

4. Environmental Evaluation

CHAPTER ORGANIZATION

This chapter of the Draft EIR is made up of 14 subchapters, which evaluate the direct, indirect, and cumulative environmental impacts from adoption and implementation of the proposed project. The following sections describe the format of the environmental analysis, and the format of the thresholds of significance and the impact analysis.

FORMAT OF ENVIRONMENTAL ANALYSIS

The California Environmental Quality Act (CEQA) Guidelines Section 15128 allows for no analysis of environmental issues for which there is no likelihood of significant impact. Due to the location of the proposed project in an urbanized area in the Hayward, no impacts would occur to agricultural, forestry or mineral resources. A brief discussion of each topic is provided as follows:

- **Agricultural Resources:** Maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency categorize lands within Hayward as Urban and Built-Up Land.¹ There are no agricultural lands classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance within the city of Hayward. The California Land Conservation Act (Williamson Act) 2016 Status Report identifies land in Alameda County that is under Williamson Act contract; however, none are located within the city of Hayward.² Therefore, future development facilitated by the adoption and implementation of the proposed project would not conflict with lands under Williamson Act contract. For these reasons, there would be no impacts to agricultural resources under CEQA.
- **Forestry Resources:** According to 2006 mapping data from the California Department of Forestry and Fire Protection, the city of Hayward does not contain any woodland or forestland cover;³ therefore, the city does not contain land zoned for Timberland Production nor does the Hayward Zoning Map identify areas zoned for Timberland Production.⁴ Consequently, there would be no impacts to forestry resources under CEQA.
- **Mineral Resources:** The California Department of Conservation, Geological Survey classifies lands into Aggregate and Mineral Resource Zones (MRZs) based on guidelines adopted by the California State

¹ California Department of Conservation, Farmland Mapping and Monitoring Program, Alameda County Important Farmland 2014, <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2014/ala14.pdf>, accessed on January 24, 2018.

² California Department of Conservation, 2016, California Land Conservation (Williamson) Act 2016 Status Report, page 39.

³ California Department of Forestry and Fire Protection Fire and Resource Assessment Program, Land Cover Map, http://frap.fire.ca.gov/data/frapgismaps/pdfs/fvegwhr13b_map.pdf, accessed on January 24, 2018.

⁴ City of Hayward, Zoning Map, <https://www.hayward-ca.gov/sites/default/files/City%20of%20Hayward%20Zoning%20Map.pdf>, accessed on January 24, 2018.

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Mining and Geology Board, as mandated by the Surface Mining and Reclamation Act of 1974. These MRZs identify whether known or inferred significant mineral resources are present in areas. Lead agencies are required to incorporate identified MRZs resource areas delineated by the State into their General Plans.⁵ La Vista Quarry, located southeast of the Specific Plan Area near the Vista Grande Drive and Fortuna Drive intersection, is designated as a mineral resource sector of regional importance. However, all operations at the La Vista Quarry have been terminated due to depletion of the accessible aggregate resource.⁶ There are no other significant aggregate or mineral resources located in the City Hayward. In addition, the City of Hayward has no General Plan Land Use designation for mineral resources.⁷ Therefore, no impacts to mineral sources under CEQA would occur.

The California Supreme Court concluded in the *California Building Industry Association vs. Bay Area Air Quality Management District* (CBIA vs. BAAQMD) case that “CEQA generally does not require an analysis of how existing environmental conditions will impact a project’s future users or residents.” The CBIA vs. BAAQMD ruling provided for several exceptions to the general rule where an analysis of the project on the environment is warranted: 1) if the project would exacerbate existing environmental hazards (such as exposing hazardous waste that is currently buried); 2) if the project qualifies for certain specific specified exemptions (certain housing projects and transportation priority projects per Public Resource Code (PRC) 21159.21 (f),(h); 21159.22 (a),(b)(3); 21159.23 (a)(2)(A); 21159.24 (a)(1),(3); or 21155.1 (a)(4),(6)); 3) if the project is exposed to potential noise and safety impacts on projects due to proximity to an airport (per PRC 21096); and 4) school projects require specific assessment of certain environmental hazards (per PRC 21151.8).

Therefore, the evaluation of the significance of project impacts under CEQA in the following sections listed below focuses on the impacts of the project on the environment, including whether the project may exacerbate any existing environmental hazards:

- **Geology and Soils:** Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: (i) Rupture of a known earthquake fault, as delineated 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; (ii) Strong seismic ground shaking; (iii) Seismic-related ground failure, including liquefaction; (iv) Landslides, mudslides or other similar hazards?
- **Hazards and Hazardous Materials:** Would the project expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildland are adjacent to urbanized areas or where residences are intermixed with wildlands?

⁵ Public Resources Code, Division 2, Geology, Mines and Mining, Chapter 9, Surface Mining and Reclamation Act of 1975, Article 4, State Policy for the Reclamation of Mined Lands, Section 2762(a)(1).

⁶ City of Hayward, 2014, Hayward 2040 General Plan Background Report, Section 7.7, Mineral Resources, page 7-109.

⁷ City of Hayward, 2040 Hayward General Plan, Land Use Diagram, https://www.hayward2040generalplan.com/sites/default/files/filedepot/HayGPU_Map_Figure%20LU-1_Land%20Use%20Diagram.pdf, accessed on January 24, 2018.

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- **Hydrology and Water Quality:** Would the project place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map; 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; or be located in an area that would be inundated by seiche, tsunami, or mudflow?
- **Noise:** Would the project expose people to existing noise levels in excess of standards established in the local general plan or noise ordinance, or other applicable standards including excessive groundborne vibration or ground borne noise levels?

Based on the descriptions above, this chapter of the Draft EIR is made up of 14 subchapters, which evaluate the cumulative area-wide and community-wide environmental impacts from the adoption and implementation of the proposed Specific Plan. In accordance with Appendix F, Energy Conservation, and Appendix G, Environmental Checklist, of the CEQA Guidelines as amended per Assembly Bill 52 (Tribal Cultural Resources) and the California Supreme Court in a December 2015 opinion (CBIA vs. BAAQMD), the potential environmental effects of the proposed project are analyzed for potential significant impacts in the following 14 environmental issue areas, which are organized with the listed abbreviations:

- Aesthetics (AES)
- Air Quality (AQ)
- Biological Resources (BIO)
- Cultural and Tribal Cultural Resources (CULT)
- Geology and Soils (GEO)
- Greenhouse Gas Emissions (GHG)
- Hazards and Hazardous Materials (HAZ)
- Hydrology and Water Quality (HYDRO)
- Land Use and Planning (LU)
- Noise (NOISE)
- Population and Housing (POP)
- Public Services and Recreation (PS)
- Transportation and Circulation (TRANS)
- Utilities and Service Systems (UTIL)

Each subchapter is organized into the following sections:

- **Environmental Setting** offers a description of the existing environmental conditions, providing a baseline against which the impacts of the proposed project can be compared, and an overview of federal, State, regional, and local laws and regulations relevant to each environmental issue.
- **Standards of Significance** refer to the quantitative or qualitative thresholds, performance levels, or criteria used to evaluate the existing setting with and without the proposed project to determine whether the impact is significant. These standards are based primarily on the CEQA Guidelines, and also may reflect established health standards, ecological tolerance standards, public service capacity standards, or guidelines established by agencies or experts.
- **Impact Discussion** gives an overview of the potential impacts of the proposed project and explains why impacts are found to be significant or less than significant prior to mitigation. Impacts and mitigation measures are numbered consecutively within each topical analysis and begin with an acronym or abbreviated reference to the impact section.

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LEVELS OF SIGNIFICANCE

As noted above, significance criteria are identified before the impact discussion subsection, under the subsection, “Standards of Significance.” For each impact identified, a level of significance is determined using the following classifications:

- *Significant (S)* impacts include a description of the circumstances where an established or defined threshold would be exceeded.
- *Less-than-significant (LTS)* impacts include effects that are noticeable, but do not exceed established or defined thresholds, or can be mitigated below such thresholds.
- *No impact* describes circumstances where there is no adverse effect on the environment.

For each impact identified as being significant, the EIR identifies mitigation measures to reduce, eliminate, or avoid the adverse effect. If one or more mitigation measure(s) would reduce the impact to a less-than-significant level successfully, this is stated in the EIR. *Significant and unavoidable (SU)* impacts are described where mitigation measures would not diminish these effects to less-than-significant levels. The identification of a program-level significant and unavoidable impact does not preclude the finding of less-than-significant impacts for subsequent projects that comply with the applicable regulations and meet applicable thresholds of significance.

CUMULATIVE IMPACT ANALYSIS

A cumulative impact consists of an impact created as a result of the combination of the project evaluated in the EIR, together with other reasonably foreseeable impacts not caused by the proposed project. CEQA Guidelines Section 15130 requires an EIR to discuss cumulative impacts of a project when the project’s incremental effect is “cumulatively considerable.” Used in this context, cumulatively considerable means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effect of probable future projects.

Where the incremental effect of a project is not “cumulatively considerable,” a lead agency need not consider that effect significant, but must briefly describe its basis for concluding that the incremental effect is not cumulatively considerable. Where the cumulative impact caused by the project’s incremental effect and the effects of other reasonably foreseeable projects is not significant, the EIR must briefly indicate why the cumulative impact is not significant.

As described in Chapter 1, Introduction, of this Draft EIR, this environmental document is a program-level EIR (CEQA Guidelines Section 15168). The approach taken in preparing this EIR under the program EIR authority has been to describe the anticipated area-wide and community-wide impacts of the 2040 General Plan. The EIR describes the cumulative, aggregate effects of the Specific Plan-proposed development framework, goals, policies, implementation programs, and associated development capacity assumptions on area-wide and community-wide environmental conditions.

The cumulative impacts in subchapters 4.1 through 4.14 explain the geographic scope of the area affected by each cumulative effect (e.g., immediate project vicinity, city, county, watershed, or air basin). The

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geographic area considered for each cumulative impact depends upon the impact that is being analyzed. For example, in assessing aesthetic impacts, the pertinent geographic study area is the vicinity of the areas of new development under the proposed project from which the new development can be publicly viewed and may contribute to a significant cumulative visual effect. In assessing macro-scale air quality impacts, on the other hand, all development within the air basin contributes to regional emissions of criteria pollutants, and basin-wide projections of emissions is the best tool for determining the cumulative effect.

CEQA Guidelines Section 15130 of the CEQA Guidelines permits two different methodologies for completion of the cumulative impact analysis:

- The ‘list’ approach permits the use of a list of past, present, and probable future projects producing related or cumulative impacts, including projects both within and outside the city; and
- The ‘projections’ approach allows the use of a summary of projections contained in an adopted plan or related planning document, such as a regional transportation plan, or in an EIR prepared for such a plan. The projections may be supplemented with additional information such as regional modeling.

This Draft EIR uses the projections approach and takes into account growth from the proposed project within the Specific Plan Area and the City’s planning area. Additionally, there are several pipeline projects in the Specific Plan Area that are also considered to be reasonably foreseeable. The pipeline projects and their status are listed below in Table 4-1:

TABLE 4-1 REASONABLY FORESEEABLE DEVELOPMENT IN THE SPECIFIC PLAN AREA

Project Name	Status	Residential Units	Non-Residential	Population	Jobs
Lincoln Landing	Approved	476	80,500	1,047	268
Maple & Main	Approved	240	5,500	528	18
Alta Mira	Completed	151	0	332	0
Cadence	Completed	206	0	453	0
808 A Street	Under Construction	60	5,936	132	20
Matsya Villas	Approved	57	2,298	125	8
Green Shutter	Under Construction	41	0	90	0
Total		1,231	94,234	2,708	314

Source: City of Hayward Website, Development Activity, <https://www.hayward-ca.gov/business/for-developers/development-activity>.

The following provides a summary of the cumulative impact setting for each impact area:

- **Aesthetics:** The cumulative setting for visual impacts is the viewshed visible from to the Specific Plan Area in relationship to the particular areas with new development potential.
- **Air Quality:** The cumulative air quality setting is the regional growth within the San Francisco Bay Area Air Basin.

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- **Biological Resources:** The geographic scope of the cumulative analysis for biological resources is the 1-mile radius surrounding the Specific Plan Area.
- **Cultural Resources:** Cumulative impacts to cultural resources occur from potential future development under the proposed project combined with effects of development on lands within the region.
- **Geology and Soils:** The cumulative setting for impacts related to geology and soils is the land within the Specific Plan Area as it relates to the characteristics of the regional geology.
- **Greenhouse Gas Emissions:** Because GHG emissions are not confined to a particular air basin but are dispersed worldwide, the cumulative analysis focuses on the global impacts.
- **Hazards and Hazardous Materials:** The cumulative setting for impacts related to hazards and hazardous materials is the land adjacent to and within the Specific Plan Area.
- **Hydrology and Water Quality:** The geographic context used for the cumulative assessment of water quality and hydrology impacts is the Santa Clara Valley Groundwater Basin and land adjacent to the Specific Plan Area.
- **Land Use and Planning:** The cumulative setting for land use and planning includes the City planning regulations and regional planning, with which the City is required to comply.
- **Noise:** The traffic noise levels are based on cumulative traffic conditions used for the traffic impact analysis, which takes into account cumulative development in the Specific Plan Area.
- **Population and Housing:** Impacts of cumulative growth are considered in the context of their consistency with regional planning efforts (i.e., *Plan Bay Area*).
- **Public Services and Recreation:** Cumulative impacts are considered in the context of the growth from potential future development under the proposed project combined with the estimated growth in the service areas of each service provider.
- **Transportation and Circulation:** The cumulative setting for traffic and circulation applies the county-wide Alameda County Transportation Commission model to the transportation network in Hayward and the Specific Plan Area.
- **Utilities and Service Systems:** Cumulative impacts are considered in the context of the growth from potential future development under the proposed project combined with the estimated growth in the service areas of each utility's service area.