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?

**Soil Impacts**

The more clayey, moderately to highly expansive surface soil materials will be subjected to volume changes during seasonal fluctuations in moisture content. To reduce the potential for post-construction distress to the proposed structures resulting from swelling and shrinkage of these materials, the proposed residences should be supported on a post-tensioned slab foundation system that is designed to reduce the effects of expansive soils on the site.

The clayey and sandy underground storage tank (UST) backfills may be heterogeneous and potentially weak and compressible as it is not known whether they were placed and compacted in accordance with acceptable engineering standards. Therefore, as conditioned
by the project upon project approval, weak fills and soils would be completely removed and re-compacted to support the proposed residential development.

In conformance with standard practices in the City of Hayward, the proposed buildings shall be designed and constructed in accordance with a final design-level geotechnical investigation to be completed for the project by a qualified professional and submitted to the Department of Community and Economic Development. The final design-level geotechnical investigation shall identify requirement for the placement of fill on the project site and building foundations.

Due to the relatively flat topography of the site and surrounding area, the project would not result in substantial erosion, or loss of topsoil. (Less Than Significant Impact)

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?

The project would connect to the municipal wastewater conveyance and treatment system, and does not propose the use of septic tanks or alternative wastewater disposal systems. Therefore, there would be no impact. (No Impact)

4.6.4 Conclusion

The proposed project would not result in significant geology and soil impacts. (Less Than Significant With Mitigation)
4.7 **GREENHOUSE GAS EMISSIONS**

The following discussion is based on a Greenhouse Gas Emissions Analysis prepared by *Illingworth & Rodkin, Inc.* in April 2017. A copy of this report is attached as Appendix A of this Initial Study.

4.7.1 **Checklist and Discussion of Impacts**

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Checklist Source(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
<td>1,7</td>
</tr>
<tr>
<td>b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
<td>1,2,7</td>
</tr>
</tbody>
</table>

4.7.2 **Existing Setting**

The project site is developed with a strip commercial center. Commercial development typically results in greenhouse gas (GHG) emissions due to vehicle use, building heating and cooling, water use, and property maintenance activities.

4.7.2.1 **Background**

Unlike emissions of criteria and toxic air pollutants, which are discussed in *Section 4.3* and have local or regional impacts, emissions of greenhouse gases (GHGs) have a broader, global impact. Global warming associated with the “greenhouse effect” is a process whereby GHGs accumulating in the atmosphere contribute to an increase in the temperature of the earth’s atmosphere over time. The principal GHGs contributing to global warming and associated climate change are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and fluorinated compounds. Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the transportation, industrial/manufacturing, utility, residential, commercial, and agricultural sectors. The Bay Area Air Quality Management District’s (BAAQMD) approach to developing a Threshold of Significance for GHG emissions is to identify the emissions level for which a project would not be expected to substantially conflict with existing California legislation adopted to reduce statewide GHG emissions needed to move us towards climate stabilization. If a project would generate GHG emissions above the threshold level, it would contribute substantially to a cumulative impact, and would be significant.

The Thresholds of Significance for operational-related GHG emissions are as follows:

- For land use development projects, the threshold is compliance with a qualified GHG reduction Strategy; or annual emissions less than 1,100 metric tons per year (MT/yr) of CO₂e; or 4.6 MT CO₂e/SP/yr (residents + employees). Land use development projects include residential, commercial, industrial, and public land uses and facilities.
• For stationary-source projects, the threshold is 10,000 metric tons per year (MT/yr) of CO₂e. Stationary source projects include land uses that would accommodate processes and equipment that emit GHG emissions and would require an Air District permit to operate. If annual emissions of operational-related GHGs exceed these levels, the proposed project would result in a cumulatively considerable contribution of GHG emissions and a cumulatively significant impact to global climate change.

BAAQMD has established project level screening criteria to assist in the evaluation of impacts. If a project meets the screening criteria and is consistent with the methodology used to develop the screening criteria, then the project’s GHG impacts would be considered less than significant. For multi-family development, BAAQMD CEQA Air Quality Guidelines set a screening threshold of 78 dwelling units. The residential (74 units) and commercial (up to 1,500 square feet of commercial space) combination of uses would, in conjunction, exceed BAAQMD’s operational greenhouse gas screening level threshold.

4.7.2.2 Applicable Plans, Policies, and Regulations

State of California

Assembly Bill 32 and Executive Order S-3-05

Assembly Bill 32 (AB 32), also known as the Global Warming Solutions Act, was passed in 2006 and established a goal to reduce GHG emissions to 1990 levels by 2020. Prior to the adoption of AB 32, the Governor of California also signed Executive Order S-3-05 into law, which set a long term objective to reduce GHG emissions to 90 percent below 1990 levels by 2050. The CalEPA is the state agency in charge of coordinating the GHG emissions reduction effort and establishing targets along the way.

In December 2008, the California Air Resources Control Board (CARB) approved the Climate Change Scoping Plan, which proposes a comprehensive set of actions designed to reduce California’s dependence on oil, diversify energy sources, save energy, and enhance public health, among other goals. Per AB 32, the Climate Change Scoping Plan, must be updated every five years to evaluate the mix of AB 32 policies to ensure that California is on track to achieve the 2020 GHG reduction goal.

Senate Bill 32 and Assembly Bill 197

SB 32 and AB 197 were signed into law in September 2016. SB 32 legislation amends provisions of AB 32, the California Global Warming Solutions Act of 2006 (Health and Safety Code Division 25.5), to require CARB to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by December 31, 2030. This legislation incorporates the Executive Order B-30-15 target discussed above into state law. Changes to the California Health and Safety Code under the companion AB 197 legislation call for each scoping plan update to identify emissions reduction measures and include the range of projected GHG emissions reductions as well as the range of projected air pollution reductions that result from the emission reduction measures.

The mid-term target established under SB 32 is considered critical by the state to help frame the suite of policy measures, regulations, planning efforts, and investments in clean technologies and
infrastructure needed to continue reducing GHG emissions. CARB is charged with adopting rules and regulations to achieve the maximum technologically feasible and cost-effective GHG emissions reductions to meet the new interim statewide GHG target. The framework for GHG emissions reductions will be provided through an update to the current Climate Change Scoping Plan. The draft 2030 Target Scoping Plan was released for public comment in January 2017 and adoption is scheduled for consideration by CARB in June 2017.⁶

**Senate Bill 375**

Senate Bill 375 (SB 375), known as the Sustainable Communities Strategy and Climate Protection Act, was signed into law in September 2008. SB 375 builds on AB 32 by requiring CARB to develop regional GHG reduction targets to be achieved from the automobile and light truck sectors for 2020 and 2035 in comparison to 2005 emissions. The per capita reduction targets for passenger vehicles in the San Francisco Bay Area include a seven percent reduction by 2020 and a 15 percent reduction by 2035. The four major requirements of SB 375 are:

1. Metropolitan Planning Organizations (MPOs) must meet greenhouse gas emission reduction targets for automobiles and light trucks through land use and transportation strategies.
2. MPOs must create a Sustainable Communities Strategy (SCS), to provide an integrated land use/transportation plan for meeting regional targets, consistent with the Regional Transportation Plan (RTP).
3. Regional housing elements and transportation plans must be synchronized on eight-year schedules, with Regional Housing Needs Assessment (RHNA) allocation numbers conforming to the SCS.
4. MPOs must use transportation and air emissions modeling techniques consistent with guidelines prepared by the California Transportation Commission (CTC).

MTC and ABAG adopted Plan Bay Area in July 2013 in response to SB 375. The strategies in the plan are intended to promote compact, mixed-use development close to public transit, jobs, schools, shopping, parks, recreation, and other amenities, particularly within Priority Development Areas (PDAs) identified by local jurisdictions. The project site is located within a PDA.

**Regional and Local**

**Bay Area 2017 Clean Air Plan**

On April 19, 2017, the BAAQMD Board of Directors adopted a new air quality plan, called the 2017 Clean Air Plan, Spare the Air, Cool the Climate (2017 CAP). This plan updates the previous Bay Area 2010 Clean Air Plan and focuses on two closely-related goals: protecting public health and protecting the climate. To protect the climate, the plan defines a vision for transitioning the region to a post-carbon economy needed to achieve ambitious greenhouse gas reduction targets for 2030 and 2050, and provides a regional climate protection strategy that will put the Bay Area on a pathway to achieve those GHG reduction targets.

---

The 2017 CAP includes a wide range of control measures designed to decrease emissions of methane and other “super-GHGs” that are potent climate pollutants in the near-term; and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

City of Hayward

General Plan

The Natural Resources Element of the City’s General Plan contains policies, recommendations, and actions to promote energy conservation. Through energy conservation, GHG emissions are reduced. All future development allowed by the project would be subject to conformance with applicable General Plan policies, including the policies listed below.

<table>
<thead>
<tr>
<th>Policies</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy NR-2.4</td>
<td>The City shall work with the community to reduce community-based GHG emissions by 20 percent below 2005 baseline levels by 2020, and strive to reduce community emissions by 61.7 percent and 82.5 percent by 2040 and 2050, respectively.</td>
</tr>
<tr>
<td>Policy NR-2.5</td>
<td>The City shall reduce municipal greenhouse gas emissions by 20 percent below 2005 baseline level by 2020, and strive to reduce municipal emissions by 61.7 percent and 82.5 percent by 2040 and 2050, respectively.</td>
</tr>
<tr>
<td>Policy NR-2.6</td>
<td>The City shall reduce potential greenhouse gas emissions by discouraging new development that is primarily dependent on the private automobile; promoting infill development and/or new development that is compact, mixed use, pedestrian friendly, and transit oriented; promoting energy-efficient building design and site planning; and improving the regional jobs/housing balance ratio.</td>
</tr>
<tr>
<td>Policy NR-2.7</td>
<td>The City shall coordinate with the Bay Area Air Quality Management District to ensure projects incorporate feasible mitigation measures to reduce greenhouse gas emissions and air pollution if not already provided for through project design.</td>
</tr>
</tbody>
</table>

City of Hayward Climate Action Plan

Hayward’s Climate Action Plan (CAP) was adopted by the City Council on July 28, 2009 and then incorporated into the City’s General Plan in 2014. The 2009 CAP was designed to reduce communitywide emissions 12.5 percent below 2005 levels by the year 2020, and to set the City on a course to achieve a long-term emission reduction goal of 82.5 percent below 2005 levels by the year 2050.

4.7.3 Impacts Evaluation

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

As recommended by the BAAQMD, the CalEEMod model was used to predict GHG emissions from project construction and operation. The project was assumed to be fully operational by 2020, and therefore AB 32 2020 thresholds apply. Traffic trip rates were used in the modeling. The project includes neighborhood commercial space which for the purposes of this analysis was assumed to be a coffee shop. Based on the existing distribution of coffee shops in Hayward and assumed service area, GHG modeling for the project assumed a 2.31-mile round trip for visitors to the proposed commercial space on-site.
Adjustments were made to the modeling to account for features that would be required for the project, such as electric vehicle charging stations/parking, drought tolerant landscaping, high efficiency lighting, waste minimizations through city and countywide waste diversion, and use of energy efficient appliances. Additional details regarding the model and assumptions are included in Appendix A of this Initial Study.

**Construction Emissions**

Construction phases included demolition, site preparation, site grading, trenching, some paving, building construction, and application of architectural coatings. Annual CO₂ emissions associated with construction would occur in 2018 and 2019. Under this scenario, construction of the project would emit 138 metric tons (MT) of CO₂e. Neither the City of Hayward nor BAAQMD have quantified thresholds for construction activities. However, the annual emissions would be below the annual project emission significance threshold of 1,100 metric tons per year considered by BAAQMD.

**Operational Emissions**

Project operation would generate GHGs primarily through electricity generation/use and generation of vehicle trips. At full buildout and occupancy, operational GHG emissions from the project are estimated to be 1,077 MT of CO₂e per year, but would replace existing uses modeled to produce 185 MT of CO₂e per year. Therefore, the net increase in GHG emissions from project operation would be 892 MT of CO₂e per year, which is below the BAAQMD threshold of 1,100 MT per year of CO₂e. **(Less Than Significant Impact)**

b)  *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 and would be constructed in accordance with CalGreen (Part 11 of Title 24 of the California Code of Regulations) requirements for Residential Development.

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 (CAP) 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.⁷ As part of the evaluation of the project’s consistency with the CAP, the project’s incorporation of applicable strategies and measures from the plan as binding and enforceable components of the project. The proposed project shows consistency with the Climate Action Plan forecasts by implementing the following measures shown in Table 4.7-1.

---

### Table 4.7-1
City of Hayward GHG Reduction Strategies

<table>
<thead>
<tr>
<th>Applicable Policy or Implementing Program</th>
<th>Goal/Policy/Implementation Program</th>
<th>Project Applicability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy NR-2.10 Zero-Emission and Low-Emission Vehicle Use</td>
<td>The City shall encourage the use of zero-emission vehicles, low-emission vehicles, bicycles and other non-motorized vehicles, and car-sharing programs by requiring sufficient and convenient infrastructure and parking facilities throughout the City.</td>
<td>The project would provide parking spaces with electric charging stations, bicycle parking and pedestrian access.</td>
</tr>
<tr>
<td>Policy NR-4.1 Energy Efficiency Measures</td>
<td>The City shall promote the efficient use of energy in the design, construction, maintenance, and operation of public and private facilities, infrastructure, and equipment.</td>
<td>The City Green Building Ordinance for Private Development would apply.</td>
</tr>
<tr>
<td>Policy NR-4.11 Green Building Standards</td>
<td>The City shall require newly constructed or renovated public and private buildings and structures to meet energy efficiency design and operations standards with the intent of meeting or exceeding the State’s zero net energy goals by 2020.</td>
<td>The City Green Building Ordinance for Private Development would apply. The project would be subject to local and state building codes that regulate energy efficiency.</td>
</tr>
<tr>
<td>Policy NR-6.9 Water Conservation</td>
<td>The City shall require water customers to actively conserve water year-round, and especially during drought years.</td>
<td>The project would utilize drought tolerant landscaping and efficient drip irrigation systems.</td>
</tr>
<tr>
<td>Policy M-1.6 Bicycling, Walking, and Transit Amenities</td>
<td>The City shall encourage the development of facilities and services, (e.g., secure term bicycle parking, street lights, street furniture and trees, transit stop benches and shelters, and street sweeping of bike lanes) that enable bicycling, walking, and transit use to become more widely used modes of transportation and recreation.</td>
<td>The project would include bicycle and pedestrian amenities to encourage these modes of transportation including bicycle storage in the apartment garage.</td>
</tr>
</tbody>
</table>

---

⁷ “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.
<table>
<thead>
<tr>
<th>Applicable Policy or Implementing Program</th>
<th>Goal/Policy/Implementation Program</th>
<th>Project Applicability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goal M-5 Pedestrian Facilities</td>
<td>Provide a universally accessible, safe, convenient, and integrated pedestrian system that promotes walking.</td>
<td>The project would include bicycle and pedestrian amenities to encourage these modes of transportation.</td>
</tr>
<tr>
<td>Policy M-6.5 Connections between New Development and Bikeways</td>
<td>The City shall ensure that new commercial and residential development projects provide frequent and direct connections to the nearest bikeways and do not interfere with existing and proposed bicycle facilities.</td>
<td>The project would implement bicycle access and amenities per City requirements (refer to Section 4.16 Transportation)</td>
</tr>
<tr>
<td>Policy M-8.3 Employer-Based Strategies</td>
<td>The City shall encourage employers to participate in TDM programs (e.g., guaranteed ride home, subsidized transit passes, carpool and vanpool programs) and to participate in or create Transportation Management Associations to reduce parking needs and vehicular travel.</td>
<td>The commercial component of the project is small and will employ approximately six people. A Transportation Demand Management (TDM) Program and a Transportation Management Association, therefore, are not proposed or required.</td>
</tr>
<tr>
<td>Policy M-8.5 Commuter Benefits Program</td>
<td>The City shall assist businesses in developing and implementing commuter benefits programs (e.g., offers to provide discounted or subsidized transit passes, emergency ride home programs, participation in commuter rideshare programs, parking cash-out or parking pricing programs, or tax credits for bike commuters).</td>
<td>See Policy M-8.3 discussion above.</td>
</tr>
<tr>
<td>Policy M-9.9 Alternative Fuel Vehicle Parking</td>
<td>The City shall require new private parking lots to grant low-carbon vehicles access to preferred parking spaces, and shall require new private parking lots to provide electric vehicle charging facilities.</td>
<td>The project would pre-wire the townhouses for electric vehicle charging stations and pre-wire two spaces within the parking garage for electric vehicle charging facilities.</td>
</tr>
<tr>
<td>Policy PFS-7.12 Construction and Demolition Waste Recycling</td>
<td>The City shall require demolition, remodeling and major new development projects to salvage or demolish non-hazardous waste.</td>
<td>The project proposes to salvage and recycle non-hazardous waste.</td>
</tr>
<tr>
<td>Applicable Policy or Implementing Program</td>
<td>Goal/Policy/Implementation Program</td>
<td>Project Applicability</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>-----------------------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>recycle asphalt and concrete and all other non-hazardous construction and demolition materials to the maximum extent practicable.</td>
<td>construction and demolition materials to the maximum extent practicable.</td>
<td>Business on the site would adhere to City of Hayward requirements for recycling and composting food scraps.</td>
</tr>
<tr>
<td>Policy PFS-7.14 Commercial Recycling</td>
<td>The City shall encourage increased participation in commercial and industrial recycling programs, and strive to comply with the recycling provisions approved by the Alameda County Waste Management Authority Board.</td>
<td></td>
</tr>
</tbody>
</table>

The project would not conflict with the state’s Climate Change Scoping Plan developed per AB 32, or regulations in the City of Hayward Climate Action Plan and General Plan to reduce greenhouse gas emissions. (Less Than Significant Impact)

4.7.4 Conclusion

The proposed project would result in a less than significant impact from GHG emissions. (Less Than Significant Impact)
4.8  HAZARDS AND HAZARDOUS MATERIALS

The following discussion is based, in part, on a Phase I Environmental Site Assessment and Limited Phase II Investigation Report prepared by TRC Solutions, Inc. in September 2015 and November 2015, respectively. The discussion is also based on a Soil, Groundwater, and Soil Vapor Assessment Report prepared by Aqua Science Engineers in December 2016. Copies of these reports are included in Appendix E of this Initial Study.

4.8.1  Checklist and Discussion of Impacts

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Checklist Source(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>1,11-13</td>
</tr>
<tr>
<td>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?</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>1,11-13</td>
</tr>
<tr>
<td>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>1,11-13</td>
</tr>
<tr>
<td>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?</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>1,11-13</td>
</tr>
<tr>
<td>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?</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>1,14</td>
</tr>
<tr>
<td>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?</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>1,14</td>
</tr>
<tr>
<td>g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>1</td>
</tr>
</tbody>
</table>
Would the project:

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?

<table>
<thead>
<tr>
<th>Source(s)</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,2</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
</tbody>
</table>

4.8.2 **Existing Setting**

4.8.2.1 **Background**

Hazardous materials encompass a wide range of substances, some of which are naturally-occurring and some of which are man-made. Examples include motor oil and fuel, metals (e.g., lead, mercury, arsenic), asbestos, pesticides, herbicides, and chemical compounds used in manufacturing and other activities. A substance may be considered hazardous if, due to its chemical and/or physical properties, it poses a substantial hazard when it is improperly treated, stored, transported, disposed of, or released into the atmosphere in the event of an accident. Determining if such substances are present on or near project sites is important because exposure to hazardous materials above regulatory thresholds can result in adverse health effects on humans, as well as harm to plant and wildlife ecology.

4.8.2.2 **Site Conditions**

**Current Uses**

The approximately 2.7-acre site currently operates as a strip commercial center. The shopping center is currently in-use, however, several store fronts throughout the complex have been vacated and are no longer in use.8

**Historic Uses and Known Contamination**

According to the 1939 aerial photograph of the property, the project site was predominantly covered by an agricultural orchard. By 1958, the project site was developed in its current configuration with a linear commercial structure. Previous uses of the property involved basic commercial services such as grocery, restaurant, salon, wireless and cellular phone stores, radio and stereo stores, florist, auto supply stores, pet stores, and a music store. A portion of the property that is proposed to be developed as the apartment structure on the 0.7-acre southern portion of the project site was a former gas station, and is identified as having an open Leaking Underground Storage Tank (LUST) case for gasoline found in groundwater.

---

8 For the purposes of this analysis, approximately one-third (14,029 square feet) of the existing strip commercial center is assumed to be occupied, although as noted previously a fire damaged portions of the center June 3, 2017.
4.8.2.3  **Off-site Sources of Contamination**

According to the Phase I Environmental Site Assessment conducted for the site, a closed LUST documentation is listed at the Holy Sepulchre Cemetery at for a gasoline leak discovered in 1986. Remediation activities were conducted and sampling from 2003 indicated non-detect levels for Total Petroleum Hydrocarbon (TPH) contaminants. The case was granted closure in 2004. Due to the fact that the case was remediated, and the issuance of a closure letter, it is not anticipated to have affected the project site.

4.8.2.4  **Other Hazards**

**Airports**

The Hayward Executive Airport is approximately 4.5 miles northwest of the project site. The Oakland International Airport is approximately 12 miles northwest of the project site. The project site is outside of the Airport Influence Area (AIA) for both the Hayward Executive Airport and the Oakland International Airport.

**Wildland Fire Hazards**

According to the California Department of Forestry and Fire Protection (CAL FIRE), the project site is not located in a fire hazard zone or the Wildland Urban Interface, as identified by the Hayward Fire Department, which is defined as the hill area south of D Street and east of Mission Boulevard.

4.8.2.5  **Applicable Plans, Policies, and Regulations**

**Resources Conservation and Recovery Act**

The Resource Conservation and Recovery Act (RCRA), initially authorized in 1976, gives the U.S. EPA the authority to control hazardous waste from “cradle-to-grave.” This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA enabled the U.S. EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances.

**Department of Toxic Substances Control**

The California Department of Toxic Substances Control (DTSC) regulates hazardous waste, remediation of existing contamination, and evaluates procedures to reduce the hazardous waste produced in California. DTSC regulates hazardous waste in California primarily under the authority of the federal RCRA and the California Health and Safety Code. Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup and emergency planning. From these laws and regulations, DTSC develops guidelines and regulations that define what those who handle hazardous waste must do to comply with the laws. These rulemakings are subject to public review and comment.
**Government Code §65962.5 (Cortese List)**

Section 65962.5 of the Government Code requires the California Environmental Protection Agency (Cal EPA) to develop and update (at least annually) a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by the State, local agencies, and developers to comply with CEQA requirements. The Cortese List includes hazardous substance release sites identified by the Department of Toxic Substances Control (DTSC), State Water Resources Control Board (SWRCB), and the Department of Resources Recycling and Recovery (CalRecycle).

The southerly portion of the project site which was a former gas station is included on the hazardous materials sites list compiled per Government Code (Section 65962.5) due to a former leaking underground storage tank.

**City of Hayward General Plan**

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from planned development projects with the City. The following policies are specific to hazards and hazardous materials and are applicable to the proposed project.

### City of Hayward Relevant Hazardous Material Policies

<table>
<thead>
<tr>
<th>Policy</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy NR-6.15</td>
<td>The City shall encourage private property owners to plant native or drought-tolerant vegetation in order to preserve the visual character of the area and reduce the need for toxic sprays and groundwater supplements.</td>
</tr>
</tbody>
</table>
| Policy LU-18.1 | The City shall maintain its status as a Certified Unified Program Agency and implement the City’s Unified Hazardous Materials and Hazardous Waste Management Program, which includes:  
  - Hazardous Materials Release Response Plans and Inventories (Hazardous Materials Business Plans - HMBP);  
  - California Accidental Release Prevention (CalARP) Program;  
  - Underground Storage Tank (UST) Program;  
  - Above-ground Petroleum Storage Act (APSA) Program, including Spill Prevention, Control, and Countermeasure (SPCC) Plans;  
  - Hazardous Waste Generator Program;  
  - On-site Hazardous Waste Treatment (Tiered Permit) Program; and  
  - California Fire Code Hazardous Material Management Plans (HMMP) and Hazardous Materials Inventory Statements (HMIS). |
| Policy HAZ-5.1 | The City shall maintain and implement Wildland/Urban Interface Guidelines for new development within fire hazard areas. |
| Policy SE-4.6 | The City shall require site investigations to determine the presence of hazardous materials and/or waste contamination before discretionary project approvals are issued by the City. The City shall require appropriate measures to be taken to protect the health and safety of site users and the greater Hayward community. |
4.8.3 **Impacts Evaluation**

a, b) *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? 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 proposed mixed-use development would not involve the transport, use, storage or disposal of reportable quantities of hazardous materials. Residents and employees would likely use and store small quantities of household hazardous wastes (i.e., ammonia, paints, oils) which would not be considered significant. During construction, the project may store fuels and chemicals used in the construction of the proposed buildings. Temporary use of fuels and other chemicals associated with construction on the site and residential/employee use of small quantities of hazardous materials would not result in a significant hazard to the public or environment. *(Less Than Significant 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?*

There are no schools located within one-quarter mile of the proposed project. *(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?*

The project is included on a list of hazardous materials sites. The Phase I ESA identified historical agricultural uses at the project site and suspected former pesticide use. Additionally, the Phase I ESA identified an open Leaking Underground Storage Tank (LUST) case on-site at the 0.7-acre southern portion of the project site associated with the former gas station that would be developed as the 39-unit apartment structure. The potential for hazardous materials contamination on the southern portion of the site was investigated in a Soil, Groundwater, and Soil Vapor Assessment Report (refer to Appendix E). According to historical groundwater monitoring data included in the Phase I ESA, groundwater flow at the site typically flows to the west-southwest.

**Townhouse Site**

A Limited Phase II Investigation Report prepared for the northerly site planned for townhouses indicated that concentrations of pesticide-related metals (with the exception of arsenic) were detected above laboratory detection limits but below residential screening levels in each of the composite soil samples. Although arsenic was detected in each sample with concentrations up to 9.2 mg/kg, which is above the residential screening level of 0.39 mg/kg, concentrations appear to be consistent with naturally occurring background concentrations in the San Francisco Bay Area soils of up to 11 mg/kg.\(^9\) These concentrations of arsenic are assumed to be present across the entire project site.

In the soil samples collected for the proposed townhouse portion of the site, no volatile organic compounds (VOCs)\(^{10}\), TPH as gasoline (TPH\(_g\)), or TPH as motor oil (TPH\(_{mo}\)) were detected above laboratory reporting limits in any of the samples analyzed. TPH as diesel (TPH\(_d\)) was detected above the laboratory reporting limit but below residential environmental screening levels.

Based on the findings of the Limited Phase II investigation, analytical results show that site soils on the proposed townhouse portion of the site meet residential environmental screening levels and/or, specifically for arsenic, are consistent with naturally occurring background concentrations. As a result, the soils may be reused on-site without any special management practices. However, soils destined for off-site reuse or disposal must be managed through soil stockpiles and sampling.

Additionally, based on analytical results from a soil boring nearest to the LUST case, and the fact that groundwater was not encountered up to 53 feet, there is no indication of potential groundwater impacts as a result of the open LUST case on the proposed townhouse portion of the property. Redevelopment of the townhouse portion of the site, therefore, would not create a significant hazard to the public or environment.

**Apartment Site**

Soil samples collected in the southerly portion of the site had detectable levels of TPH at depths of approximately 44 to 60 feet below the ground surface (bgs); however, all concentrations were below residential environmental screening levels.

TPH\(_g\) and the gasoline additives benzene, toluene, ethyl benzene and xylenes (BTEX)\(^{11}\) were detected in groundwater on the proposed apartment portion of the site and downgradient of the site in one location on commercial property south of Sorenson Road above residential environmental screening levels. Soil vapor samples collected on the southerly portion of the site to identify potential harmful levels of VOCs were found to contain concentrations of TPH\(_g\) and BTEX below residential environmental screening levels.

The project would involve a minimal amount of shallow grading that would not encounter groundwater and, therefore, would not expose workers, any offsite uses, or sensitive receptors to substantial concentrations of contaminants. Any remediation of contaminated groundwater at depth would be completed under the supervision of the RWQCB, if required by RWQCB. The presence of contaminants above health screening levels in groundwater that would not be used for any purpose on the site does not present a risk to future occupants. It is assumed that any necessary remediation activities (e.g. ozone injection), if required by RWQCB, could be implemented prior to or during project construction and would not involve substantial additional offsite effects than those addressed throughout this Initial Study. The City would require written confirmation (i.e. case closure) from the RWQCB prior to the issuance of a grading or occupancy permit for the proposed apartment building on

---

\(^{10}\) VOCs are carbon containing compounds that are easily volatized or released into the air. They include a variety of chemicals, some of which may have short- and long-term adverse health effects. Many VOCs are known to cause cancer in animals, and are suspected of causing cancer in humans.

\(^{11}\) BTEX is a volatile organic compound.
the southern portion of the site. The project, therefore, would not create a significant hazard to the public or environment due to the release of contaminants present in groundwater on the site at depth, whether the contaminants are allowed to remain capped in place by the proposed development, or are required by RWQCB to be remediated during project construction.  (**Less Than Significant Impact**)

e, f)  *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? 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 site is not located within the Airport Influence Area (AIA) of the Hayward Executive Airport or Oakland International Airport. Therefore, the project would not result in a safety hazard for residents or workers from any public airport.

The project is not located in the vicinity of a private airstrip. Therefore, private airstrip uses would not be a hazard to people working or residing on the project site. (**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. The project has two ingress and egress driveways on Mission Boulevard and Sorenson Road. The driveway on Mission Boulevard provides direct southbound right-in/right-out access to the site. The driveway on Sorenson Road is one full-access driveway. (**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 site is not located in a fire hazard zone or the Wildland Urban Interface. (**No Impact**)

4.8.4  **Conclusion**

The proposed project would not have a significant impact resulting from hazards and hazardous materials. (**Less Than Significant Impact**
### HYDROLOGY AND WATER QUALITY

#### 4.9.1 Checklist and Discussion of Impacts

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Checklist Source(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Violate any water quality standards or waste discharge requirements?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,2</td>
</tr>
<tr>
<td>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)?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,2</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,2</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,2</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,2</td>
</tr>
<tr>
<td>f) Otherwise substantially degrade water quality?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,2</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,15</td>
</tr>
<tr>
<td>h) Place within a 100-year flood hazard area structures which will impede or redirect flood flows?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,15</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,15</td>
</tr>
<tr>
<td>j) Inundation by seiche, tsunami, or mudflow?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1</td>
</tr>
</tbody>
</table>
4.9.2 Existing Setting

4.9.2.1 Hydrology and Water Quality

The water quality of streams, creeks, ponds, and other surface water bodies can be greatly affected by pollution carried in contaminated surface runoff. Pollutants from unidentified sources, known as non-point source pollutants, are washed from streets, construction sites, parking lots, and other exposed surfaces into storm drains. Urban stormwater runoff often contains contaminants such as oil and grease, plant and animal debris (e.g., leaves, dust, animal feces, etc.), pesticides, litter, and heavy metals. In sufficient concentration, these pollutants have been found to adversely affect the aquatic habitats to which they drain.

Under existing conditions, the project site primarily consists of buildings and paved parking lots. Runoff from the site could contain sediment, fertilizers, and pesticides from landscaped areas, and metals, trash, oils and grease from the paved areas.

Surface Water

The project site is located within an area described as the Alameda Creek Watershed. The Alameda Creek Watershed consist of a 600-square-mile area. Surface runoff from the project site is conveyed to the City’s storm drainage system and ultimately flows to the San Francisco Bay.

The project site is entirely developed with commercial structures and a parking lot, which equates to approximately 117,612 square feet of impervious surfaces. Runoff from the site sheet flows across the site and primarily flows to storm drain lines in Sorenson Road that range between 12 inches and 15 inches.

Groundwater

The City of Hayward is located in the Santa Clara Valley Groundwater Basin. Two sub basins coincide with the land within its boundaries: the East Bay Plain Sub basin and the Niles Cone Sub basin. The Niles Cone Sub basin corresponds with southern portions of Hayward, and is bisected by the Hayward fault. The Hayward fault is relatively impermeable and impedes groundwater flow, as demonstrated by the varying water groundwater levels on either side. As part of the site investigation completed to evaluate potential soil and groundwater contamination from past uses, groundwater was encountered at depths of 53 feet.

4.9.2.2 Flooding

According to the Federal Emergency Management Agency’s (FEMA) Flood Insurance Rate Map, the site is located within Zone X, which is an area determined to be outside the 500-year floodplain and outside the 1% and 0.2% annual chance floodplains.

4.9.2.3 Other Hazards

Dam Failure

The Association of Bay Area Governments (ABAG) compiles the dam failure inundation hazard maps submitted to the State Office of Emergency Services by dam owners throughout the Bay Area.
The City of Hayward also maintains dam inundation maps of their dam facilities. The Hayward Dam Inundation Area map shows that the project site is not located within a dam failure inundation zone.12

**Sea Level Rise**

The project site is located at an elevation of approximately 80 feet above sea level (ASL) at the southern property boundary at Sorensen Road to approximately 87 feet ASL at the northern corner of the parcel. The project site is not within a shoreline area vulnerable to projected sea level rise from global climate change of up to 55 inches.

**Earthquake-Induced Waves and Mudflow Hazards**

The site is not located near a large body of water, near the ocean, or in a landslide hazard zone, and therefore, is not subject to inundation by seiche, tsunami, or mudflow.

**4.9.2.4 Applicable Plans, Policies, and Regulations**

**National Flood Insurance Program**

In 1968, Congress created the National Flood Insurance Program (NFIP) in response to the rising cost of taxpayer funded disaster relief for flood victims and the increasing amount of damage caused by floods. The NFIP makes federally-backed flood insurance available for communities that agree to adopt and enforce floodplain management ordinances to reduce future flood damage. The Federal Emergency Management Agency (FEMA) manages the NFIP and creates Flood Insurance Rate Maps (FIRMs) that designate 100-year floodplain zones and delineate other flood hazard areas. A 100-year floodplain zone is the area that has a one in 100 (one percent) chance of being flooded in any one year based on historical data. As discussed in more detail in Section 4.9.2.2 above, the project site is not located in a 100-year floodplain.

**City of Hayward Municipal Code**

City of Hayward Municipal Code Chapter 9, Article 4, implements building standards to comply with the Cobey-Alquist Flood Plain Management Act (Water Code sections 8400 set seq.) and National Flood Insurance Program established pursuant to Federal law (42 U.S.C. section 4001 et seq.).

City of Hayward Municipal Code Chapter 10, Article 8, requires a permit for grading or clearing activities. Applicants must submit a description of the grading or clearing activities to take place, a site map or grading plan, an erosion or sediment plan, a work schedule, and other applicable materials.

City of Hayward Municipal Code, Chapter 11, Article 5, protects water quality by eliminating non-stormwater discharges, controlling illicit discharges, minimizing industrial and commercial pollutants, reducing municipal pollutants, improving construction site controls, and improving erosion control.

---

12 City of Hayward General Plan Background Report, Figure 9-5 Hayward Dam Inundation Areas. January, 2013.
City of Hayward General Plan

The City of Hayward General Plan includes policies applicable to all development projects in Hayward. The proposed project would be subject to conformance with the following General Plan policies, including the ones listed below.

<table>
<thead>
<tr>
<th>Policies</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy NR-6.4</td>
<td>The City shall minimize grading and, where appropriate, consider requiring on-site retention and settling basins.</td>
</tr>
<tr>
<td>Policy NR-6.5</td>
<td>The City shall concentrate new urban development in areas that are the least susceptible to soil erosion into water bodies in order to reduce water pollution.</td>
</tr>
<tr>
<td>Policy NR-6.6</td>
<td>The City shall promote stormwater management techniques that minimize surface water runoff and impervious ground surfaces in public and private developments, including requiring the use of Low-Impact Development (LID) techniques to best manage stormwater through conservation, onsite filtration, and water recycling.</td>
</tr>
</tbody>
</table>

4.9.3 Impact Discussion

a, f) Violate any water quality standards or waste discharge requirements? Otherwise substantially 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). Implementation of construction Best Management Practices identified in the SWPPP would ensure the project would not substantially degrade water quality during construction.

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 project proposes bio-retention areas in the southeastern and northwestern portions of the site. Stormwater on the site would be directed to the bio-retention areas for treatment. Treated stormwater exiting the bio-retention areas would flow to storm drainage lines in an engineered channel located northeast of the site. The project would alter the amount of generalized site surface flows by directing runoff into the bio-retention areas. Stormwater treatment provided by the bioretention areas would ensure water quality would not be substantially degraded. (Less Than Significant Impact)

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)?

The project would be connected to the existing City of Hayward’s water supply and would not involve the use of on-site water wells and will not deplete groundwater supplies. The project would not increase the amount of impervious surfaces on the site and therefore would
not interfere with groundwater recharge of water supply aquifers; thus, there would be a less than significant impact. **(Less Than Significant Impact)**

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?

The project would not alter drainage patterns in that runoff from the primarily developed site flows overland towards the City storm drainage system. Under the proposed project, storm water runoff would be conveyed to on-site bio-retention areas for filtration prior to discharge into the engineered channel located northeast of the site. Therefore, 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, there would be a less than significant impact. **(Less Than Significant Impact)**

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?

The project site is entirely developed with commercial structures and a parking lot; therefore, the project would not increase impervious surfaces on the site. All drainage from the site is required to be treated before it enters the storm drain system and managed such that post-development runoff rates do not exceed pre-development runoff rates. Therefore, the existing drainage pattern of the site would not be altered and thereby runoff impacts would be less than significant. **(Less Than Significant Impact)**

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?

The proposed project site was envisioned for mixed-use residential development in the General Plan. All drainage from the site is required to be treated before it enters the storm drain system and the project would limit runoff from the site so that there is no net increase compared to pre-development levels. The project would employ a stormwater control plan with the use of bio-retention areas and all site drainage would be treated before discharged into the storm drain system. The project would construct a new 15-inch storm drain line in Sorenson Road to convey runoff from the site to an existing storm drain at the intersection of Sorenson Road and Luvena Drive southwest of the site. Improvements within the right-of-way of Sorenson Road would be subject to the same ground disturbance requirements and mitigation measures as described elsewhere in this IS. The project would have a less than significant impact. **(Less Than Significant Impact)**

g, h) 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? 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 and, therefore, would not affect flood hazard areas in the City of Hayward. **(No Impact)**
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?

According to the City’s General Plan, the project site is not located in an area subject to inundation resulting from dam failure. (No Impact)

j) Result in 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. (No Impact)

4.9.4 Conclusion

The proposed project would not have significant impacts on hydrology and water quality. (Less Than Significant Impact)
4.10 LAND USE AND PLANNING

4.10.1 Environmental Checklist

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

4.10.2 Existing Setting

The project site is located in an urban area of Hayward with commercial uses to the northwest, a cemetery to the northeast, commercial uses to the southeast, and residential uses to the southwest of the project site. The project site fronts on Mission Boulevard to the east and Sorenson Road to the southeast.

The project site is currently developed as a strip commercial center. The site is not located within an adopted habitat conservation plan or natural communities conservation plan.

4.10.2.1 Applicable Plans, Policies, and Regulations

General Plan Designation and Zoning

The project site is designated in the General Plan as Sustainable Mixed-Use. This allows a minimum FAR of 2.0 or 2.75 if located within transit overlay zones established by zoning. The Sustainable Mixed-Use designation generally applies to areas near regional transit that are planned as walkable urban neighborhoods. Typical building types will vary based on the zoning of the property, but will generally include single-family homes, duplexes, triplexes, fourplexes, second units, townhomes, live-work units, multi-story apartment and townhouse buildings, commercial buildings, and mixed-use buildings that contain commercial uses on the ground floor and residential units or office space on upper floors. Sustainable Mixed-Use areas are expected to change substantially in the future, as properties are planned to be developed or redeveloped at relatively high densities and intensities to create walkable and mixed-use neighborhoods and multi-modal corridors.

The project site is zoned in the S-T4 Urban General Zone zoning district of the South Hayward BART/Mission Boulevard Form-Based Code. All uses permitted in S-T4 Urban General Zone
districts allow between 17.5 and 35 units per acre, and must comply with the Form-Based Code building heights, setbacks, and provide a minimum of 15 percent of common open space.

4.10.3 Impact Evaluation

a) Physically divide an established community?

The project site is located in a developed urban area with commercial uses to the northeast, and southeast, and residences to the west. Implementation of the proposed project would result in the demolition of the existing commercial structures and the construction of 35 multi-family townhouses, 39 apartment units, and up to a 1,500-square-foot commercial space on the site. The layout and design of the project does not include any features that would physically divide the community (e.g., impeding roadways or sidewalks). Therefore, the project would not physically divide an established community. (Less Than Significant Impact)

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?

According to the City’s General Plan, the project site is designated as Sustainable Mixed-Use, which allows for a minimum of 2.0 or 2.75 FAR for the retail component of the project. Densities ranging from 4.3 to 100 dwelling units per acre are permitted. The project site has a density of approximately 27.4 units per acre, therefore it is consistent with General Plan.

The project site is currently zoned in the S-T4 Urban General Zone zoning district of the South Hayward BART/Mission Boulevard Form-Based Code. All uses permitted in S-T4 Urban General Zone districts allow between 17.5 and 35 units per acre, and must comply with the Form-Based Code building heights, setbacks, and provide a minimum of 15 percent of common open space. The proposed project would comply with the standards established by the Form-Based Code for building heights, setbacks, and common space requirements.

The project would not result in a fundamental 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. Therefore, the project would result in a less than significant land use impact. (Less Than Significant Impact)

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

The project site is not located within an adopted habitat conservation plan or natural community conservation plan. (No Impact)

4.10.4 Conclusion

The proposed project would not conflict with existing land use policies and therefore would not have a significant impact. (Less Than Significant Impact)
4.11 MINERAL RESOURCES

4.11.1 Environmental Checklist

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Checklist Source(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1,2</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>1,2</td>
</tr>
<tr>
<td>b)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1,2</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>1,2</td>
</tr>
</tbody>
</table>

4.11.2 Impact Discussion

a, b) *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? 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?*

The only State-designated mineral resource "sector" of regional significance in Hayward is the La Vista Quarry. All operations at the site have been terminated, and the Surface Mining Permit for the La Vista Quarry issued by Alameda County expired in 2008. The project site has been developed since the 1950s and there was previously no mineral resource recovery occurring on the site. Therefore, there would be no impact on mineral resources. *(No Impact)*

4.11.3 Conclusion

There would be no adverse impacts on mineral resources resulting from the proposed project. *(No Impact)*

---

13 City of Hayward General Plan EIR, page 9-2.
4.12 NOISE AND VIBRATION

The following discussion is based on Acoustical Analyses prepared by Veneklasen & Associates, Inc. in February 2016 and May 2017. Copies of these reports are attached in Appendix F of this Initial Study.

4.12.1 Environmental Checklist

<table>
<thead>
<tr>
<th>Would the project result in:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Checklist Source(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>❑</td>
<td>❑</td>
<td>☒</td>
<td>❑</td>
<td>1,2,16</td>
</tr>
<tr>
<td>b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?</td>
<td>❑</td>
<td>❑</td>
<td>☒</td>
<td>❑</td>
<td>1,2,16,17</td>
</tr>
<tr>
<td>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>❑</td>
<td>❑</td>
<td>☒</td>
<td>❑</td>
<td>1,2,16,17</td>
</tr>
<tr>
<td>d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>❑</td>
<td>☒</td>
<td>❑</td>
<td>❑</td>
<td>1,2,16,17</td>
</tr>
<tr>
<td>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?</td>
<td>❑</td>
<td>❑</td>
<td>☒</td>
<td>❑</td>
<td>1,2</td>
</tr>
<tr>
<td>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?</td>
<td>❑</td>
<td>❑</td>
<td>☒</td>
<td>☒</td>
<td>1,2</td>
</tr>
</tbody>
</table>

4.12.2 Existing Setting

4.12.2.1 Background

Noise may be defined as unwanted sound. Acceptable levels of noise vary from land use to land use. In any one location, the noise level will vary over time, from the lowest background or ambient noise level to temporary increases caused by traffic or other sources. State and federal standards have been established as guidelines for determining the compatibility of a particular use with its noise environment.
There are several methods of characterizing sound. The most common in California is the A-weighted sound level or dBA. This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. Because sound levels can vary markedly over a short period of time, different types of noise descriptors are used to account for this variability. Typical noise descriptors include maximum noise level ($L_{\text{max}}$), the energy-equivalent noise level ($L_{\text{eq}}$), and the day-night average noise level ($L_{\text{dn}}$). The $L_{\text{dn}}$ noise descriptor is commonly used in establishing noise exposure guidelines for specific land uses. For the energy-equivalent sound/noise descriptor called $L_{\text{eq}}$ the most common averaging period is hourly, but $L_{\text{eq}}$ can describe any series of noise events of arbitrary duration.

Although the A-weighted noise level may adequately indicate the level of environmental noise at any instant in time, community noise levels vary continuously. Most environmental noise includes a conglomeration of noise from distant sources which create a relatively steady background noise in which no particular source is identifiable.

Since the sensitivity to noise increases during the evening hours, 24-hour descriptors have been developed that incorporate artificial noise penalties added to quiet-time noise events. The Day/Night Average Sound Level, $L_{\text{dn}}$ (sometimes also referred to as DNL), is the average A-weighted noise level during a 24-hour day, obtained after the addition of 10 dB to noise levels measured in the nighttime between 10:00 p.m. and 7:00 a.m. The Community Noise Equivalent Level (CNEL) is a 24-hour A-weighted noise level from midnight to midnight after the addition of five dBA to sound levels occurring in the evening from 7:00 p.m. to 10:00 p.m. and after the addition of 10 dBA to sound levels occurring in the night between 10:00 p.m. and 7:00 a.m.

**Construction Noise**

Construction is a temporary source of noise impacting residences and businesses located near construction sites. Construction noise can be significant for short periods of time at any particular location and generates the highest noise levels during grading and excavation, with lower noise levels occurring during building construction. Large pieces of earth-moving equipment, such as graders, scrapers, and bulldozers, generate maximum noise levels of 90 to 95 dBA $L_{\text{max}}$ at a distance of 50 feet. Typical hourly average construction-generated noise levels are approximately 81 to 88 dBA $L_{\text{eq}}$ measured at a distance of 50 feet from the site during busy construction periods. Construction generated noise levels drop off at a rate of about six dBA per doubling of distance between the source and receptor. Shielding by buildings or terrain often result in lower construction noise levels at distant receptors.

**Construction Vibration**

Construction operations are potential sources of substantial ground vibration depending on the distance from sensitive receptors, and the type of construction. Ground vibration from construction may consist of rapidly fluctuating motions or waves, which are also measured in decibels. Decibels of ground vibration refer to peak vertical velocities of the floors of affected structures. In contrast, sound decibels refer to the time-averaged magnitudes of fluctuations in air pressure levels.

---

14 The sound pressure level in decibels as measured on a sound level meter using the A-weighting filter network. All sound levels in this discussion are A-weighted, unless otherwise stated.

15 Decibels of ground vibration refer to peak vertical velocities of the floors of affected structures. In contrast, sound decibels refer to the time-averaged magnitudes of fluctuations in air pressure levels.
Typical background vibration levels in residential areas are usually 50 VdB or lower, well below the threshold of perception for most humans. Perceptible vibration levels inside residences are attributed to the operation of heating and air conditioning systems, door slams and foot traffic. Construction activities, train operations, and street traffic are some of the most common external sources of vibration that can be perceptible inside residences. The FTA criteria that interior vibration levels are evaluated against are presented in Table 4.12-1.

<table>
<thead>
<tr>
<th>Land Use Category</th>
<th>Frequent Events 1</th>
<th>Occasional Events 2</th>
<th>Infrequent Events 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category 1</td>
<td>65 VdB 4</td>
<td>65 VdB 4</td>
<td>65 VdB 4</td>
</tr>
<tr>
<td>Buildings where vibration would interfere with interior operations</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Category 2</td>
<td>72 VdB</td>
<td>75 VdB</td>
<td>80 VdB</td>
</tr>
<tr>
<td>Residences and buildings where people normally sleep</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Category 3</td>
<td>75 VdB</td>
<td>78 VdB</td>
<td>83 VdB</td>
</tr>
<tr>
<td>Institutional land uses with primarily daytime use</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notes:
1 “Frequent Events” is defined as more than 70 vibration events per day. Most rapid transit projects fall into this category.
2 “Occasional Events” is defined as between 30 and 70 vibration events of the same source per day. Most commuter trunk lines have this many operations.
3 “Infrequent Events” is defined as fewer than 30 vibration events per day. This category includes most commuter rail branch lines.
4 This limit is based on levels that acceptable for most moderately sensitive equipment such as optical microscopes. Vibration sensitive manufacturing or research should always require detailed evaluation to define the acceptable vibration limits. Ensuring low vibration levels in a building requires special design of HVAC systems and stiffened floors.


### 4.12.2.2 Existing Noise Conditions

The project site is bounded by Mission Boulevard to the northeast, Sorenson Road to the southeast, and residential and commercial properties to the northwest and southwest. Based on the noise measurements taken by Veneklasen & Associates, Inc., the future exterior noise levels at this location would be between approximately 68 and 71 dBA CNEL. The Bay Area Rapid Transit (BART) light rail and Union Pacific Railroad (UPRR) tracks are located approximately 700 feet west of the project site, west of Sorenson Road. At this distance the measured sound level from train pass-bys were below the ambient traffic noise level at the site and, therefore, were not measurable.
The noise environment on the site results primarily from vehicular traffic along Mission Boulevard. The project site is located outside of the 65 dB CNEL noise contours for Hayward Executive Airport and Oakland International Airport.

### 4.12.2.3 Applicable Plans, Policies and Regulations

#### City of Hayward General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from planned development projects with the City. The following policies are specific to noise and vibration and are applicable to the proposed project.

| City of Hayward Relevant Noise and Vibration Policies |
|-----------------|-----------------------------|
| Policies        | Description                                                                 |
| Policy HAZ-8.1  | The City shall strive to locate noise sensitive uses, (e.g., residences, schools, hospitals, libraries, religious institutions, and convalescent homes) away from major sources of noise. |
| Policy HAZ-8.4  | The City shall consider the visual impact of noise mitigation measures and shall require solutions that do not conflict with urban design goals and standards. |
| Policy HAZ-8.5  | The City shall require the design of new residential development to comply with the following noise standards: |
|                 | • The maximum acceptable interior noise level for all new residential units (single-family, duplex, mobile home, multi-family, and mixed use units) shall be an \(L_{dn}\) of 45 dB with windows closed. |
|                 | • For project locations that are primarily exposed to aircraft, train, and BART noise, the maximum instantaneous noise level in bedrooms shall not exceed 50dB(A) at night (10:00 pm to 7:00 am), and the maximum instantaneous noise level in all interior rooms shall not exceed 55dB(A) during the day (7:00 am to 10:00 pm) with windows closed. |
|                 | • The maximum acceptable exterior noise level for the primary open space area of urban residential infill and mixed-use projects (private rear yards for townhomes; and common courtyards, roof gardens, or gathering spaces for multi-family or mixed-use projects) shall be an \(L_{da}\) of 70 dB. Urban residential infill would include all types of residential development within existing or planned urban areas (such as Downtown, The Cannery Neighborhood, and the South Hayward BART Urban Neighborhood) and along major corridors (such as Mission Boulevard). This standard shall be measured at the approximate center of the primary open space area. This standard does not apply to secondary open space areas, such as front yards, balconies, stoops, and porches. |
| Policy HAZ-8.20 | The City may require development projects subject to discretionary approval to assess potential construction noise impacts on nearby sensitive uses and to minimize impacts on those uses, to the extent feasible. |
| Policy HAZ-8.21 | The City shall limit the hours of construction and maintenance activities to the less sensitive hours of the day (7:00am to 7:00pm Monday through Saturday and 10:00 am to 6:00 pm on Sundays and holidays). |
| Policy HAZ-8.22 | The City shall require a vibration impact assessment for proposed projects in which heavy-duty construction equipment would be used (e.g. pile driving, bulldozing) within 200 feet of an existing structure or sensitive receptor. If applicable, the City shall require all feasible
mitigation measures to be implemented to ensure that no damage or disturbance to structures or sensitive receptors would occur.

Policy HAZ-8.23 The City shall require new residential and commercial projects located within 200 feet of existing major freeways and railroad lines (e.g. freight, Amtrak, and Bay Area Rapid Transit) to conduct a ground vibration and vibration noise evaluation consistent with City approved methodologies (e.g. Caltrans, Federal Transportation Authority).

City of Hayward Municipal Code

Hayward Municipal Code, Chapter 4, Article 1 (Public Nuisances) contains the City’s Noise Regulations (as amended by Ordinance 11-03, adopted March 22, 2011). The Regulations are applicable to all noise sources in the city limits, with the exception of Hayward Executive Airport, which is regulated separately under the City’s Airport Noise Ordinance (addressed separately in this section below); and from animals, which are administered under the City’s Animal Control Ordinance. The Regulations establish quantitative noise limits based on measured dBA for activities occurring on residential, commercial and industrial, and public property; noise from vehicles; construction, alteration of structures and landscaping activities. The Regulations also establish a separate and independent qualitative method of determining “unreasonable noise” emanating from private property. Categorical Exemptions to the Regulations are specified for certain activities or source categories, including Alarms and Warning Devices, Emergency Response Activities, Special Events, Generators Required for Medical Purposes and Power Outages, and so forth. In some cases, a permit from the City is required to qualify for an exemption.

4.12.3 Impact Discussion

a) 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?

The Noise Element of the General Plan establishes 65 dBA CNEL as the maximum suggested exterior noise level for land uses that include multi-family residences. Based on the noise measurements taken by Veneklasen & Associates, Inc. at the project site, the northeastern property line facing Mission Boulevard may experience noise levels up to 71 dBA CNEL, and the southeastern property line facing Sorenson Road may experience noise levels up to 64 dBA CNEL. The primary common open spaces for the townhomes would be located at the northern and southeastern end of the site. The project would include a six-foot tall concrete perimeter wall along the northern, western, and a portion of the eastern property line. The portion of the wall that is along the eastern property line, in conjunction with the building itself, would provide shielding to the primary common open space from Mission Boulevard and would reduce the noise impacts to below 65 dBA CNEL.

At the apartment building, common open space would be located at the central courtyards on the second, third, and fourth floors, which would be shielded from noise sources along Mission Boulevard, and the noise levels at these locations would be less than 60 CNEL.

The preliminary Acoustical Report for the project estimates the units facing Mission Boulevard would be required to install STC 33 glazed windows and doors while units interior
to the site and those with partial exposure along the eastern property boundary would require STC 31 glazed windows and doors.

Because the proposed project is a multi-family residential land use, Title 24 of the California Code of Regulations will require a qualified acoustical engineer to prepare a design-level acoustical study as a prerequisite to building permit issuance for multi-family residential development applications where noise levels could exceed 65 dBA CNEL. The study shall include post-construction monitoring to ensure that interior ambient noise levels for multi-family housing are at or below 45 dBA CNEL. **(Less Than Significant Impact)**

\[ b) \quad \text{Result in exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?} \]

The City of Hayward General Plan requires a vibration impact assessment for proposed projects in which heavy-duty equipment is used within 200 feet of an existing structure or sensitive receptor. The project site is located within 200 feet of existing single-family residences to the southwest.

The City or State does not state the explicit criteria for construction vibration. Typically, interior vibration levels are evaluated against the Federal Transit Administration (FTA) criteria. As shown in Table 4.12-2 using vibration levels of typical construction equipment given in the *Transit Noise and Vibration Assessment* document published by the FTA, construction vibration levels at receivers nearest the project site were calculated to range from approximately 39.9 to 68.9 vibration level in decibels (VdB).

<table>
<thead>
<tr>
<th>Equipment</th>
<th>Vibration Level at 25 feet (VdB)</th>
<th>Vibration Level at Nearest Sensitive Receptor (VdB)</th>
<th>Vibration Criteria for Frequent Events (VdB)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hoe Ram</td>
<td>87</td>
<td>68.9</td>
<td>72</td>
</tr>
<tr>
<td>Large Bulldozer</td>
<td>87</td>
<td>68.9</td>
<td>72</td>
</tr>
<tr>
<td>Caisson Drilling</td>
<td>87</td>
<td>68.9</td>
<td>72</td>
</tr>
<tr>
<td>Loaded Trucks</td>
<td>86</td>
<td>67.9</td>
<td>72</td>
</tr>
<tr>
<td>Jackhammer</td>
<td>79</td>
<td>60.9</td>
<td>72</td>
</tr>
<tr>
<td>Small Bulldozer</td>
<td>58</td>
<td>39.9</td>
<td>72</td>
</tr>
</tbody>
</table>

Notes:
2. Vibration criteria from FTA

Construction of the proposed multi-family development would not require pile driving or other significant vibration causing construction activity. Based on calculations to the nearest sensitive receptors, the construction of the proposed development would not generate
vibration levels that exceed limits defined by the City of Hayward. **(Less Than Significant Impact)**

c) **Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

Based on a review of project vehicle trips, the increase in noise level due to project-related traffic would be approximately 0.1 dBA. This is less than the three (3) dBA threshold\(^{16}\), therefore, the impact due to project traffic would be less than significant.

The proposed project would include mechanical equipment, including air conditioning and wall pack units which would generate a noise level of less than 50 dBA at a distance of 30 feet from the equipment. This meets the standards identified in the City of Hayward’s municipal code that “no individual device or piece of equipment shall produce a noise level exceeding 83 dBA at a distance of 25 feet from the noise source. The noise level at any point outside of the property plane shall not exceed eighty-six (86) dBA.”\(^{17}\)

An acoustical analysis of the noise from project mechanical equipment to surrounding properties would be completed by a qualified acoustical consultant at final design to verify compliance as a condition of approval for the proposed development. **(Less Than Significant Impact)**

d) **Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**

Project implementation would result in intermittent short-term noise impacts resulting from construction-related activities. The construction noise impacts analyzed in the preliminary Acoustical Study were for long-term noise exposures due to all anticipated construction equipment operating during each phase of construction, as well as for short-term noise exposures from equipment operating along the project site perimeter.

The nearest off-site sensitive receptors are located to the north and west of the project site. The nearest sensitive receptors are approximately 50 feet from the perimeter of the project site. The maximum predicted hourly average noise levels at these sensitive receptors due to construction operations are shown in Table 4.12-3. Since the construction activity noise levels presented in Table 4.12-3 represent the maximum one-hour noise levels, the levels would vary based on activities and would not remain constant at the measurements presented.

---

\(^{16}\) A three (3) dBA increase in noise is the minimum increase at which humans can noticeably distinguish an increase in the sound level.

\(^{17}\) City of Hayward Municipal Code Section 4-1.03.4 Constrcition and Alteration of Structures; Landscaping Activities.
<table>
<thead>
<tr>
<th>Receptor</th>
<th>Existing Noise Level at Project Site Boundaries, Leq dBA</th>
<th>Construction Noise Level at Project Site Boundaries, Leq dBA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Demolition</td>
<td>47-59</td>
<td>82</td>
</tr>
<tr>
<td>Site Preparation</td>
<td>47-59</td>
<td>81</td>
</tr>
<tr>
<td>Grading</td>
<td>47-59</td>
<td>83</td>
</tr>
<tr>
<td>Utility Trenching &amp; Installation</td>
<td>47-59</td>
<td>81</td>
</tr>
<tr>
<td>Building Construction</td>
<td>47-59</td>
<td>79</td>
</tr>
<tr>
<td>Architectural Coating</td>
<td>47-59</td>
<td>68</td>
</tr>
</tbody>
</table>

The construction schedule assumes that construction activity on the site would occur for 13 months, or an estimated 284 construction workdays. The project would be constructed in six different phases: demolition, site preparation, grading, building construction, paving, architectural coating. The demolition and site preparation and grading phase would take approximately one (1) month. The building construction phase would take approximately 12 months.

Temporary construction-related impacts would be reduced to a less than significant level via implementation of Best Management Practices (BMPs). BMPs are required at the time of building permit issuance for all development and would reduce any impacts of additional noise level exposure to less than significant levels. Such BMPs include requirements for construction vehicles and equipment to be properly muffled. Construction hours would be limited from 7:00 am to 7:00 pm Mondays through Saturdays, and 10:00 am to 6:00 pm on Sundays and holidays consistent with the City’s Noise Ordinance.

**Impact NV – 1:** The project would construct multi-family residences adjacent to noise sensitive residential uses which could result in temporary disturbances during construction. **(Significant Impact)**

**Mitigation Measure:** The following mitigation measures will be implemented by the project to ensure impacts from construction noise are reduced to a less than significant level:

**MM NV – 1.1:** The project applicant shall incorporate the following practices into the construction documents to be implemented by the project contractor:

- Limit construction activity to the hours identified in the City’s Noise Ordinance (10:00 am to 6:00 pm on Sundays and holidays and 7:00 am to 7:00 pm on all other days).
- Schedule highest noise-generating activity and construction activity away from noise-sensitive land uses.
- Equip internal combustion engine-driven equipment with original factory (or equivalent) intake and exhaust mufflers which are maintained in good condition.
• Prohibit and post signs prohibiting unnecessary idling of internal combustion engines.
• Locate all stationary noise-generating equipment such as air compressors and portable generators as far as practicable from noise-sensitive land uses.
• Utilize “quiet” air compressors and other stationary equipment where feasible and available.
• Designate a noise disturbance coordinator who would respond to neighborhood complaints about construction noise by determining the cause of the noise complaints and require implementation of reasonable measures to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site.
• The project sponsor shall designate a “disturbance coordinator” for construction activities. The coordinator would be responsible for responding to any local complaints regarding construction noise and vibration. The coordinator would determine the cause of the noise or vibration complaint and would implement reasonable measures to correct the problem.
• The construction contractor shall send advance notice to neighborhood residents within 300 feet of the project site regarding the construction schedule and including the telephone number for the disturbance coordinator at the construction site.

With the implementation of the following mitigation measure MM NV – 1.1, the proposed project would reduce noise impacts to a less than significant level. (Less Than Significant Impact With Mitigation)

e, f) For a project located within an airport land use plan or, where such a plan has not yet been adopted, within 2 miles of a public use airport, would the project expose people residing or working in the project area to excessive noise levels? For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Hayward Executive Airport is an airport located approximately 2.6 miles west of the project site. The project site is not located within the Airport Influence Area (AIA) for Hayward Executive Airport. Therefore, any overhead aircraft noise would not be significant in relation to the existing, local traffic noise. (Less Than Significant Impact)

The project is not located within the vicinity of a private airport. (No Impact)

4.12.4 Conclusion

The proposed project, with the implementation of mitigation measure NV – 1.1, would ensure that construction noise impacts would be less than significant. (Less Than Significant Impact With Mitigation)
4.13  POPULATION AND HOUSING

4.13.1  Environmental Checklist

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Checklist Source(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>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)?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,2</td>
</tr>
<tr>
<td>b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>1,2</td>
</tr>
<tr>
<td>c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>1,2</td>
</tr>
</tbody>
</table>

4.13.2  Existing Setting

According to California Department of Finance 2016 Census data, Hayward’s population for 2016 was 158,985 persons. In 2016, there were 49,292 households with an average of 3.22 persons per household.

The jobs/housing balance is the relationship between the number of housing units required as a result of local jobs and the number of residential units available in the City. This relationship is quantified by the jobs/employed resident ratio. When the ratio reaches 1.0, a balance is struck between the supply of local housing and local jobs. The jobs/employed resident ratio is determined by dividing the number of local jobs by the number of employed residents that can be housed in local housing. The jobs/employed residents’ ratio for Hayward in 2010 was 1.06, which means that there were 1.06 jobs for every employed resident in the City.

4.13.3  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)?

Implementation of the project will create more housing by adding a net increase of 74 townhouse and apartment dwelling units. This increase in housing would result in a net

---

increase in local population by approximately 238 residents. Although the new residential units may result in some level of population growth, this growth was assumed in the South Hayward BART/Mission Boulevard Form-Based Code, analyzed in the South Hayward BART/Mission Boulevard Form-Based Code Environmental Impact Report, and would not be considered substantial. Therefore, the impact from the project would be less than significant. (Less Than Significant Impact)

b, c) Would the project displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?

The project site is currently developed with commercial structures. Therefore, the City would not require replacement housing to be constructed as there is no existing housing on the property. (No Impact)

4.13.4 Conclusion

Implementation of the proposed project would result in a less than significant impact on the City’s population and housing supply. (Less Than Significant Impact)

---

21 Based on the latest Department of Finance data, the average residents per household is 3.22. 3.22 residents per household x 74 net new units = 238 residents.
4.14 PUBLIC SERVICES

4.14.1 Environmental Checklist

<table>
<thead>
<tr>
<th>Source(s)</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Would the project

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:

- Fire Protection?  
- Police Protection?  
- Schools?  
- Parks?  
- Other Public Facilities?

1,2

4.14.2 Existing Setting

4.14.2.1 Fire Service

The City of Hayward is served by the Hayward Fire Department (HFD) provides fire, paramedic advanced life support (ALS)/emergency medical (EMS), and emergency services to all areas within the City limits. The closest station to the project site is Station No. 7, located at 28270 Huntwood Avenue, approximately two miles south of the project site.

4.14.2.2 Police Protection

Police protection services for the project site are provided by the City of Hayward Police Department (HPD), which is headquartered at 300 West Winton Avenue, approximately five miles west of the project site. The Hayward Police Department employs over 190 sworn officers in a staff of approximately 300.

4.14.2.3 Schools

The project site is located within the Hayward Unified School District. Students in the project area would attend Bowman Elementary School, Cesar Chavez Middle School, and Tennyson High School. Bowman Elementary School is located approximately 1.8 miles southeast of the project site. Cesar Chavez Middle School is located approximately 6.5 miles south of the project site. Tennyson High School is located approximately 1.2 miles south of the project site.
4.14.2.4 Parks

The Hayward Area Recreation and Park District (HARD) and the East Bay Regional Park District (EBRPD) provide parks and recreation services in the City. HARD operates 57 parks within the City and provides 159.85 acres of local parkland, 36.71 acres of school parks, 91.74 acres of community parkland, 271.29 acres of districtwide parkland, 1,627 acres of regional parkland, and 145.7 acres of open space, trails, and linear parkland. Within the City of Hayward, there are currently (2012) 1.02 acres of local parkland per 1,000 residents, which is just above HARD’s minimum standard for local parks (1.0 acres per 1,000 residents).

The nearest local park, Sorensdale Park, is approximately 0.9 miles southwest of the project site.

4.14.2.5 Libraries

The City of Hayward library system includes the Main Library at 835 C Street (approximately 3.3 miles northwest of the site) and Weekes Branch Library (approximately 2.2 miles southwest of the site) at 27300 Patrick Avenue.

The City’s General Plan does not identify a service ratio goal, or other performance standard for library services.

4.14.2.6 Applicable Plans, Policies, and Regulations

**Government Code Section 65996**

State law (Government Code Section 65996) specifies an acceptable method of offsetting a project’s effect on the adequacy of school facilities as the payment of a school impact fee prior to issuance of a building permit. California Government Code Sections 65995-65998, sets forth provisions for the payment of school impact fees by new development as exclusive means of “considering and mitigating impacts on school facilities that occur or might occur as a result of any legislative or adjudicative act, or both, by any state or local agency involving, but not limited to, the planning, use, or development of real property” [§65996(a)]. The legislation goes on to say that the payment of school impact fees “are hereby deemed to provide full and complete school facilities mitigation” under CEQA [§65996(b)]. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code. The school impact fees and the school districts’ methods of implementing measures specified by Government Code 65996 would mitigate project-related increases in student enrollment.

**Quimby Act**

The 1975 Quimby Act (California Government Code section 66477) authorized cities and counties to pass ordinances requiring that developers set aside land, donate conservation easements, or pay fees for park improvements. The Quimby Act states that the dedication requirement of parkland can be a minimum of three (3) acres per thousand residents or more, up to five (5) acres per thousand residents if the existing ratio is greater than the minimum standard. Revenues generated through in lieu fees collected and the Quimby Act cannot be used for the operation and maintenance of park facilities. In 1982, the Act was substantially amended. The amendments further define acceptable uses of or restrictions on Quimby funds, provide acreage/population standards and formulas for
determining the exaction, and require that the exactions must be closely tied (nexus) to a project’s impacts as identified through studies required by CEQA.

City of Hayward General Plan

The Land Use and Community Character Element of the City’s General Plan contain policies, recommendations, and actions to protect and enhance existing and future open space areas within the City. All future development allowed by the project would be subject to conformance with applicable General Plan policies, including those listed below.

<table>
<thead>
<tr>
<th>Policy</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy LU-1.3</td>
<td>The City shall direct local population and employment growth toward infill development sites within the City, especially the catalyst and opportunity sites identified in the Economic Development Strategic Plan.</td>
</tr>
<tr>
<td>Policy LU-3.1</td>
<td>The City shall promote efforts to make neighborhoods more complete by encouraging the development of a mix of complementary uses and amenities that meet the daily needs of residents. Such uses and amenities may include parks, community centers, religious institutions, daycare centers, libraries, schools, community gardens, and neighborhood commercial and mixed-use developments.</td>
</tr>
<tr>
<td>Policy LU-9.2</td>
<td>The City shall coordinate with school districts, park districts, utility providers, and other government agencies that are exempt from local land use controls to encourage facility designs that are compatible in scale, mass, and character with the neighborhood, district, or corridor in which they are located.</td>
</tr>
</tbody>
</table>

4.14.3 Impact Discussion

4.14.3.1 Fire and Police Protection Services

The project site is located within the South Hayward BART/Mission Boulevard Form-Based Code (Plan). According to the South Hayward BART/Mission Boulevard Form-Based Code EIR, development allowed under the Plan would require the future construction of additional fire and police station equipment given the size and increased amount of future development expected in the Plan area.

The construction of the proposed project (74 units and 1,500 square feet of commercial space) would incrementally increase the demand for fire and police services, which would not require the construction or expansion of fire or police protection facilities as the proposed project site in an infill site that was envisioned for mixed-use development in the City’s General Plan and the South Hayward/Mission Boulevard Form-Based Code.

Station No. 7 is the closest fire station to the project site and is located approximately two miles (approximately a five-minute drive) south of the site. The proposed project would be designed to comply with City requirements for fire access and on-site fire prevention facilities (e.g. fire hydrants and/or sprinkler systems). The project is located in an area currently served by the Hayward Fire Department and would not require additional facilities in order for the City of provide adequate emergency response times to the site. The project may be required to make fair share contributions to the City for the provision of additional fire equipment. For these reasons, the project will have less than a significant impact.
The police headquarters are located at 300 West Winton Avenue, approximately 2.4 miles northwest of the project site. The proposed project would not result in significant increased demand for police services such that the expansion or construction of police facilities would be required. The project’s potential impact on police services would be less than significant. **(Less Than Significant Impact)**

4.14.3.2 **Schools**

The proposed project would add 74 residential units on-site thereby increasing the potential number of school-aged children. According to the South Hayward BART//Mission Boulevard Form-Based Code, which includes the project site, the expansion of Bowman Elementary School would be considered at full build-out of the Plan.

According to a Demographic Report on Student Population Projections estimated between the fall of 2015 to 2021 for Hayward Unified School District, multi-family attached units yield approximately 0.083 elementary school students, 0.033 middle school students, and 0.037 high school students. Townhomes, which are larger in size and more representative of single-family detached units, yield approximately 0.143 elementary school students, 0.033 middle school students, and 0.050 high school students. Using the student yield rates above, the proposed 35 townhomes would generate approximately five (5) elementary school students, one (1) middle school student, and two (2) high school student. The 39-unit apartment building would generate approximately three (3) elementary school students, one (1) middle school students, and one (1) high school student.

The students would attend Bowman Elementary School, Cesar Chavez Middle School, and Tennyson High School. Under Section 65996 of the State Government Code, payment of school impact fees established by SB 50 is deemed to constitute full and complete mitigation for school impacts from development. Developer(s) of new housing units are required to pay these school impact fees at the time of building permit issuance. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code. Fulfillment of this requirement would mitigate the development of residential uses’ impacts to schools to a less than significant level. **(Less Than Significant Impact)**

4.14.4 **Conclusion**

The proposed project would not have a significant impact on public services. **(Less Than Significant Impact)**
4.15 RECREATION

4.15.1 Environmental Checklist

<table>
<thead>
<tr>
<th>Potential Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Source(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
</tbody>
</table>

4.15.2 Existing Setting

The Hayward Area Recreation and Park District (HARD) and the East Bay Regional Park District (EBRPD) provide parks and recreation services in the City. HARD operates 57 parks within the City and provides 159.85 acres of local parkland, 36.71 acres of school parks, 91.74 acres of community parkland, 271.29 acres of districtwide parkland, 1,627 acres of regional parkland, and 145.7 acres of open space, trails, and linear parkland. Within the City of Hayward, there are currently (2012) 1.02 acres of local parkland per 1,000 residents, which is just above HARD’s minimum standard for local parks (1.0 acres per 1,000 residents).

The nearest local park, Sorensdale Park, is approximately 0.9 miles southwest of the project site.

4.15.3 Impact Discussion

a, b) 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? 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?

The City of Hayward provides and maintains parkland and open space within the City for residents and visitors to enjoy. Based on the latest US Census data for the City, it is estimated that the project would generate approximately 238 net new residents. The project residents would be served by existing parks in the project area and other open space and recreational facilities in the region.

It is not anticipated that the project’s incremental demand for park and recreational facilities in the area would result in the substantial, physical deterioration of existing park and recreational facilities or require the expansion or construction of new facilities. The developer will be required to pay applicable park in-lieu fees; thus the impact is considered less than significant. (Less Than Significant Impact)
4.15.4 **Conclusion**

The proposed project would not substantially deteriorate existing park facilities or expand recreational facilities that would adversely affect the existing environment. *(Less Than Significant Impact)*
4.16 TRANSPORTATION/TRAFFIC

The following discussion is based on a Traffic Operations Analysis prepared by Hexagon Transportation Consultants, Inc. in May 2017. A copy of this report is included as Appendix G of this Initial Study.

4.16.1 Environmental Checklist

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Source(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,2,18</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,18</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>1,18</td>
</tr>
<tr>
<td>d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,18</td>
</tr>
<tr>
<td>e) Result in inadequate emergency access?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>1,18</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,18</td>
</tr>
</tbody>
</table>

4.16.2 Existing Setting

Roadway Network

Regional Access

Mission Boulevard (State Route 238) is a four- to six-lane, north-south, major arterial that extends from I-238 in Hayward to I-880 in south Fremont. The section of Mission Boulevard within the
study area varies between four and six lanes and is owned by the City of Hayward. At the site, Mission Boulevard has a landscaped median and provides direct southbound right-in/right-out access to the site.

*Harder Road* is a four-lane, east-west, collector that extends from Old Hillary Road in the east to Jackson Street in the west. It provides direct access to I-880 and State Route 92.

*Tennyson Road* is a four-lane, east-west, major arterial that extends from Industrial Boulevard in the west to Mission Boulevard in the east. It provides direct access to I-880.

**Local Access**

*Sorenson Road* is a two-lane, east-west, residential local street that runs between Mission Boulevard in the east to Luvena Drive in the west. The project site has one full-access driveway on Sorenson Road.

**Pedestrian and Bicycle Facilities**

There are Class I and II bicycle facilities in the vicinity of the site. Harder Road has Class II bike lanes on both sides from Westview Way to Bishop Avenue, where it becomes Santa Clara Street. Tennyson Road also includes Class II bike lanes on both sides in its entirety except for a small section between Mission Boulevard and East 12th Street in the project vicinity and a short segment over the I-880/Tennyson Road interchange. A Class II bike lane also exists on Whitman Street west of the project site. There are no existing bike facilities on Mission Boulevard or Sorenson Road.

According to the 2007 Hayward Bicycle Master Plan, a future multi-use path (called the Station Area Trail) that would run parallel to the BART tracks between Harder Road and the South Hayward BART station is planned as part of the South Hayward BART Concept Design Plan. A bicycle-pedestrian bridge over Tennyson Road would also be built as part of the Station Area Trail project, providing direct bicycle and pedestrian access to the South Hayward BART station.

Pedestrian facilities in the project area consist of sidewalks along all surrounding streets. Most of the signalized study intersections have crosswalks. The intersection at the Mission Boulevard and Sorenson Road Avenue has crosswalks on the west and south legs only. There is a pedestrian overpass that spans over the BART and Union Pacific railroad tracks, connecting Sorenson Road and Whitman Street (hereby referred to as the Sorenson Road Pedestrian Bridge).

**Transit Service**

*Alameda Contra Costa (AC) Transit*

*Line 22* operates on Mission Boulevard in the project vicinity. It runs a loop service connecting Hayward and South Hayward BART stations via Mission Boulevard, Tennyson Road, Hesperian Boulevard, Chabot College, Southland Mall, West Winton Avenue, and D Street with 30-minute headways during both commute and midday hours between 5:45 AM and 10:45 PM. Line 22 also provides weekend service. Bus stops are located directly adjacent to the project site at the Mission Boulevard/Sorenson Road intersection.
Line 99 connects the Hayward and Fremont BART stations via Mission Boulevard primarily, with 20-minute headways between approximately 5:00 AM and 12:00 AM on weekdays. Line 99 also provides weekend service. The bus stop closest to the project site is at the Mission Boulevard/Sorenson Road intersection.

Line 801 provides all-night service between the Downtown Oakland and the Fremont BART stations via Mission Boulevard every hour between approximately 11:40 PM and 4:40 AM on weekdays. Line 801 also provides weekend service. The bus stop closest to the project site is at the Mission Boulevard/Sorenson Road intersection.

Line 37 provides loop service between the Hayward and South Hayward BART stations and operates along Whitman Street and Tennyson Road in the vicinity of the project site with 60-minute headways between 6:00 AM and 8:00 PM. The bus stop closest to the project site is at the Whitman Street/Fruitwood Way intersection adjacent to the western approach of the Sorenson Road Pedestrian Bridge.

Bay Area Rapid Transit (BART)

The South Hayward Bart Station is located approximately one-mile south of the project site. BART connects San Francisco with cities in the East Bay and suburbs in northern San Mateo County. The South Hayward BART Station is served by the BART Fremont-Richmond and the Fremont-Daly City lines. BART provides service from 4:00 AM to 12:00 AM on weekdays with headways between 15 and 20 minutes on the Fremont-Richmond Line and 15-minute headways on the Fremont-Daly City line from approximately 5:00 AM to 6:00 PM on weekdays.

4.16.2.1 Methodology

Level of Service

Traffic conditions were evaluated using level of service (LOS). LOS is a qualitative description of operating conditions ranging from LOS A (free-flow conditions with little or no delay) to LOS F (jammed conditions with excessive delays). The analysis methods for signalized and unsignalized intersections are described below.

Signalized Intersection

According to Hayward’s General Plan, the minimum acceptable standard for signalized intersection operations is LOS E. The correlation between the levels of service and average control delay for signalized intersections is provided in Table 4.16-1.
### Table 4.16-1
Signalized Intersection Level of Service Standards

<table>
<thead>
<tr>
<th>Level of Service</th>
<th>Description</th>
<th>Average Control Delay Per Vehicle (seconds)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Signal progression is extremely favorable. Most vehicles arrive during the green phase and do not stop at all. Short cycle lengths may also contribute to the very low vehicle delay</td>
<td>10.0 or less</td>
</tr>
<tr>
<td>B</td>
<td>Operations characterized by good signal progression and/or short cycle lengths. More vehicles stop compared to LOS A, causing high levels of average vehicle delay.</td>
<td>10.1 to 20.0</td>
</tr>
<tr>
<td>C</td>
<td>Higher delays may result from fair signal progression and/or longer cycle lengths. Individual cycle failures may begin to appear at this level. The number of vehicles stopping is significant, though may still pass through the intersection without stopping.</td>
<td>20.1 to 35.0</td>
</tr>
<tr>
<td>D</td>
<td>The influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable signal progression, long cycle lengths, or high volume-to-capacity (V/C) ratios. Many vehicles stop and individual cycle failures are noticeable.</td>
<td>35.1 to 55.0</td>
</tr>
<tr>
<td>E</td>
<td>This is considered to be the limit of acceptable delay. These high delay values generally indicate poor signal progression, long cycle lengths, and high V/C ratios. Individual cycle failures occur frequently.</td>
<td>55.1 to 80.0</td>
</tr>
<tr>
<td>F</td>
<td>This level of delay is considered unacceptable by most drivers. This condition often occurs with oversaturation, that is, when arrival flow rates exceed the capacity of the intersection. Poor progression and long cycle lengths may also be major contributing causes of such delay levels</td>
<td>Greater than 80.0</td>
</tr>
</tbody>
</table>

### Study Intersections

The traffic analysis evaluated the impacts of the proposed project on three signalized intersections and of the traffic operations at two project driveways during the weekday AM and PM peak hour periods of traffic. The AM peak hour is between 7:00 AM and 9:00 AM and the PM peak hour period is between 4:00 PM and 6:00 PM. The study intersections are listed below and shown on Figure 4.16-1.

**Study Intersections (Signalized)**

1. Mission Boulevard and Harder Road
2. Mission Boulevard and Sorenson Road
3. Mission Boulevard and Tennyson Road

**Project Site Driveways (Unsignalized)**

1. Mission Boulevard and Project Driveway
2. Sorenson Road and Project Driveway

None of the study intersections are Congestion Management Program (CMP) intersections.
LEGEND

- **Project Site Location**
- **Study Intersection**
- **City of Hayward**
- **AM(PM) Peak-Hour Trips**
- **Site Driveway**

**Figure 4.16:** Study Intersections and Existing Traffic Volumes

<table>
<thead>
<tr>
<th>Intersection</th>
<th>AM Peak-Hour Trips</th>
<th>PM Peak-Hour Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Mission Blvd</td>
<td>88 (197)</td>
<td>1617 (1118)</td>
</tr>
<tr>
<td>2 Sorenson Rd</td>
<td>46 (97)</td>
<td>2130 (1574)</td>
</tr>
<tr>
<td>3 Mission Blvd</td>
<td>260 (365)</td>
<td>1930 (1188)</td>
</tr>
<tr>
<td></td>
<td>1900 (1385)</td>
<td>5 (14)</td>
</tr>
<tr>
<td>400 (376)</td>
<td>100 (0)</td>
<td>350 (225)</td>
</tr>
</tbody>
</table>

**Legend:**

- **1**: Study Intersection
- **2**: Project Site Location
- **3**: City of Hayward
- **4**: AM(PM) Peak-Hour Trips
- **5**: Site Driveway
Traffic Scenarios Analyzed

Traffic conditions at study intersections were evaluated for two scenarios: existing conditions and existing plus project. Table 4.16-2 below describes each scenario.

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Conditions</td>
<td>Existing conditions are represented by existing peak hour traffic volumes on the existing roadway network.</td>
</tr>
<tr>
<td>Existing Plus Project</td>
<td>Conditions were estimated by adding projected project peak hour trips generated by the proposed residential project to the existing condition. Project generated traffic was estimated using the vehicular trip generation rates recommended by the Institute of Transportation Engineers manual entitled Trip Generation, 9th Edition.</td>
</tr>
</tbody>
</table>

4.16.3 Impact Analysis

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?

Project Trip Generation Estimates

The traffic produced by a new development and the locations where that traffic would appear are estimated using a three-step process: (1) trip generation, (2) trip distribution, and (3) trip assignment. In determining project trip generation, traffic entering and exiting the site is estimated for the AM and PM peak hours. As part of the project trip distribution, an estimate is made of the directions to and from which the project trips would travel. In the project trip assignment, the project trips are assigned to specific streets. These procedures are described further in the following sections.

Project trip estimates for the proposed project are based on trip generation rates obtained from the Institute of Transportation Engineers’ (ITE’s) Trip Generation Manual, Ninth Edition, 2012. The trips generated by the residential component of the proposed project were estimated using rates for apartments and townhouse/condominium land uses. The trips generated by the commercial component of the proposed project were estimated using rates for Coffee/Donut Shop without a drive through window.

It is anticipated that the commercial component of the project would generate pass-by trips. Pass-by trips are trips that would already be on the adjacent roadways (and are therefore already counted in the existing traffic), but would turn into the site while passing by. Justification for applying the pass-by trip reduction is founded on the observation that such

---

22 For the purposes of traffic analysis, the proposed commercial space is assumed to be a coffee shop. Refer to Table 4.16-3.
traffic is not actually generated by the proposed development, but is already part of the ambient traffic levels. A pass-by trip reduction of 42 percent (based on pass-by rates used by other traffic studies conducted in the project vicinity) was applied to the AM and PM peak hour trip generation for the commercial space. Pass-by trips were assumed to originate on Mission Boulevard and were assigned between the project site and the intersection of Mission Boulevard/Sorenson Road.

After applying pass-by trip reductions, the proposed project would generate 1,203 daily trips with 129 trips during the AM peak hour and 77 trips during the PM peak hour. Traffic counts at the existing site driveways were conducted in October 2016 to quantify the baseline peak-hour trips generated by the existing uses. Based on the driveway counts, the existing uses on site generate 16 trips during the AM peak hour and 25 trips during the PM peak hour. Subtracting the existing site driveway counts from the trip generated by the project, the site would generate 998 net daily trips with 113 (46 inbound/67 outbound) net new trips during the AM peak hour, and 52 (34 inbound/18 outbound) net new trips during the PM peak hour. The project trip generation estimates are presented in Table 4.16-3.

<table>
<thead>
<tr>
<th>Table 4.16-3</th>
<th>Project Trip Generation Estimates</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Dwelling Units/Square Feet (S.F.)</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Proposed Uses</td>
<td>Apartment 39 units 259</td>
</tr>
<tr>
<td></td>
<td>Townhomes 35 units 203</td>
</tr>
<tr>
<td></td>
<td>Coffee Shop² 1,500 s.f. 1,277</td>
</tr>
<tr>
<td></td>
<td>Pass-By (42%)³ -536</td>
</tr>
<tr>
<td></td>
<td><strong>Total Proposed Project Trips</strong> 1,203</td>
</tr>
<tr>
<td>Existing Uses</td>
<td>Mixed-Use⁴ 205</td>
</tr>
<tr>
<td>Net Project Trips (Proposed - Existing) 998</td>
<td>46</td>
</tr>
</tbody>
</table>

Sources/Notes:
¹Average Weekday Daily Trip
²Coffee/Donut Shop Without Drive-Through Window
³A 42% pass-by reduction was applied to be consistent with pass-by trip reductions of other coffee shops along Mission Boulevard.
⁴Existing AM and PM peak hour trips are based on 10/12/2016 driveway counts. Existing daily trips were estimated.

²³For the purposes of this analysis, approximately one-third (or 14,209 square feet) of the existing commercial space on the site is assumed to be occupied, although as noted previously a fire damaged portions of the center June 3, 2017.
Existing Plus Project Conditions

The project trips, as represented in the project trip assignment discussed above, were added to existing traffic volumes to obtain existing plus project traffic volumes. Intersection levels of service were evaluated against City of Hayward LOS standards. The results of the intersection LOS analysis under existing plus project conditions are summarized in Table 4.16-4.

<table>
<thead>
<tr>
<th>Study Intersection</th>
<th>Peak Hour</th>
<th>Existing Condition</th>
<th>Existing Plus Project Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Average Delay</td>
<td>LOS</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(sec.)</td>
<td>LOS</td>
</tr>
<tr>
<td>Mission Boulevard and Harder Road</td>
<td>AM</td>
<td>38.9</td>
<td>40.4</td>
</tr>
<tr>
<td></td>
<td>PM</td>
<td>38.3</td>
<td>38.8</td>
</tr>
<tr>
<td>Mission Boulevard and Sorenson Road</td>
<td>AM</td>
<td>11.3</td>
<td>17.7</td>
</tr>
<tr>
<td></td>
<td>PM</td>
<td>10.5</td>
<td>11.7</td>
</tr>
<tr>
<td>Mission Boulevard and Tennyson Road</td>
<td>AM</td>
<td>25.1</td>
<td>25.3</td>
</tr>
<tr>
<td></td>
<td>PM</td>
<td>24.7</td>
<td>24.8</td>
</tr>
</tbody>
</table>

Notes:
1 Delay shown for the signalized intersections is the weighted average control delay for all turning movements approaching the intersection.

The level of service analysis shows that, measured against the City of Hayward LOS E thresholds for signalized intersections, all intersections will operate at a LOS D or better during the weekday peak traffic hours. Therefore, impacts to traffic would be less than significant. **(Less Than Significant Impact)**

Operational and Site Access

The project provides adequate site access and circulation for the proposed mixed-use development. The driveway on Mission Boulevard (north driveway) is located near the north end of the project site. The north driveway would be stop-controlled and have one inbound right-in and one outbound right-out lane. Under project conditions, it is anticipated that this driveway would serve approximately 9 AM peak hour project trips and 23 PM peak hour project. Based on the driveway counts, the four existing driveways on Mission Boulevard serving this site have approximately 10 AM peak hour trips and 14 PM peak hour trips.

The driveway on Sorenson Road (south driveway) is located approximately 150 feet west from the intersection of Mission Boulevard and Sorenson Road, and would provide access to the commercial space. The site plan shows the driveway on Sorenson Road would be a full access driveway. It would also be stop-controlled and have one inbound and one outbound lane. Under project conditions, it is anticipated that this driveway would serve approximately 189 AM peak hour project trips and 80 PM peak hour project trips. Based on the driveway counts, the two existing driveways on Sorenson Road serving this site have approximately six (6) AM peak hour trips and 11 PM peak hour trips.
According to the level of service and queuing calculations, the north driveway would operate at LOS D (25.9 seconds delay) during the AM peak hour and LOS C (18.4 seconds delay) during the PM peak hour with maximum 95th percentile queue of one vehicle during the peak hours. It has a throat length of approximately 20 feet (one vehicle’s length) measured from the back of sidewalk, beyond which it will block access to the adjacent perpendicular visitor parking spaces. Therefore, the queue could be accommodated in the storage space provided.

The south driveway would operate at LOS B (11.1 seconds delay) during the AM peak hour and LOS B (11.2 seconds delay) during the PM peak hour with maximum 95th percentile queue of one vehicle during the peak hours. It has a throat length of approximately 20 feet measured from the back of sidewalk, beyond which it will block access to the apartment’s garages. Therefore, the queue could be accommodated in the storage space provided. The on-site queues would not interfere with traffic operations on Mission Boulevard.

The corner sight distance at both project driveways was checked in the field and determined to be adequate. The widths of the north and south site driveways are 26.5 feet and 26 feet, respectively. Both site driveways meet the City of Hayward residential driveway design standards. (Less Than Significant Impact)

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?

The Alameda County Congestion Management Program requires a traffic impact analysis when a project would result in 100 or more peak hour trips. The project, which would generate approximately 129 AM and 77 PM net new peak hour trips, requires a detailed traffic impact analysis to show conformity to the CMP. However, the three study intersections analyzed in the traffic impact analysis were not designated as CMP intersections by Alameda County. Therefore, the project would not result in a conflict with the Alameda County CMP or any other adopted plan, ordinance, or policy related to the effectiveness of the circulation system. (Less Than Significant Impact)

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 would not affect air traffic patterns in the vicinity of the site, refer to discussion in Section 4.8 Hazards and Hazardous Materials. (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)?

The project provides adequate site access and circulation for the proposed mixed-use development. The project does not propose any design features that would increase hazards on or adjacent to the project site. (Less Than Significant Impact)
e) Would the project result in inadequate emergency access?

The mixed-use development proposed on the site will be reviewed and approved by the Hayward Fire Department to ensure adequate emergency access. The on-site circulation provides good connectivity between the residences on site and the site access points because the drive aisles provide continuous, unimpeded connectivity between Sorenson Road and Mission Boulevard. (No Impact)

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?

According to the U.S. Census, pedestrian trips comprise approximately two percent of the total commute mode share in the City of Hayward. For the proposed project, assuming two percent of total commute trips (excluding commercial trips) would be walking trips would equate to approximately one pedestrian trip during the AM and PM peak hours. Similarly, the U.S. Census data indicate that bicycle trips comprise less than one-half of one percent of the total commute mode share in the City of Hayward. In addition to commute trips, there will be pedestrian and bike trips to nearby schools, parks, shopping areas and BART. Overall, the volume of pedestrian and bike trips generated by the project would not exceed the carrying capacity of the existing sidewalks, crosswalks, and bike facilities on streets surrounding the site. Therefore, the project would not conflict with the 2013 Alameda County Congestion Management Program (CMP) Transportation Impact Analysis Technical Guidelines.

According to the U.S. Census, bus trips comprise approximately two percent of the total commute mode share in the City of Hayward. For the proposed project, assuming two percent of total commute trips would be bus trips would equate to approximately one bus trip during the AM or PM peak hours. In addition to commute trips, there will be additional bus trips to nearby schools, parks, shopping areas and BART. The volume of bus trips generated by the project would not exceed the carrying capacity of the existing transit serving the site. Therefore, no improvements to existing bus service frequencies would be necessary in conjunction with the proposed project. In addition to bus service, some future residents would utilize BART, which is located approximately one-mile south of the project site.

According to the U.S. Census, BART trips comprise approximately six percent of the total commute share in Hayward. For the proposed project, this would equate to up to approximately three new BART trips during the AM and PM peak hours. To access BART, future residents could walk, bike, take the bus, or drive to the South Hayward BART station which is approximately one-mile south of the project site. BART trips to and from the proposed project would comprise an extremely small fraction of the total BART ridership, and therefore, would not cause any meaningful changes in BART service. Based on the discussion above, the proposed project would not conflict with existing or planned multimodal transportation facilities serving the project site nor decrease the performance or safety of such facilities. (Less Than Significant Impact)
4.16.4 Conclusion

The proposed project would not significantly reduce the operations of vehicular or multimodal transportation facilities in the project area. *(Less Than Significant Impact)*
4.17 UTILITIES AND SERVICE SYSTEMS

4.17.1 Environmental Impacts

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Checklist Source(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,2</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,2</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,2</td>
</tr>
<tr>
<td>d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,2</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,2</td>
</tr>
<tr>
<td>f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>1,2</td>
</tr>
</tbody>
</table>

4.17.2 Existing Setting

4.17.2.1 Water

Water service to the project site is provided by the City of Hayward. The City owns and operates its own water distribution system and purchases all of its water from the San Francisco Public Utilities Commission (SFPUC). The City receives water through two aqueducts along Mission Boulevard and Hesperian Boulevard that have a total capacity of 32 million gallons per day (mgd). The aqueducts deliver potable water through a pressurized distribution system with over 360 miles of pipelines, 14 water storage reservoirs, seven pump stations, transmission system pressure regulating valves, numerous zonal pressure reducing valves, and two booster pump stations.

24 City of Hayward 2040 General Plan EIR. February 2014.
The water supplied to Hayward is predominantly from the Sierra Nevada, delivered through the Hetch-Hetchy aqueducts, but also includes treated water produced by the SFPUC from its local watershed and facilities in Alameda County.

There is an existing 10-inch water line in Sorenson Road as well as a 12-inch water line in Mission Boulevard.

For the purposes of this analysis, approximately one-third (14,029 square feet) of the existing strip commercial center is assumed to be occupied. As a result, the site is currently consuming approximately 1,249 GPD water.\(^{25}\)

### 4.17.2.2 Storm Drainage

As discussed in Section 4.9 Hydrology and Water Quality, there are existing 12- and 15-inch storm drain lines on Sorenson Road. Storm drain lines in the project area are provided and maintained by the City of Hayward. Surface runoff from the project site is conveyed to the City’s storm drainage system and ultimately flows to the San Francisco Bay.

### 4.17.2.3 Wastewater/Sanitary Sewer System

The City of Hayward owns and operates the wastewater collection and treatment system that serves almost all of the residential, commercial, and industrial users within the incorporated City limits, and limited portions of the adjacent unincorporated areas of Alameda County by contract. The City of Hayward Water Pollution Control Facility (WPCF) treatment municipal wastewater and conveys it to the East Bay Dischargers Authority (EDBA) disposal facility. The EDBA disposes of the treated wastewater.

The City of Hayward 2015 Urban Water Management Plan estimates that Hayward collected and treated 10.1 mgd of wastewater.\(^{26}\) The Hayward WPCF is permitted to provide treatment for up to 18.5 million gallons per day (mgd), which is anticipated to be reached by 2035.

For the purposes of this analysis, approximately one-third (14,029 square feet) of the existing commercial center is assumed to be occupied. As a result, the site is currently producing approximately 1,066 gallons per day (GPD) of wastewater.\(^{27}\)

### 4.17.2.4 Solid Waste

The City of Hayward Department of Public Works, Utilities and Environmental Services Division, provides weekly garbage collection and disposal services through a Franchise Agreement with Waste Management of Alameda County (WMAC) for residential and commercial collection of recyclables.

---

\(^{25}\) \((0.089 \text{ gallons per square foot of water}) \times (14,029 \text{ square feet of occupied commercial space}) = 1,249 \text{ gallons of water.}\)

\(^{26}\) City of Hayward Urban Water Management Plan. *Table 6-3: Wastewater Treatment and Discharge Within Service Area in 2015.* June 2016.

\(^{27}\) \((0.076 \text{ GPD per square foot of wastewater}) \times (14,029 \text{ square feet of occupied commercial space}) = 1,066 \text{ GPD of wastewater.}\)
Altamont Landfill is the designated disposal site in the City’s Franchise Agreement with Waste Management, Inc. (WMI). In 2001 Altamont Landfill received County approval to increase capacity, adding 25 years to the life of the landfill and extending the expected closure date to the year 2040.

Hayward has exceeded the State population and employee per capita solid waste diversion targets of 50 percent established by Senate Bill (SB) 1016. When the Hayward City Council approved the current Franchise Agreement with WMAC in January 2015, the City set a goal of reaching 80% diversion by 2018.

4.17.2.5 **Applicable Plans, Policies, and Regulations**

**Assembly Bill 939**

Assembly Bill 939 (AB 939) established the California Integrated Waste Management Board (now CalRecycle) and required all California counties to prepare integrated waste management plans. AB 939 required all municipalities to divert 50 percent of the waste stream by the year 2000.

**California Green Building Standards Code**

In January 2010, the State of California adopted the California Green Building Standards Code that establishes mandatory green building standards for all buildings in California. The code covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and indoor environmental quality. These standards include a mandatory set of guidelines, as well as more rigorous voluntary measures, for new construction projects to achieve specific green building performance levels:

- Reducing indoor water use by 20 percent;
- Reducing wastewater by 20 percent;
- Recycling and/or salvaging 50 percent of nonhazardous construction and demolition debris; and
- Providing readily accessible areas for recycling by occupant.

**City of Hayward General Plan**

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects with the City. The following policies are specific to utilities and service systems and are applicable to the proposed project.

<table>
<thead>
<tr>
<th>Policies</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy PFS-1.2</td>
<td>The City shall annually review and update the Capital Improvement Program to ensure adequate and timely provision of public facility and municipal utility provisions.</td>
</tr>
<tr>
<td>Policy PFS-1.4</td>
<td>The City shall, through a combination of improvement fees and other funding mechanisms, ensure that new development pays its fair share of providing new public facilities and services and/or the costs of expanding/upgrading existing facilities and services impacted by new development (e.g., water, wastewater, stormwater drainage).</td>
</tr>
<tr>
<td>Policy PFS-4.6</td>
<td>The City shall strive to adopt innovative and efficient wastewater treatment technologies that are environmentally-sound.</td>
</tr>
</tbody>
</table>
Policy NR-6.9  The City shall require water customers to actively conserve water year-round, and especially during drought years.

Policy NR-6.10  The City shall support efforts by the regional water provider to increase water recycling by residents, businesses, non-profits, industries, and developers, including identifying methods for water recycling and rainwater catchment for indoor and landscape uses in new development.

Policy NR-6.15  The City shall encourage private property owners to plant native or drought-tolerant vegetation in order to preserve the visual character of the area and reduce the need for toxic sprays and groundwater supplements.

Policy PFS-4.9  The City shall ensure the provision of adequate wastewater service to all new development, before new developments are approved, and support the extension of wastewater service to existing developed areas where this service is lacking.

4.17.3  Impact Discussion

a, b, e) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? 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? Result in a determination by the wastewater treatment provider which serves or may serve the project that is has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?

Pursuant to the Federal Clean Water Act and California’s Porter-Cologne Water Quality Control Act, the RWQCB regulates wastewater discharges to surface waters, such as San Francisco Bay, through the NPDES program. Wastewater permits contain specific requirements that limit the pollutants it discharges. As required by the RWQCB, the EDBA monitors its wastewater to ensure that it meets all requirements. The RWQCB routinely inspects treatment facilities to ensure permit requirements are met.

Sewage from development on the project site would be treated at the WPCF and conveyed to the EDBA for discharge to San Francisco Bay in accordance with the existing NPDES permit. The approximately 238 new project residents and up to 1,500 square feet of commercial space would contribute an estimated additional average base wastewater flow of 18,530 GPD. Therefore, accounting for the existing commercial development, the net total generation of wastewater from the site is approximately 17,464 GPD.

The flow from the proposed project would be conveyed to a new eight-inch sanitary sewer line which would connect to the existing sanitary sewer manhole in Sorenson Road at Colette Street. The construction of additional sewage conveyance lines in the adjacent street right-of-way is not anticipated to disturb any known resources and would be subject to the same ground disturbance measures identified elsewhere in this document. The Hayward WPFC currently treats 10.1 mgd of wastewater and is permitted to provide treatment for up to 18.5 million gallons per day (mgd), which is anticipated to be reached by 2035. Therefore, the

---

28 Wastewater demand is estimated as 85% of the total water demand, which is 21,182 GPD for the residences, and 615 GPD per square foot for the commercial space. Therefore, the wastewater GPD for residences is estimated to be 18,005 GPD, and 525 GPD per square foot, respectively, which totals 18,530 GPD.

29 (18,530 GPD of projected wastewater demand) – 1,066 GPD per square foot of existing uses) = 17,464 net GPD.
Hayward WPFC has adequate capacity to serve the project site. (Less Than Significant Impact)

c) Require or result in the construction of stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The project site is entirely developed with commercial structures and a parking lot; therefore, the project would not increase impervious surfaces on the 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.

The project would employ a stormwater control plan with the use of bio-retention areas and all site drainage would be treated before discharged into the storm drain system. The project would construct a new 15-inch storm drain line in Sorenson Road to convey runoff from the site to an existing storm drain at the intersection of Sorenson Road and Luvena Drive southwest of the site. Improvements within the right-of-way of Sorenson Road would be subject to the same ground disturbance requirements and mitigation measures as described elsewhere in this IS. The project would have a less than significant impact. (Less Than Significant Impact)

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?

The water supplied to Hayward is predominantly from the Sierra Nevada, delivered through the Hetch-Hetchy aqueducts, but also includes treated water produced by the San Francisco Public Utilities Commission (SFPUC) from its local watershed and facilities in Alameda County. The City receives water through two aqueducts along Mission Boulevard and Hesperian Boulevard that have a total capacity of 32 million gallons per day (mgd). The aqueducts deliver potable water through a pressurized distribution system with over 360 miles of pipelines, 14 water storage reservoirs, seven pump stations, transmission system pressure regulating valves, numerous zonal pressure reducing valves, and two booster pump stations.

Although the project proposes an increased population on the project site, the project water demand has been accounted for in the City’s Urban Water Management Plan. Based on water usage rates of approximately 89 gallons per capita per day (GPCD) for 238 new residents and 0.41 GPD per square foot for up to 1,500 square feet of commercial space, the project would utilize approximately 21,797 GPD.\(^3\) Therefore, accounting for the existing commercial development, the net total demand for water from the site is approximately 20,548 GPD, which can be conveyed in existing water lines available to the site and by existing supplies.\(^3\) (Less Than Significant Impact)

---

\(^3\) Residential water demand: \((89 \text{ gallons per capita per day}) \times (238 \text{ new residents} [3.22 \text{ persons/household} \times 74 \text{ residences}]) = 21,182 \text{ gallons per day.}\)

Commercial water demand: \((0.41 \text{ gallons per day per square foot}) \times (1,500 \text{ square feet of commercial}) = 615 \text{ GPD per square foot. The total water demand is } (21,182 \text{ GPD}) + (615 \text{ GPD}) = 21,797 \text{ GPD.}\)

\(^3\) (21,182 GPD of projected wastewater demand) – 1,249 GPD per square foot of existing uses) = 20,548 net GPD
Would the project be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs? Would the project comply with federal, state and local statues and regulations related to solid waste?

Waste generation and disposal data for Hayward is maintained by CalRecycle. According to the CalRecycle, the total amount of solid waste landfilled in 2015 was 115,709 tons, which equals a solid waste generation rate of approximately 3.98 pounds per resident per day. Assuming this rate remains stable, the additional 238 residents projected under the proposed project would generate approximately 947 pounds (0.47 tons) of landfilled solid waste per day.32

The average total solid waste produced per employee for a fast food restaurant or coffee shop are estimated to be 11.67 pounds per employee per day.33 Assuming this rate remains stable, the additional six employees would generate approximately 70 pounds (0.035 tons) of landfilled solid waste per day.

The project would increase solid waste generation in the City by well less than one percent and therefore would not significantly impact landfill capacity. (Less Than Significant Impact)

4.17.4 Conclusion

The proposed project would have a less than significant impact on utilities and service systems. (Less Than Significant Impact)

### MANDATORY FINDINGS OF SIGNIFICANCE

<table>
<thead>
<tr>
<th>Potential Impacts</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Source(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>✗</td>
<td>✗</td>
<td>✗</td>
<td>Pg. 19-114</td>
</tr>
<tr>
<td>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)?</td>
<td>✗</td>
<td>✗</td>
<td>✗</td>
<td>Pg. 19-114</td>
</tr>
<tr>
<td>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</td>
<td>✗</td>
<td>✗</td>
<td>✗</td>
<td>Pg. 19-114</td>
</tr>
</tbody>
</table>

#### 4.18.1 Project Impacts

As discussed in the individual sections, the proposed project would not degrade the quality of the environment with the implementation of identified standard permit conditions and mitigation measures. The project includes mitigation measures to avoid or reduce biological resources, cultural resources, geology and soils, and noise impacts to a less than significant level.

As discussed in **Section 4.4 Biological Resources**, the project is located in an urban environment and would not impact sensitive habitat or species; however, nesting birds and retained trees may be affected during project construction if not adequately protected.

There are no historic buildings on-site or in the immediate project vicinity as discussed in **Section 4.5 Cultural Resources**. However, the project requires implementation of appropriate mitigation measures if project construction encounters unknown buried archaeological resources. Therefore, the implementation of identified mitigation measures would ensure biological and cultural impacts related to the proposed mixed-use residential redevelopment of the site would be less than significant. **(Less Than Significant Impact with Mitigation)**
4.18.2  **Cumulative Impacts**

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.”

Because criteria air pollutant and GHG emissions would contribute to regional and global emissions of such pollutants, the identified thresholds developed by BAAQMD and used by the City of Hayward were developed such that a project-level impact would also be a cumulatively considerable impact. The project would not result in a significant emissions of criteria air pollutants or GHG emissions and, therefore, would not make a substantial contribution to cumulative air quality or GHG emissions impacts.

Cumulative TAC conditions were disclosed in *Section 4.3 Air Quality* and the combined effects of project construction emissions and other area sources were found to be less than significant.

With the implementation of mitigation measures and standard permit conditions, residential development on the site would not result in significant geology and soils or hydrology and water quality impacts and would not contribute to cumulative impacts to these resources as they are specific to the site and immediate surroundings. Also, the project would not impact agricultural and forest resources or mineral resources and, therefore, the project would not contribute to a significant cumulative impact on these resources.

The project is located in an urban area and therefore would not contribute to a cumulative impact on aesthetics, population and housing, public services, recreation, and transportation with the implementation of Municipal Code requirements.

Additionally, the proposed project has been evaluated as part of the implementation of the South Hayward BART/Mission Boulevard Form-Based Code which was approved in 2011. Although the new residential units may result in some level of population growth, this growth was assumed in the South Hayward BART/Mission Boulevard Form-Based Code, analyzed in the South Hayward BART/Mission Boulevard Form-Based Code EIR, and would not be considered substantial. Therefore, the impact from the project would be a less than significant cumulative impact. *(Less Than Significant Cumulative Impact)*

4.18.3  **Direct or Indirect Adverse Effects on Human Beings**

Consistent with Section 15065(a)(4) 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 the potential to cause substantial adverse effects on human beings, either directly or indirectly. Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of
the designated CEQA issue areas, those that could directly affect human beings include Construction TACs, hazardous materials, and noise. However, implementation of mitigation measures and General Plan policies would reduce these impacts to a less than significant level. No other direct or indirect adverse effects on human beings have been identified. (Less Than Significant Cumulative Impact)
Checklist Sources

1. Professional judgment and expertise of the environmental specialist preparing this assessment, based upon a review of the site and surrounding conditions, as well as a review of the project plans.
SECTION 5.0 REFERENCES


City of Hayward. *South Hayward BART/Mission Boulevard Form-Based Code Draft Supplemental Program EIR*. April 2011.

City of Hayward. *Zoning Ordinance*.


TRC. *Phase I Environmental Site Assessment*. September 29, 2015.


SECTION 6.0 LEAD AGENCY AND CONSULTANTS

6.1 LEAD AGENCY

City of Hayward
Mike Porto, Consulting Planner

6.2 CONSULTANTS

*Environmental Consultants and Planners*
Akoni Danielsen, Project Principal
Will Burns, Senior Project Manager
Tali Ashurov, Assistant Project Manager
Zach Dill, Graphic Artist

Basin Research Associates
*Historic and Cultural Resources Consultants*
Colin I. Busby, Ph.D., RPA, Principal

Illingworth & Rodkin, Inc.
*Air Quality Consultants*
James Reyff, Principal
Bill Popenuck, Staff Consultant