

EXHIBIT C

FINDINGS CONCERNING SIGNIFICANT IMPACTS AND MITIGATION MEASURES

Pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091, the City Council hereby makes these findings with respect to the potential for significant environmental impacts from adoption and implementation of the San Leandro 2035 General Plan Update and related Zoning Code amendments (collectively, "project") and the means for mitigating those impacts. For the purpose of these findings, the term "EIR" means the Draft and Final EIR documents collectively, unless otherwise specified.

These findings do not attempt to describe the full analysis of each environmental impact contained in the EIR. Instead, the findings provide a summary description of each impact, describe the applicable mitigation measures identified in the EIR and adopted by the City, and state the findings on the significance of each impact after imposition of the adopted mitigation measures. The EIR contains a full analysis of each environmental impact, and explanation of the environmental findings and conclusions summarized below. These findings hereby incorporate by reference the discussion and analysis in the EIR that support the EIR determinations regarding significant project impacts and mitigation measures designed to address those impacts, except to the extent that any such determinations and conclusions are specifically modified by these findings. The facts supporting these findings are also found in the record as a whole for the project.

Impact AQ-2A: Despite implementation of the policies in the proposed Plan, criteria air pollutant emissions associated with the proposed project would cause a substantial net increase in emissions that exceeds the BAAQMD regional significance thresholds. (Draft EIR p. 4.2-40)

Mitigation Measure AQ-2A: Prior to issuance of construction permits, development project applicants that are subject to CEQA and exceed the screening sizes in the Bay Area Air Quality Management District's (BAAQMD) CEQA Guidelines shall prepare and submit to the City of San Leandro a technical assessment evaluating potential air quality impacts related to the project's operation phase. The evaluation shall be prepared in conformance with the BAAQMD methodology in assessing air quality impacts. If operation-related criteria air pollutants are determined to have the potential to exceed the BAAQMD thresholds of significance, as identified in BAAQMD's CEQA Guidelines, the City of San Leandro Community Development Department shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operation activities. (Draft EIR p. 4.2-40)

Resulting Significance: Significant and Unavoidable

Finding: Changes or alterations have been required in, or incorporated into, the Project, which avoid or substantially lessen the significant environmental effect identified in the EIR, but not to a level of less than significant. There are no additional feasible mitigation measures and no feasible alternatives that avoid this significant effect. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for

highly trained workers, make infeasible the mitigation measures, as discussed in the Rationale below, or project alternatives identified in the EIR, as further addressed in Exhibit D, Alternatives Findings.

Rationale for Finding: Mitigation Measure AQ-2A requires technical assessments evaluating potential air quality impacts related to future projects' operation phases. If criteria air pollutants would have the potential to exceed the BAAQMD thresholds of significance, the City's Community Development Department shall require that applicants incorporate mitigation measures to reduce air pollutant emissions during operation activities. Implementation of this mitigation measure would substantially reduce pollutants; however, because future projects and measures cannot be known at this time, the reduction in pollutants cannot be quantified. Thus, it cannot be determined with certainty whether the reductions would fall below the significance threshold. The impact is significant and unavoidable and a Statement of Overriding Considerations is required in conjunction with approval of the project.

Impact AQ-2B: Despite implementation of the proposed project policies, criteria air pollutant emissions associated with the proposed project construction activities would generate a substantial net increase in emissions that exceeds the BAAQMD regional significance thresholds. (Draft EIR p. 4.2-42)

Mitigation Measure AIR-2B-1: As part of the City's development approval process, the City shall require applicants for future development projects to comply with the current Bay Area Air Quality Management District's basic control measures for reducing construction emissions of PM₁₀ (Table 8-1, Basic Construction Mitigation Measures Recommended for All Proposed Projects, of the BAAQMD CEQA Guidelines). (Draft EIR p. 4.2-42)

Mitigation Measure AQ-2B-2: Prior to issuance of construction permits, development project applicants that are subject to CEQA and exceed the screening sizes in the BAAQMD's CEQA Guidelines shall prepare and submit to the City of San Leandro a technical assessment evaluating potential project construction-related air quality impacts. The evaluation shall be prepared in conformance with the BAAQMD methodology in assessing air quality impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the BAAQMD thresholds of significance, as identified in the BAAQMD CEQA Guidelines, the City of San Leandro shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities to below these thresholds (Table 8-2, Additional Construction Mitigation Measures Recommended for Projects with Construction Emissions Above the Threshold, of the BAAQMD CEQA Guidelines, or applicable construction mitigation measures subsequently approved by BAAQMD). These identified measures shall be incorporated into all appropriate construction documents (e.g. construction management plans) submitted to the City and shall be verified by the City's Engineering/Transportation Department, Building and/or Planning Division, and/or Community Development Department. (Draft EIR p. 4.2-42)

Resulting Significance: Significant and Unavoidable

Finding: Changes or alterations have been required in, or incorporated into, the Project, which avoid or substantially lessen the significant environmental effect identified in the EIR,

but not to a level of less than significant. There are no additional feasible mitigation measures and no feasible alternatives that avoid this significant effect. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures, as discussed in the Rationale below, or project alternatives identified in the EIR, as further addressed in Exhibit D, Alternatives Findings.

Rationale for Finding: Mitigation Measures AQ-2B-1 and AQ-2B-2 require compliance with BAAQMD basic control measures and assessment of construction-related air quality impacts. If pollutants associated with construction activities would have the potential to exceed the BAAQMD thresholds of significance, the City shall require that applicants incorporate mitigation measures to reduce air pollutant emissions during construction activities. Implementation of this mitigation measure would substantially reduce pollutants; however, because future projects and measures cannot be known at this time, the reduction in pollutants cannot be quantified. Thus, it cannot be determined with certainty whether the reductions would fall below the significance threshold. The impact is significant and unavoidable and a Statement of Overriding Considerations is required in conjunction with approval of the project.

Impact AQ-3: Warehousing operations could generate a substantial amount of diesel particulate matter (DPM) emissions from off-road equipment use and truck idling. In addition, some warehousing and industrial facilities may include use of transport refrigeration units (TRUs) for cold storage that could expose sensitive receptors to substantial pollutant concentrations. Mitigation is needed to ensure that new projects are evaluated in accordance with BAAQMD's CEQA Guidelines, and therefore impacts are significant. (Draft EIR p. 4.2-47 to 4.2-48)

Mitigation Measure AQ-3: Applicants for future non-residential land uses within the city that: 1) have the potential to generate 100 or more diesel truck trips per day or have 40 or more trucks with operating diesel-powered TRUs, and 2) are within 1,000 feet of a sensitive land use (e.g. residential, schools, hospitals, nursing homes), as measured from the property line of a proposed project to the property line of the nearest sensitive use, shall submit a health risk assessment (HRA) to the City of San Leandro prior to future discretionary project approval. The HRA shall be prepared in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment and the Bay Area Air Quality Management District. If the HRA shows that the incremental cancer risk exceeds 10 in one million ($10E-06$), $PM_{2.5}$ concentrations exceed $0.3 \mu g/m^3$, or the appropriate non-cancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level, including appropriate enforcement mechanisms. Mitigation measures may include but are not limited to:

- Restricting idling on-site beyond Air Toxic Control Measures idling restrictions, as feasible.
- Electrifying warehousing docks.
- Requiring use of newer equipment and/or vehicles.
- Restricting off-site truck travel through the creation of truck routes.

Mitigation measures identified in the project-specific HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site development plan as a component of a proposed project. (Draft EIR p. 4.2-48)

Resulting Significance: Less than Significant

Finding: Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: Mitigation Measure AQ-3 would require Health Risk Assessments for projects with the potential to generate substantial truck trips and are near sensitive receptors. Mitigation Measure AQ-3 would ensure that mobile sources of TACs not covered under BAAQMD permits are considered during subsequent project-level environmental review. Development of individual projects would be required to achieve the incremental risk thresholds established by BAAQMD.

Impact AQ-5: Despite implementation of the proposed Plan policies, criteria air pollutant emissions associated with the proposed project would generate a substantial net increase in emissions that exceeds the BAAQMD regional significance thresholds, and impacts would be *significant*. (Draft EIR p. 4.2-52)

Mitigation Measure AQ-5: Implementation of Mitigation Measures AQ-1 through AQ-3. There are no additional mitigation measures available to mitigate this impact. (Draft EIR pp. 4.2-52 to 4.2-53)

Resulting Significance: Significant and Unavoidable

Finding: Changes or alterations have been required in, or incorporated into, the Project, which avoid or substantially lessen the significant environmental effect identified in the EIR, but not to a level of less than significant. There are no additional feasible mitigation measures and no feasible alternatives that avoid this significant effect. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures, as discussed in the Rationale below, or project alternatives identified in the EIR, as further addressed in Exhibit D, Alternatives Findings.

Rationale for Finding: Mitigation Measures AQ-2A, AQ-2B-1, and AQ-2B-2 would require evaluation and mitigation of air quality impacts related to future projects' construction and operation phases. Implementation of these mitigation measures would substantially reduce pollutants; however, because future projects and measures cannot be known at this time, the reduction in pollutants cannot be quantified. Thus, it cannot be determined with certainty whether the reductions would fall below the significance threshold. Due to the programmatic nature of the proposed project, no additional mitigation measures are available and the project would result in a cumulatively considerable contribution to air quality impacts. The impact is significant and unavoidable and a Statement of Overriding Considerations is required in conjunction with approval of the project.

Impact GHG-2: While the proposed Plan supports progress toward the long term-goals identified in Executive Order B-30-15 and Executive Order S-03-05, it cannot yet be

demonstrated that San Leandro will achieve GHG emissions reductions that are consistent with an 80 percent reduction below 1990 levels by the year 2050 based on existing technologies and currently adopted policies and programs. (Draft EIR p. 4.6-40)

Mitigation Measure GHG-2: No mitigation measures are currently available to address post-2030 GHG reductions. The proposed Plan and the Climate Action Plan (CAP) include measures to align the City with the GHG reductions of AB 32 and Executive Order B-30-15. However, additional State and federal actions are necessary to ensure that State and federally regulated sources (i.e., sources outside the City’s jurisdictional control) take similar aggressive measures to ensure the deep cuts needed to achieve the 2050 target. (Draft EIR p. 4.6-40)

Resulting Significance: Significant and Unavoidable

Finding: There are no additional feasible mitigation measures and no feasible alternatives that avoid this significant effect. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures, as discussed in the Rationale below, or project alternatives identified in the final EIR, as further addressed in Attachment D, Alternatives Findings.

Rationale for Finding: The 2035 General Plan includes many policies whose implementation would ensure substantial progress towards long-term 2050 GHG reduction goals, as detailed in the Draft EIR. Implementation of the City’s CAP would also assist in future GHG reduction. However, at this time there are no post-2030 federal and State measures that would assist the City in achieving the deeper reductions needed to achieve the long-term efficiency target. The impact is significant and unavoidable and a Statement of Overriding Considerations is required in conjunction with approval of the project.

Impact NOI-3: The proposed project would cause a substantial permanent increase in ambient transportation-related noise levels in the project vicinity. (Draft EIR p. 4.10-50)

Mitigation Measure NOI-3: Beyond the General Plan Environmental Hazards Element policies discussed above, the following mitigation measures were considered, but as described below, were found to be infeasible.

Technological Advances for Noise-Generating Vehicles

Most urban noise results from the use of roadway vehicles, including automobiles, motorcycles, and trucks. The implementation of improved technologies for the prevention or muffling of noise from these sources could theoretically prevent substantial increases to ambient noise levels; however, this approach would be infeasible as much of this implementation is beyond the jurisdiction of the City.

Beyond currently-accepted State and industry standards and best practices, developing and/or requiring novel technological improvements for noise-generating vehicles would not be affordable, scientifically plausible, or within the City’s jurisdiction. Therefore, this potential mitigation measure is regarded as infeasible.

Universal Use of Noise-Attenuating Features

The universal use of noise attenuating features such as rubberized asphalt, soundwalls, berms, and improved building sound-insulation, could prevent transmission of excessive noise to the outdoor and indoor areas of sensitive land uses and/or could prevent projected increases in ambient noise levels. However, this approach would be infeasible in several situations. Specifically, rubberized asphalt reduces tire-pavement noise and when new, achieves a reduction of approximately 4 dB when compared to normal pavement surfaces. However, the noise reduction properties degrade over time, and the noise reduction would not be sufficient to reduce noise impacts in many areas of San Leandro. In many cases, aesthetic concerns, costs, physical constraints, or other issues would prevent the universal implementation of adequate noise-attenuating features. In addition to their expense, soundwalls often block views and are regarded as unsightly. Moreover, the construction of soundwalls can result in reduced pedestrian and vehicle connectivity, which would contravene other goals of the proposed General Plan and have negative social, economic, and even environmental consequences. Although improved building construction and insulation beyond that which is required by California Title 24 and the General Plan could further reduce indoor exposure to excessive noise, substantial outdoor increases to ambient noise levels would remain. Therefore, this potential mitigation measure is regarded as infeasible. (Draft EIR pp. 4.10-50 to 4.10-51)

Resulting Significance: Significant and Unavoidable

Finding: There are no additional feasible mitigation measures and no feasible alternatives that avoid this significant effect. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures, as discussed above and in the Rationale below, or project alternatives identified in the EIR, as further addressed in Exhibit D, Alternatives Findings.

Rationale for Finding: Mitigation Measure NOI-3 considers potential mitigation measures to reduce transportation-related noise levels. However, the mitigation measures are not feasible because all conceivable mitigations would be, in some circumstances, economically impractical, scientifically unachievable, outside the City's jurisdiction, and/or inconsistent with City planning goals and objectives. The impact is significant and unavoidable and a Statement of Overriding Considerations is required in conjunction with approval of the project.

Impact NOI-4: Construction activities under the proposed project may lead to substantial temporary or periodic increases to ambient noise levels. This would be a potentially significant impact. (Draft EIR p.4.10-53)

Mitigation Measure NOI-4: The City of San Leandro shall adopt the following measures as Standard Conditions of Approval or Construction Development Standards for new construction in the city. The Standard Conditions of Approval/Construction Development Standards shall include an exception that states that the Engineering & Transportation Director or his/her designee may waive individual measures upon individual written request from an Applicant after City review.

- Construction activities shall be restricted to the daytime hours of between 7:00 a.m. and 7:00 p.m. on weekdays, or between 8:00 a.m. and 7:00 p.m. on Sunday and Saturday.
- Prior to the start of construction activities, the construction contractor shall:
 - Maintain and tune all proposed equipment in accordance with the manufacturer's recommendations to minimize noise emission.
 - Inspect all proposed equipment and fit all equipment with properly operating mufflers, air intake silencers, and engine shrouds that are no less effective than as originally equipped by the manufacturer.
 - Post a sign, clearly visible at the site, with a contact name and telephone number of the City of San Leandro's authorized representative to respond in the event of a noise complaint.
 - Place stationary construction equipment and material delivery in loading and unloading areas as far as practicable from the residences.
 - Limit unnecessary engine idling to the extent feasible.
 - Use smart back-up alarms, which automatically adjust the alarm level based on the background noise level, or switch off back-up alarms and replace with human spotters.
 - Use low-noise emission equipment.
 - Limit use of public address systems.
 - Minimize grade surface irregularities on construction sites. (Draft EIR p. 4.10-53)

Resulting Significance: Less than Significant

Finding: Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: Mitigation Measure NOI-4 would require future development projects to demonstrate that they would not produce excessive noise levels during construction.

Impact NOI-7: The proposed project would result in significant and unavoidable cumulatively excessive noise levels within the city. (Draft EIR p. 4.10-57)

Mitigation Measure NOI-7: Beyond the General Plan Environmental Hazards Element policies discussed above, the same mitigation measures were considered as were evaluated in NOI-3 and were, likewise, found to be infeasible.

For cumulative noise impacts, there are no feasible mitigations for preventing substantial increases in ambient noise levels, since all conceivable mitigations would be, in some circumstances, economically impractical, scientifically unachievable, outside the City's jurisdiction, and/or inconsistent with City planning goals and objectives. Thus, cumulative impacts would remain significant and unavoidable because no feasible mitigation measures are available to mitigate noise impacts to a less than significant level, resulting in a *significant and unavoidable* impact. (Draft EIR p. 4.10-57)

Resulting Significance: Significant and Unavoidable

Finding: There are no additional feasible mitigation measures and no feasible alternatives that avoid this significant effect. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures, as discussed above for Impact NOI-3 and in the Rationale below, or project alternatives identified in the EIR, as further addressed in Exhibit D, Alternatives Findings.

Rationale for Finding: Mitigation Measure NOI-7 considers potential mitigation measures identified for NOI-3 to reduce cumulative noise levels. However, like NOI-3, the mitigations are not feasible because all conceivable mitigations would be, in some circumstances, economically impractical, scientifically unachievable, outside the City's jurisdiction, and/or inconsistent with City planning goals and objectives. The impact is significant and unavoidable and a Statement of Overriding Considerations is required in conjunction with approval of the project.

Impact TRAF-1: : Implementation of the Proposed Plan, in combination with regional growth outside of San Leandro, would result in increased vehicle traffic, which would affect the operations of local intersections and freeway segments.

- **As shown in Table 4.13-11, the addition of proposed Plan traffic would result in significant impacts to 12 intersections during at least one of the peak hours.**
- **As shown in Table 4.13-12 and Table 4.13-13, the addition of proposed Plan traffic would result in significant impacts to seven freeway segments during at least one of the peak hours. (Draft EIR p. 4.13-44)**

Mitigation Measure TRAF-1A: Intersections: The City of San Leandro should implement the following traffic improvements and facilities to reduce impacts to standard:

- **E. 14th Street and Davis Street (SR-112) (#3):** The addition of Cumulative with proposed Plan traffic would cause the intersection level of service to degrade from LOS C to LOS F in the AM peak hour. Therefore, the Cumulative with Proposed Plan impact is considered to be *significant*.

Implementation of the following measures would improve intersection operations during the AM peak hour to LOS D:

- Add an additional northbound left-turn lane on E. 14th Street. This would result in the northbound approach having two exclusive left-turn lanes, an exclusive through lane, and a shared through/right-turn lane.
- Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.

Because this intersection is within the Downtown Transit-Oriented Development (TOD) PDA, implementation of the following measures would improve intersection operations during the AM peak hour to LOS E:

- Implement proposed Policy T-5.2: Evaluating Development Impacts.
- Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.

This mitigation is considered feasible if the intersection was under City control. However, this intersection is under Caltrans' jurisdiction, so the implementation and timing of the mitigation measures remain uncertain since the intersection is not under the City's control. Consequently, the Cumulative with proposed Plan impact remains *significant and unavoidable*.

- **E. 14th Street and San Leandro Boulevard (#4):** The addition of Cumulative with proposed Plan traffic would cause the intersection level of service to degrade from LOS C to LOS E in the AM peak hour. Therefore, the Cumulative with Proposed Plan impact is considered to be *significant*.

Implementation of the following measure would improve intersection operations during the AM peak hour to LOS D:

- Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.

This intersection is within the East 14th Street PDA. Since this intersection is currently in a PDA, area the degradation of intersection operations from LOS C to LOS E in the AM peak hour due to the addition of Cumulative with Proposed Plan traffic would not be considered a significant impact under proposed Plan Policy T-5.2: Evaluating Development Impacts.

Upon implementation of this measure, intersection operations would improve to LOS D during the AM peak hour. This mitigation is considered feasible if the intersection was under City control. However, this intersection is under Caltrans' jurisdiction, so the implementation and timing of the mitigation measures remain uncertain since the intersection is under Caltrans' jurisdiction. Consequently, the Cumulative with proposed Plan impact remains *significant and unavoidable*.

- **E. 14th Street and Hesperian Boulevard/Bancroft Avenue (#5):** The addition of Cumulative with proposed Plan traffic would cause the intersection level of service to degrade from LOS C to LOS E in the AM peak hour. Therefore, the Cumulative with Proposed Plan impact is considered to be *significant*.

Implementation of the following measure would improve intersection operations during the AM peak hour:

- Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.

This intersection is within the Bay Fair BART Transit Village PDA and ABAG/MTC has already designated Bay Fair BART Transit Village a potential PDA. Upon adoption of the Bay Fair TOD Specific Plan, currently anticipated in 2017, Bay Fair will achieve official PDA status. Since this intersection is currently in a potential PDA area, the degradation of intersection operations from LOS C to LOS E in the AM peak hour due to the addition of Cumulative with Proposed Plan traffic would not be considered an impact under proposed Plan Policy T-5.2: Evaluating Development Impacts.

Upon implementation of this measure, intersection operations would improve to LOS D during the AM peak hour. This mitigation is considered feasible if the intersection was under City control. However, this intersection is under Caltrans' jurisdiction, so the implementation and timing of the mitigation measures remain uncertain since the intersection is under Caltrans' jurisdiction. Consequently, the Cumulative with Proposed Plan impact remains *significant and unavoidable*.

- **Hesperian Boulevard and Halcyon Drive/Fairmont Drive (#10):** The addition of Cumulative with proposed Plan traffic would cause the intersection level of service to degrade from LOS D to LOS F in the AM peak hour and LOS D to LOS E in the PM peak hour. Therefore, the Cumulative with Proposed Plan impact is considered to be *significant*.

Implementation of the following measures would improve intersection operations during the AM and PM peak hours to LOS D:

- Widen the south leg of the intersection in order to add a second northbound left-turn lane. This would result in the northbound approach having two exclusive left-turn lanes, two exclusive through lanes, and an exclusive right-turn lane.
- Provide an overlap signal phase for the northbound right turns.
- Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.

This intersection is within the Bay Fair BART Transit Village PDA and ABAG/MTC has already designated Bay Fair BART Transit Village a potential PDA. Upon adoption of the Bay Fair TOD Specific Plan, currently anticipated in 2017, Bay Fair will achieve official PDA status. Since this intersection is currently in a potential PDA area, the degradation of intersection operations from LOS D to LOS E in the PM peak hour due to the addition of Cumulative with Proposed Plan traffic would not be considered an impact under proposed Plan Policy T-5.2: Evaluating Development Impacts. Implementation of the following measures, which do not involve evaluation or acquisition of right-of-way, would improve intersection operations during the AM peak hour to LOS E:

- Implement proposed Policy T-5.2: Evaluating Development Impacts.
- Provide an overlap signal phase for the northbound right turns.
- Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.

Upon implementation of the first three measures, intersection operations would improve to LOS D during the AM and PM peak hours. The availability of right-of-way for the required widening on the south leg of the intersection is uncertain; therefore, the measures may be infeasible. Consequently, the Cumulative with Proposed Plan impact remains *significant and unavoidable*.

- **Washington Avenue and San Leandro Boulevard (#15):** The addition of Cumulative with Proposed Plan traffic would cause the intersection level of service to degrade from

LOS C to LOS F in the AM peak hour. Therefore, the Cumulative with Proposed Plan impact is considered to be *significant*.

Implementation of the following measure would improve intersection operations during the AM peak hour to LOS D:

- Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.

Upon implementation of this measure, intersection operations would improve to LOS D during the AM peak hour and lessen the Cumulative with Proposed Plan impact to *less than significant*.

- **San Leandro Boulevard and Marina Boulevard (#16):** The addition of Cumulative with proposed Plan traffic would cause the intersection level of service to degrade from LOS D to LOS F in the AM peak hour and LOS C to LOS F in the PM peak hour. Therefore, the Cumulative with proposed Plan impact is considered to be *significant*.

Implementation of the following measures would improve intersection operations during the AM and PM peak hours:

- Add a northbound left-turn lane on San Leandro Boulevard to provide two exclusive left-turn lanes, one exclusive through lane and one shared through/right-turn lane. (Consistent with the findings of the San Leandro Shoreline Development Project EIR)
- Restripe lanes on the west leg to provide two corresponding receiving lanes. (Consistent with the findings of the San Leandro Shoreline Development Project EIR)
- Provide an exclusive southbound right-turn lane to feed the existing channelized right-turn lane from San Leandro Boulevard southbound to Marina Boulevard westbound so that southbound through traffic does not block access to the channelized southbound right-turn lane.
- Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.

Upon implementation of these measures, intersection operations would improve to LOS D during the AM and PM peak hours. The availability of right-of-way for the required widening on the south and north legs of the intersection is uncertain; therefore, the measure may be infeasible. Consequently, the Cumulative with proposed Plan impact remains *significant and unavoidable*.

- **San Leandro Boulevard and Davis Street (#17):** The addition of Cumulative with proposed Plan traffic would cause the intersection level of service to degrade from LOS C to LOS F in the AM peak hour and LOS C to LOS E in the PM peak hour. Therefore, the Cumulative with Proposed Plan impact is considered to be *significant*.

Implementation of the following measures would improve intersection operations during the AM and PM peak hours to LOS D:

- Add a northbound right-turn lane on San Leandro Boulevard to provide two exclusive left-turn lanes, two exclusive through lanes and one exclusive right-turn lane.
- Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.

Because this intersection is within the Downtown Transit Oriented Development PDA, the degradation of intersection operations from LOS C to LOS E in the PM peak hour due to the addition of Cumulative with Proposed Plan traffic would not be considered an impact under Proposed Plan Policy T-5.2: Evaluating Development Impacts.

Implementation of the following measures, which do not involve evaluation or acquisition of right-of-way, would improve intersection operations during the AM peak hour to LOS E:

- Implement proposed Policy T-5.2: Evaluating Development Impacts.
- Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.

Upon implementation of the first two measures, intersection operations would improve to LOS D during the AM and PM peak hours. The availability of right-of-way for the required widening on the south leg of the intersection is uncertain; therefore, the measure may be infeasible. This intersection is under Caltrans' jurisdiction, and the implementation and timing of the mitigation measures are not under the City's control. Consequently, the Cumulative with Proposed Plan impact remains *significant and unavoidable*.

- **Philips Lane and Davis Street (#28):** The addition of Cumulative with Proposed Plan traffic would cause the intersection level of service to degrade from LOS C to LOS F in the PM peak hour. Therefore, the Cumulative with Proposed Plan impact is considered to be *significant*.

Implementation of the following measures would improve intersection operations during the PM peak hour:

- Convert the existing shared through/right-turn lane on the westbound approach to an exclusive through lane to provide an exclusive left-turn lane, two exclusive through lanes and an exclusive right-turn lane.
- Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.

Upon implementation of these measures, intersection operations would improve to LOS D during the PM peak hour. This intersection is under Caltrans' jurisdiction, and the implementation and timing of the mitigation measures are not under the City's control. Consequently, the Cumulative with Proposed Plan impact remains *significant and unavoidable*.

- **Warden Avenue/Timothy Drive and Davis Street (#29):** The addition of Cumulative with Proposed Plan traffic would cause the intersection level of service to degrade from

LOS C to LOS E in the PM peak hour. Therefore, the Cumulative with Proposed Plan impact is considered to be *significant*.

Implementation of the following measures would improve intersection operations during the PM peak hour:

- Restripe the three northbound lanes from Timothy Drive to provide an exclusive left-turn lane, a shared left-turn/through/right-turn lane and an exclusive right-turn lane.
- Optimize the traffic signal cycle length and splits in conjunction with adaptive traffic control technology.

Upon implementation of these measures, intersection operations would improve to LOS D during the PM peak hour. This intersection is under Caltrans' jurisdiction, and the implementation and timing of the mitigation measures are not under the City's control. Consequently, the Cumulative with Proposed Plan impact remains *significant and unavoidable*.

- **Doolittle Drive and Davis Street (#30):** The addition of Cumulative with Proposed Plan traffic would cause the intersection level of service to degrade from LOS C to LOS F in the PM peak hour. Therefore, the Cumulative with Proposed Plan impact is considered to be *significant*.

Implementation of the following measures would improve intersection operations during the PM peak hour:

- Restripe the four westbound lanes from Davis Street to provide one exclusive left-turn lane, one exclusive through lane and two exclusive right-turn lanes.
- Restrict westbound right turns on red to reduce conflict between right-turning vehicles in the two exclusive right-turn lanes as well as between right-turning vehicles and movements with the right-of-way.
- Optimize the traffic signal cycle length and splits.

Upon implementation of these measures, intersection operations would improve to LOS D during the PM peak hour. Even if this intersection was under City control, the availability of right-of-way for the required widening on the east leg of the intersection is uncertain; therefore, the measure may be infeasible. This intersection is under Caltrans' jurisdiction, and the implementation and timing of the mitigation measures are not under the City's control. Consequently, the Cumulative with Proposed Plan impact remains *significant and unavoidable*.

- **Doolittle Drive and Marina Boulevard (#31):** The addition of Cumulative with Proposed Plan traffic would cause the intersection level of service to degrade from LOS C to LOS F in the AM peak hour and from LOS D to LOS E in the PM peak hour. Therefore, the Cumulative with Proposed Plan impact is considered to be *significant*.

Implementation of the following measures would improve intersection operations during the AM and PM peak hours to LOS D and lessen the Cumulative with proposed Plan impact to *less than significant*:

- Restripe the eastbound approach on Marina Boulevard to provide an exclusive left-turn lane, an exclusive through lane and a shared through/right-turn lane. (Consistent with the findings of the San Leandro Shoreline Development Project EIR).
- Optimize the traffic signal cycle length and splits. (Consistent with the findings of the San Leandro Shoreline Development Project EIR).

Implement a right-turn overlap signal phase for the northbound and westbound approaches. (A new mitigation not called for in the San Leandro Shoreline Development Project EIR).

- **Alvarado Street and Aladdin Avenue (#35):** The addition of Cumulative with Proposed Plan traffic would cause the intersection level of service to degrade from LOS D to LOS F in the AM peak hour. Therefore, the Cumulative with proposed Plan impact is considered to be *significant*.

Implementation of the following measures would improve intersection operations during the AM peak hour to LOS D and lessen the Proposed Plan impact to *less than significant*:

- Convert the left-turn signal phasing for the eastbound and westbound approaches on Aladdin Avenue from protected left-turn signal phasing to permitted left-turn signal phasing with flashing yellow arrows.
- Convert the northbound left-turn signal phasing on Alvarado Avenue from protected left-turn signal phasing to protected/permitted left-turn signal phasing with flashing yellow arrows.
- Convert the southbound left-turn signal phasing on Alvarado Avenue from protected left-turn signal phasing to permitted left-turn signal phasing with flashing yellow arrows.
- Optimize the traffic signal cycle length and splits.

While implementation of Mitigation Measure TRAF-1A would secure future roadway and infrastructure improvements that are necessary to mitigate impacts from future development in the city based on current standards, some impacts would remain *significant and unavoidable* because the City cannot guarantee improvements at all of the impacted intersections. The proposed Plan includes policies and strategies that, once adopted, would ensure adequate public transit, bicycle, and pedestrian facilities are available to the residents of San Leandro. These policies and actions are included in the discussion of Impact TRAF-6. (Draft EIR pp. 4.13-44 to 4.13-50; Final EIR p. 3-7)

Mitigation Measure TRAF-1B: Freeway Segments: The City of San Leandro shall initiate efforts to coordinate with Caltrans and Alameda CTC to identify potential traffic improvements to reduce impacts to acceptable levels on the regional freeways.

- **I-880 northbound segments between Washington Avenue and 98th Avenue.** These three mainline segments experience LOS F conditions during the AM peak hour under both existing and cumulative plus Proposed Plan conditions.

Implementation of the following measure would improve freeway segment operations during the AM peak hour to LOS D or better and lessen the proposed Plan impact to *less than significant*:

- Add additional capacity to the freeway segment by increasing the number of travel lanes in the northbound direction.

However, the implementation and timing of the Mitigation Measure is not under the City's control and widening I-880 is not considered to be feasible due to cost and freeway right-of-way constraints. Consequently, the Cumulative plus Proposed Plan impact remains *significant and unavoidable*.

- **I-580 Northbound segment between 150th Avenue and Benedict Drive**, which is at LOS F during the AM peak hour under both existing and cumulative plus Proposed Plan conditions.

Implementation of the following measure would improve freeway segment operations during the AM peak hour to LOS D or better and lessen the proposed Plan impact to *less than significant*:

- Add additional capacity to the freeway segment by increasing the number of travel lanes in the northbound direction.

However, the implementation and timing of the Mitigation Measure is not under the City's control and widening I-880 is not considered to be feasible due to cost and freeway right-of-way constraints. Consequently, the Cumulative plus Proposed Plan impact remains *significant and unavoidable*.

- **I-580 Northbound segment between Foothill Boulevard and 106th Avenue**, is at LOS E during the AM peak hour under existing and LOS F under cumulative plus Proposed Plan conditions.

Implementation of the following measure would improve freeway segment operations during the AM peak hour to LOS D or better and lessen the proposed Plan impact to *less than significant*:

- Add additional capacity to the freeway segment by increasing the number of travel lanes in the northbound direction.

However, the implementation and timing of the Mitigation Measure is not under the City's control and widening I-880 is not considered to be feasible due to cost and freeway right-of-way constraints. Consequently, the Cumulative plus Proposed Plan impact remains *significant and unavoidable*.

- **I-880 Southbound segment between Marina Boulevard and Washington Avenue** would operate at LOS F during the PM peak hour under cumulative plus Proposed Plan condition, which is considered to be *significant*.

Implementation of the following measure would improve freeway segment operations during the AM peak hour to LOS D or better and lessen the Proposed Plan impact to *less than significant*:

- Add additional capacity to the freeway segment by increasing the number of travel lanes in the southbound direction.

However, the implementation and timing of the Mitigation Measure is not under the City's control and widening I-880 is not considered to be feasible due to cost and freeway right-of-way constraints. Consequently, the Cumulative plus Proposed Plan impact remains *significant and unavoidable*.

- **I-238 Eastbound segment between Hesperian Boulevard and SR 185** would operate at LOS E during the PM peak hour under cumulative plus Proposed Plan condition, which is considered to be *significant*.

Implementation of the following measure would improve freeway segment operations during the AM peak hour to LOS D or better and lessen the proposed Plan impact to *less than significant*:

- Add additional capacity to the freeway segment by increasing the number of travel lanes in the eastbound direction.

However, the implementation and timing of the Mitigation Measure is not under the City's control and widening I-880 is not considered to be feasible due to cost and freeway right-of-way constraints. Consequently, the Cumulative plus Proposed Plan impact remains *significant and unavoidable*.

All impacted freeway sections would require additional capacity or widening to mitigate the impacts to less than significant. If the widenings are feasible, then future development implementing the Proposed Plan would contribute its fair share through development fees for street improvements. To this end, the City shall coordinate with Caltrans and the Alameda CTC to develop a co-operative agreement to fund these improvements and determine the fair share contribution. Since these mitigations are not certain, the findings remain as *significant and unavoidable*. (Draft EIR pp. 4.13-50 to 4.13-52)

Resulting Significance: Significant and Unavoidable as to all intersections except #15, #31 and #35, and as to all freeway segments. Intersections #15, #31 and #35 will be less than significant after mitigation.

Finding: Changes or alterations have been required in, or incorporated into, the Project, which avoid or substantially lessen the significant environmental effect identified in the EIR for intersections #15, #31 and #35. Changes or alterations have been required in, or incorporated into, the Project, which avoid or substantially lessen the significant environmental effect identified in the EIR for the remaining intersections and all freeway segments, but not to a level of less than significant. There are no additional feasible mitigation measures and no feasible alternatives that avoid this significant effect. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation

measures, as discussed in the summaries above and the Rationale below, or project alternatives identified in the EIR, as further addressed in Exhibit D, Alternatives Findings.

Rationale for Finding: At three intersections (Washington Avenue and San Leandro Boulevard (#15) Doolittle Drive and Marina Boulevard (#31) Alvarado Street and Aladdin Avenue (#35)), identified intersection improvements would reduce the traffic impact to a less-than-significant level. The identified mitigations primarily include restriping and signal improvements for which there is adequate room and/or which are under the City's control. These factors ensure that the mitigations will be implemented to reduce the impacts at these three intersections to less than significant. However, at the remaining nine intersections, identified potential mitigation measures would be infeasible because the intersection is under Caltrans' jurisdiction and/or because the availability of right-of-way for the improvement is uncertain. Similarly, the identified freeway segments are not in the City's jurisdiction and are not feasible due to cost and right-of-way constraints. The impact is significant and unavoidable and a Statement of Overriding Considerations is required in conjunction with approval of the project.

Impact TRAF-2A: The Proposed Plan would cause the volume-to-capacity (v/c) ratio on the northbound segment of Doolittle Drive, north of Davis Street, which would operate at Level of Service (LOS) F, to increase by 0.04 under Year 2040 conditions in the AM peak hour. Therefore, this is considered a *significant* impact. (Draft EIR p. 4.13-63)

Mitigation Measure TRAF-2A: Implementation of the following improvement would reduce the impact to acceptable levels:

- Widen Doolittle Drive to provide an additional travel lane in the northbound direction;
- Provide transit or shuttle service that operates between the Proposed Plan site and key locations such as San Leandro and Coliseum BART stations and Oakland International Airport; or
- Restripe Doolittle Drive to convert the existing bike lanes into buffered or protected bike lanes.

Widening Doolittle Drive to provide an additional travel lane in the northbound direction would improve the level of service to LOS D in Year 2040 and would mitigate the Proposed Plan impact to less than significant. However, the feasibility of this measure is uncertain due to right of way constraints along this mostly developed corridor.

Alternatively, provision of a shuttle service that operates between the City site and key locations, such as San Leandro and Coliseum BART stations and Oakland International Airport, during the AM and PM peak hour would likely lessen the Proposed Plan's impact on the segment. However, the effectiveness of the shuttle service in reducing the number of Proposed Plan trips on Doolittle Drive cannot be adequately quantified.

Provision of buffered or protected bike lanes could make the bike facility attractive to more potential bike riders and lead to a shift in mode of travel among some people and further reduce vehicle trips along Doolittle Drive. However, the degree to which people would shift modes cannot be adequately quantified.

As discussed above, the ongoing I-880 Integrated Corridor Management effort led by the MTC that aims to optimize freeway, arterial signal, rail, and bus systems and incorporate Intelligent Transportation System would also help enhance efficiency on the freeway. However, for the reasons listed above this impact would remain *significant and unavoidable*. (Draft EIR p. 4.13-63; Final EIR p. 3-8)

Resulting Significance: Significant and Unavoidable

Finding: Changes or alterations have been required in, or incorporated into, the Project, which avoid or substantially lessen the significant environmental effect identified in the EIR, but not to a level of less than significant. There are no additional feasible mitigation measures and no feasible alternatives that avoid this significant effect. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures, as discussed in the Rationale below, or project alternatives identified in the final EIR, as further addressed in Attachment D, Alternatives Findings.

Rationale for Finding: Mitigation Measure TRAF-2A identifies three mitigation options. The feasibility of the first option, to widen Doolittle Drive, is uncertain due to right-of-way constraints. The effectiveness of the second and third options, to provide shuttle service and bike lanes, respectively, cannot be adequately quantified to assess whether the mitigation would be sufficient to reduce the impact to a less-than-significant level. The impact is significant and unavoidable and a Statement of Overriding Considerations is required in conjunction with approval of the project.

Impact TRAF-2B: The effect of an increase of Proposed Plan vehicle traffic would cause mixed flow transit operations to be significantly impacted. Since impacts identified under TRAF-1 and their recommended mitigations are uncertain, this could impact mixed flow transit operations in San Leandro and therefore, this is considered a *significant impact*. (Draft EIR p. 4.13-63)

Mitigation Measure TRAF-2B: Implementation of the mitigation measures unidentified under TRAF-1A would reduce the impact to transit operations to acceptable levels. However, for the reasons listed above this impact would remain *significant and unavoidable*. (Draft EIR p. 4.13-63)

Resulting Significance: Significant and Unavoidable

Finding: Changes or alterations have been required in, or incorporated into, the Project, which avoid or substantially lessen the significant environmental effect identified in the EIR, but not to a level of less than significant. There are no additional feasible mitigation measures and no feasible alternatives that avoid this significant effect. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures, as discussed in the Rationale below, or project alternatives identified in the final EIR, as further addressed in Attachment D, Alternatives Findings.

Rationale for Finding: Intersection improvements identified in Mitigation Measure TRAF-1A would reduce the traffic impact to a less-than-significant level for three intersections.

However, at the remaining nine intersections, and along all identified freeway segments, Mitigation Measures TRAF-1A and TRAF-1B would be infeasible due to cost constraints, the intersection/segment being outside of the City's jurisdiction, and/or uncertainty regarding the availability of right-of-way for the improvement. Due to the infeasibility of these mitigation measures, traffic impacts cannot be mitigated to a level that would avoid impacts to mixed-flow transit operations. The impact is significant and unavoidable and a Statement of Overriding Considerations is required in conjunction with approval of the project.